there somewhat more into line with those in the metropolitan area.

In Victoria, I understand, the State Government helps the local authorities in the provision of swimming pools. Many swimming pools are projected in the rural areas of this State when more urgent work has been completed, and I hope the Premier will bear in mind what has been done in Victoria and not let this State lag far behind in that respect. Such provision would make an immense difference to the living conditions in the country areas. If we do not give some encouragement to the local authorities to improve the facilities available in the country, all our talk of decentralisation will be nothing but a mockery and we shall not be honest when we urge the need for decentralisation.

Progress reported.

ADJOURNMENT—SPECIAL.

THE PREMIER (Hon. F. J. S. Wise—Gascoyne) I move—

That the House at its rising adjourn till 2 p.m. tomorrow.

Question put and passed.

House adjourned at 6.2 p.m.

Legislative Council.

Thursday, 21st November, 1946.

The PRESIDENT took the Chair at 2.30 p.m., and read prayers.

QUESTION.

PETROL TAX.

As to Amount Received from Commonwealth.

Hon. A. L. LOTON asked the Chief Secretary:

1, Is it correct that of the amount of £895,917, collected during the financial year ended the 30th June, 1946, by the Commonwealth Government from taxation on motor spirit in this State, £192,000 was returned to the State Government of Western Australia?

2, If this figure is not correct, what is the correct amount?

3, What amounts were collected by the Commonwealth Government from taxation on motor spirit and returned to the State Government for the years 1940 to 1945 inclusive?

The CHIEF SECRETARY replied:

1, The sum of £895,917 was collected during the financial year ended the 30th June, 1946, by the Commonwealth Government from taxation on motor spirit in this State, but the sum returned to the State Government of Western Australia was £584,786.

2, Answered by No. 1.

3, The amounts collected by the Commonwealth Government from taxation on motor spirit in this State for the years 1940 to 1945, both inclusive, were £3,927,165, and the amounts returned to the State Government in these years were £2,945,207.

BILLS (2)—FIRST READING.

1, Road Districts Act Amendment (No. 2).

Introduced by the Honorary Minister.

2, Hairdressers Registration.

Received from the Assembly.

BILL—STATE HOUSING.

Reports of Committee adopted.

BILL—VERMIN ACT AMENDMENT.

In Committee.

Resumed from the previous day. Hon. G. Fraser in the Chair; the Honorary Minister in charge of the Bill.

New clause (partly considered):

The CHAIRMAN: Progress was reported after the Bill had been recommitted for the purpose of considering the insertion of a new clause moved by the Honorary Minister as follows:—

"5. Section ninety-eight of the principal Act is amended by inserting in Subsection (2) thereof the words 'and upon the roads bounding or intersecting the same' after the word 'holding' in the final line of this subsection."

The HONORARY MINISTER: I have made further inquiries regarding this matter. It is quite straightforward. There are already penalties in the Act dealing with farmers who neglect to destroy vermin on their holdings. There is an omission in the section that the amendment covers. It is that the Minister or the vermin board may cause to be sent to any occupier or farmer notice to destroy vermin on the property. In Sections 96 and 98, provision is made for the farmer to control and destroy vermin on the roads about him. This amendment will obviate the necessity for the board or the Minister to put the required notice in the "Government Gazette." I do not think any farmer would want his name in the "Government Gazette." If these words are inserted the position will be covered by a letter from the board or the Minister.

New clause put and passed.

Bill again reported with a further amendment.

BILL—WESTERN AUSTRALIAN TROTTING ASSOCIATION.

In Committee.

Resumed from the 19th November. Hon. G. Fraser in the Chair; the Chief Secretary in charge of the Bill.

Schedule:

The CHAIRMAN: Progress was reported on an amendment by Mr. Parker to By-law 6 to strike out of line 11 the word "fourteen" and insert in lieu the word "twenty-one."

Hon. H. S. W. PARKER: Twenty-eight days before the general meeting, notices must be sent to members informing them of the date of the meeting and of the date for the closing of nominations. The nominations should close 21 days instead of 14 days before the general meeting in order to provide ample opportunity for members to record their votes.

The CHIEF SECRETARY: If this amendment is agreed to, the provision for 28 days' notice of the meeting should be altered to 42 days. I cannot see why an election cannot be conducted within a period of 14 days.

Hon. H. S. W. Parker: There are country members who may get a mail only once a fortnight.

The CHIEF SECRETARY: I agree that every member should have an opportunity to record his vote, but seven days would not be sufficient time for country members to nominate.

Hon. H. S. W. PARKER: I think the first meeting has to be held within two months of the proclamation, which would afford ample opportunity to give six weeks' notice of the meeting.

Amendment put and passed.

Hon. H. S. W. PARKER: I move an amendment—

That in lines 12 and 13 the word "twenty-eight" be struck out and the word "forty-two" inserted in lieu.

Amendment put and passed.

Hon. C. F. BAXTER: I suggest that the Chief Electoral Officer should conduct the election. There has been a lot of talk about the ballot and, though I do not believe there is any substance in it, such talk will continue unless we make a change. My proposal may appear to be drastic, but in my opinion it is necessary. I move an amendment—

That in By-law 7 the first paragraph be struck out and a new paragraph inserted in lieu as follows:—

"If the nominations are in excess of the vacancies the Secretary shall supply a list containing the names and addresses of all members to the person for the time being appointed to the office of, or discharging the duties of, the Chief Electoral Officer under the Electoral Act 1907-1940 (hereinafter referred to as the returning officer). The Secretary shall sign his name to every page of such list and shall sign a certificate of correctness at the foot or end of such list. Voting papers shall at once be prepared by the returning officer and such voting papers shall consist of a ballot paper whereon shall be printed the names of all candidates with a counterfoil attached and the returning officer shall, after endorsing his initials on each ballot

paper, post a voting paper to each member as soon as practicable after the day on which nominations close. The counterfoil shall be signed by the voter, detached from the ballot paper, and placed in a sealed envelope endorsed 'Counterfoil'."

Hon. H. S. W. PARKER: Why should we use a public department for the benefit of a private body? If the association is not fit to conduct a ballot, it is not fit to exist. If it conducts a ballot improperly, there is ample opportunity for the unsuccessful candidates to take action. Public servants have sufficient duties to perform without doing outside work. Moreover, I do not think it is right for them to be detailed to work for private concerns.

Hon. L. CRAIG: The amendment is a great reflection on the members of the Trotting Association. To say that people elected to a sporting body are not fit and proper to conduct elections is a great indictment. Surely we are not going to descend to use officers of the Government to conduct a ballot for a sporting body! It is a terrible thing that we should even discuss the use of electoral officers to keep the game clean. It suggests that the whole thing is a racket and that the people who run the show cannot be trusted to do so honestly. If the association cannot conduct its own ballot, the time has come for it to give up altogether.

The CHIEF SECRETARY: The by-law relating to ballots is the existing by-law of the association. Anyone who reads it will see that there are opportunities for manipulation. Whether Mr. Baxter's amendment be agreed to or not, it is absolutely essential that there should be a tightening up of the by-law. I agree with the amendment, more particularly for the first election. This organisation is to an extent being reconstructed; and in view of the evidence tendered to the Royal Commission, I see no reason why we should not ensure that on the first occasion, at any rate, there shall be no room for suspicion, shall I say, as to the bona fides of the people conducting the election. What Mr. Baxter says is quite correct.

There have been not only rumours but definite statements with regard to the methods adopted by this organisation in several directions. There was evidence before the Royal Commissioner on numerous matters, which he dealt with very trenchantly. He referred to the very loose methods which were adopted by the organisation with regard to administration and records, and spoke of sheets of paper being used rather than permanent records usually associated with an organisation of this type. If we are going to put this association on a proper footing, and are to do all we can to see there is no opportunity of happenings occurring in the future that have taken place in the past, it is our duty, no matter what the amendment may be, to put this provision in the Bill to ensure that all parties will be satisfied. The by-law is rather unusual.

It will be found that the association is to appoint its returning officer who is to carry out the usual duties of the office. All ballot papers are to be returned to him, and he has to do certain things with them. The procedure is such as to lend itself to suspicion in some cases. We do not know who would be appointed returning officer. We know who has been appointed in the past and also the methods adopted. The appointment of the Chief Electoral Officer, more particularly for the first ballot, would remove all suspicion from the activities of the association in regard to ballots. For that reason we should support Mr. Baxter's amendment, especially if it is made specifically to refer to the first election only, after which members themselves, if they were interested in their organisation, would have the by-law so amended that there could be no suggestion that it was open to corruption of any kind.

Hon. L. Craig: This amendment does not make provision for only the first occasion.

The CHIEF SECRETARY: I am proposing that it should be at least for the first election. The Royal Commissioner spent a great deal of time on the question of the administration of this organisation. He suggested that the present by-laws should be the basis of by-laws for the new association and left the Parliamentary Draftsman so to make alterations that it would be possible to get away from any idea that things were not quite as they might be. So long as we can give the public and members of the association the idea that everything is open and above board, we have not very much to fear and can leave the rest to the members of the association.

I support the amendment. I do not know whether Mr. Baxter would be agreeable to include a few words to provide for this course to be adopted in respect of the first election at least. Nobody could complain of that. Afterwards the association itself could amend its by-laws and such amended by-laws would have to come before Parliament for its consideration.

Hon. C. F. Baxter: I agree to the suggestion.

The CHAIRMAN: That cannot be done at the moment. We are only dealing now with the deletion of words.

Hon. H. S. W. Parker: It will be necessary to delete By-law 7 if the amendment is to apply to the first election only.

Hon. C. F. Baxter: It would have to be a proviso.

The CHIEF SECRETARY: In his amendment, Mr. Baxter provides a method that shall be adopted in regard to the issuing of ballot papers. In the by-law there is nothing to say that any ballot paper when issued shall have any distinguishing mark on it at all to indicate that it has been issued by the returning officer. That is essential. If there were ballot papers uninitialled by the returning officer substitutions could be made quite easily. That is one reason why I favour the amendment. If we can fix it up as a proviso, I shall be satisfied. Even then the by-law will have to be amended in some respects. If my suggestion is agreed to, and the amendment will be made to apply to the first election, and it will be left to the association to draft its own by-laws that will have to come before Parliament. That should be a way out of the difficulty.

Hon. C. F. BAXTER: When the first Bill came before this House I moved for the appointment of a Royal Commission. Such a Royal Commission was appointed and its recommendations, in the main, are included in the Bill now before us. During the last few years there has been much talk about the way in which the ballots were conducted. Under the by-law contained in the Bill there will be no control over the ballot papers. I want to do away with the thoughts that are in the minds of many people concerning the conduct of ballots. I also take exception to Mr. Craig's language. He certainly made a reflection upon me.

Hon. L. Craig: I did not mention your name.

Hon. C. F. BAXTER: It is my amendment and his words were a reflection upon me. I do not like that language. The by-laws should be beyond reproach. I know that neither Mr. Craig nor Mr. Parker have heard one per cent. of what has come before me.

Hon. H. S. W. Parker: I admit I have not heard one word on the subject.

Hon. C. F. BAXTER: The hon. member is not likely to have done so because he covers himself up in his office and does not meet the people I do. The control of trotting must be along straight lines and the Bill must be made workable. If the first election is carried out, as proposed by the Chief Secretary, by the Chief Electoral Officer, the committee of the association could then adjust its own by-laws. I am prepared to accept the Chief Secretary's suggestion.

Hon. L. CRAIG: I regret that Mr. Baxter has taken offence at my remarks. The last thing I intended was to reflect upon him in any way. If I were a member of the trotting committee and this amendment was carried, I would resign at once. I have no doubt concerning Mr. Baxter's motive, but that does not affect my views upon the amendment. Surely if there is a dissatisfied candidate at an election he will have his remedy and can call for a re-count. The Chief Secretary's suggestion that this proposed by-law should apply only to the first election certainly improves the amendment, but it is still a shocking indictment of the committee of the association.

The CHIEF SECRETARY: I do not look upon this amendment as any greater reflection upon the Trotting Association than was the appointment of the Royal Commission. Sufficient evidence was given before Mr. McLean to indicate that the inquiry was very necessary. If we admit that, we must be prepared to see that the position is made such that there can be no ground for suspicion concerning the administration of this very big organisation, which extends practically throughout the State.

Hon. W. J. Mann: Did the Royal Commissioner suggest this form of ballot?

The CHIEF SECRETARY: No, but he said that the present by-laws should be the basis of the future by-laws.

Hon. L. Craig: A new committee has been elected since the Royal Commissioner put in his report, and this amendment would reflect upon that body.

The CHIEF SECRETARY: Let us make sure that there shall be no loophole left for anyone to cast stones at any person associated with this organisation. The members of the association, after the first election, can amend their own by-laws and see that they are in accordance with what they desire. I do not think the Trotting Association would have any reason to object to the amendment in view of the fact that it is being reconstructed in accordance with the Bill. If there are any complaints in the future they can be dealt with here. If the words in the by-law are deleted, as proposed, I will move the amendment I have indicated.

Hon. H. S. W. PARKER: The Chief Secretary said this amendment was partly necessary because the records were in such a bad state. If the amendment is carried the secretary of the association will leave with the Chief Electoral Officer a signed list of members. If there are people who want to retain control of the management all they will have to do is to send in a list which purports to be a list of members. That would be quite wrong. I should imagine the association would be glad to have someone to conduct an election on its behalf, but why should a civil servant be detailed to do that work merely because certain irresponsible people have made a number of allegations? If there is anything wrong with the ballot an unsuccessful candidate has his legal remedy. What difference would it make if every ballot paper was initialled on the back by the returning officer?

The Chief Secretary: It would make a lot of difference.

Hon. H. S. W. PARKER: If we delete the first paragraph of By-law 7 new by-laws must be brought in before another election is held.

Hon. W. J. Mann: And come before both Houses?

Hon. H. S. W. PARKER: Yes. Neither the Bill nor the by-laws are for the purpose of controlling trotting but merely for altering the constitution of the Trotting Association. The only power apart from that is to enable the fund for the assistance of country clubs to be established. We have new rules prepared by the Government after due consideration of the report of the Royal Commissioner and By-law 7 is the usual one for dealing with elections. Why not stick to it?

Hon. A. THOMSON: I agree that the amendment constitutes a grave reflection on the integrity of members of the association. There is a suggestion in Mr. Baxter's amendment that there has been unfair and almost criminal manipulation of the ballot.

Hon. C. F. Baxter: I did not say that.

Hon. A. THOMSON: The hon. member said in effect that those he referred to were not to be trusted. It is a principle that, to my way of thinking, is wrong. Surely the association should be able to control its own affairs. The by-law makes ample provision for that. If we are to adopt the principle that ballots of this sort should be conducted by the Chief Electoral Officer, I certainly hope it will be applied to other bodies that sometimes can cause serious disruption in the affairs of the State.

Hon. Sir HAL COLEBATCH: I think the Chief Electoral Officer has already enough to do looking after his own business. This proposal would establish a very dangerous precedent. In a little while the Chief Electoral Officer might be asked to conduct ballots in connection with the W.A.T.C., the Royal Agricultural Society, the W.A. Cricket Association and, possibly as the next step the Labour Party's selection ballots.

Hon. W. J. Mann: That would be a good idea.

Hon. Sir HAL COLEBATCH: There might be no end to this sort of thing.

Hon. G. BENNETTS: I support Mr. Baxter seeing that what he suggested will apply only to the first election. If a Royal Commission is appointed that step is taken only because matters have arisen necessitating an inquiry. When such an inquiry takes place the general public look to a body like Parliament to ensure that matters are put in order. Mr. Baxter's amendment seeks to accomplish what the public require.

Hon. A. L. LOTON: On principle I shall not support the amendment. The reflection on committeemen of the W.A.T.A. is serious. If I were a committeeman and the amendment were carried, I would not retain that position for five minutes.

Hon. H. S. W. PARKER: The first election is to be held within two months after the proclamation of the Act. Assuming it will be proclaimed as early as possible, that will be early in the New Year which should bring the election to the first fortnight in March. During that period the Chief Electoral Officer will be extremely busy with the State general election and I do not think the Government would allow him to be concerned with a trivial minor election like that under discussion.

The CHIEF SECRETARY: There is not much in that argument. There are very few members of the Trotting Association compared with the number of electors throughout the State and the ballot would take very little of the time of the Chief Electoral Officer. I cannot see why members should object to an endeavour to place this organisation on a proper and sound footing when it is being reconstructed and then leaving matters to the good sense of the association from then on. Mr. Loton says that this is a reflection upon the committee. What else was the report of the Royal Commissioner?

Hon. W. J. Mann: It was a reflection on some members of the committee, and you could count the number on your fingers.

The CHIEF SECRETARY: There are only seven of them! It is our duty to lay down conditions with which no-one could find fault and give the Trotting Association an opportunity to re-establish itself from every point of view.

Amendment put and negatived.

Hon. H. S. W. PARKER: In view of the Minister's remarks I shall move to amend the first paragraph by inserting after the words "ballot paper" in line 4 the words "to be initialled on the back thereof by the returning officer."

The CHIEF SECRETARY: I have already pointed out that when ballots are held it is customary that there shall be something to identify each ballot paper as having been issued by the returning officer. In such circumstances there can be no suggestion of ballot papers being substituted for others—unless the electoral officer himself is implicated. The present by-law as it stands is wide open to manipulation and there has been a looseness in connection with the past administration that has been unpardonable. In fact, the Royal Commissioner himself has drawn attention to that fact. Now that we are endeavouring to provide a new constitution for the Trotting Association we should ensure that there will be no room for suspicion in the future. I do not think members of the association or of the committee would object to that. They would desire the constitution and the by-laws to be so framed that no-one could throw stones through them.

Hon. H. S. W. Parker: Quite right.

Hon. W. J. Mann: There is no objection to that.

The CHIEF SECRETARY: There is nothing in the by-law as framed to indicate how the returning officer shall be appointed and it should be re-drafted. For that reason I think that while Mr. Parker's proposed amendment should be included, there is necessity for an earlier amendment. We should make sure that all connected with the association may be satisfied with the method adopted. For that reason we should make some provision regarding the appointment of a returning officer who should not be a member of the committee or an officer of the association. I move an amendment—

> That in line 3 after the word "committee" the words "but who shall not be a member of the committee or an officer of the association" be inserted.

That will enable a returning officer to be appointed from the membership of the association or from outside the ranks of that body. I am actuated by the same motive as Mr. Baxter, namely, to dissipate any suggestion of suspicion associated with matters of this description. By so doing, we are going a long way towards achieving that desirable objective. The by-laws do not deal with returning officers.

Hon. H. S. W. Parker: As a rule, is not the secretary the returning officer?

The CHIEF SECRETARY: I believe he is in some cases.

Hon. H. S. W. Parker: The amendment would leave it open to any member to be the returning officer.

The CHIEF SECRETARY: Yes, or anybody outside the association.

Hon. H. S. W. Parker: I certainly think the returning officer ought to be some person over whom the committee has no control.

Amendment put and passed.

Hon. H. S. W. PARKER: I move an amendment—

That in line 4 after the word "paper" the words "to be initialled on the back thereof by the returning officer" be inserted.

Amendment put and passed.

Hon. H. S. W. PARKER: I move an amendment—

That in line 7 of the fourth paragraph the words "two o'clock" be struck out.

I was requested by members of the committee of the association to endeavour to secure this amendment. The reason I was given is that it is difficult to check all the signatures with the counterfoil between 2 o'clock in the afternoon and the time of the meeting. If the amendment be agreed to, I propose to substitute "10 a.m."

The CHIEF SECRETARY: I am not raising any objection to the amendment. There may be something in Mr. Parker's contention, but it seems rather strange that all that time would be occupied in checking the signatures of a maximum of 350 members.

Hon. L. Craig: It is a question of mails.

The CHIEF SECRETARY: Suppose we compromise by making it midday?

Hon. H. S. W. Parker: Certainly.

Amendment (to strike out words) put and passed.

Hon. H. S. W. PARKER: I move an amendment—

That the word "noon" be inserted in lieu of the words struck out.

The CHAIRMAN: I draw the Committee's attention to the fact that in the preceding line the words "is he so desires" appear.

Hon. H. S. W. PARKER: That is obviously a printer's error.

Amendment (to insert word) put and passed.

The CHIEF SECRETARY: In view of Mr. Parker's amendments having been passed, I think it necessary to add additional words. I move an amendment—

That in line 11 of the fourth paragraph after the word "reject" the words "ballot papers not endorsed with the initials of the returning officer and" be inserted.

Amendment put and passed.

Hon. H. S. W. PARKER: I move an amendment—

That at the end of By-law 14 the following words be added—"except as provided by Section 5 of the Act."

This will bring the by-law into line with the clause dealing with persons who immediately before the commencement of the Act were members of the association.

The Chief Secretary: Would it not be well to place the words at the commencement of the by-law?

Hon. H. S. W. PARKER: I do not think it makes much difference. Personally, I think it correct that they should be added to the by-law.

Amendment put and passed.

New by-law:

The CHIEF SECRETARY: I feel sure the Committee will agree to the proposed new by-law, which appears on the notice paper, but it requires slight alterations. Mr. Craig pointed out to me that it would be necessary to define the kind of horse referred to, so I propose to insert before the words "horses" and "horse" the word "race." This will make it quite clear that no handicapper or steward shall engage or be interested in the sale, lease, breeding, management or ownership of any racehorse.

Hon. L. Craig: The definition of "race" is "any trotting race."

Hon. H. S. W. Parker: No.

The CHIEF SECRETARY: This is taken from the New Zealand by-laws. The matter is referred to at page 19 of the Royal Commissioner's report. In the rules of racing of the Western Australian Trotting Association there is a definition of "horse." It means, "A horse trained or nominated, entered or raced for a race, and includes: mare, colt, gelding, or filly, and also a pony or galloway."

Hon. H. S. W. Parker: That would not cover this.

The CHIEF SECRETARY: The position would be met by the insertion of the word "race" in paragraphs (a) and (b) and the insertion of the word "horse" in paragraph (c) of my proposed new by-law. I move—

That a new by-law be inserted as follows:—

"58A. No handicapper or steward shall—

(a) Engage directly or indirectly in any business connected with the sale, lease, breeding or management of racehorses.

(b) Directly or indirectly be interested in the ownership of any racehorse.

(c) Bet, or be interested in any wager or bet, on any horse race."

New by-law put and passed.

Hon. H. S. W. PARKER: I move an amendment—

That in line 1 of By-law 71 after the word "charges" the words "exclusive of any tax" be inserted.

I do not know that those words are absolutely necessary, but they will make the position clearer. Today when we go to entertainments we see a notice that the charge is 5s. but we have to pay 6s. 6d., or some other such sum. The amendment is to make clear that the charges that the association is permitted to make are exclusive of any tax.

Amendment put and passed.

Hon. H. S. W. PARKER: It is necessary to provide in By-law 71, where the scale of charges is set out, that it applies to males and then later to move an amendment to allow for the admission of women. I move an amendment—

That in lines 5 and 7 of By-law 71 after the word "each" the word "male" be inserted.

Amendment put and passed.

Hon. H. S. W. PARKER: No provision has been made for an admission fee for women. The amendment is simply to allow a charge not exceeding 4s. I move an amendment—

That in By-law 71 after the words and figure "for the admission of each male person to the leger (not exceeding) 4s." the words and figure "for the admission of each female to the enclosure or leger (not exceeding) 4s." be inserted.

Amendment put and passed.

Hon. H. S. W. PARKER: By-law 86 provides that the holders of winning tickets must claim their dividends from the totalisator within half an hour. I think this by-law must have been included in error. It is restrictive and unnecessary. I think it is, perhaps, improper. I move an amendment—

That By-law 86 be struck out.

The CHIEF SECRETARY: I raise no objection, although the present by-law of the W.A. Turf Club is the same, but that body does not comply with it. If it is necessary to have any further by-law to deal with this matter, the Trotting Association can submit one.

Amendment put and passed; First Schedule, as amended, agreed to.

Second Schedule:

Hon. H. S. W. PARKER: I forgot to put on the notice paper an amendment dealing with By-law 100.

The CHAIRMAN: The hon. member is too late. I have just put the First Schedule.

Hon. H. S. W. PARKER: My amendment was consequential only on Clause 17 having been altered.

The CHAIRMAN: Clause 17 was not amended.

Second Schedule put and passed.

Title—agreed to.

Bill reported with amendments.

Sitting suspended from 4 to 4.20 p.m.

BILL—LAND ACT AMENDMENT.

Second Reading.

THE HONORARY MINISTER (Hon. E. H. Gray—West) [4.21] in moving the second reading said: The main object of this Bill is to include in the Act provisions that will extend certain concessions to ex-Servicemen of the recent war. In addition, the opportunity has been taken to include a number of other amendments which are regarded as highly desirable. As a matter of fact, the Government had further amendments under consideration, but decided to proceed only with those that were thought to be the most urgent. At a subsequent date the other amendments may be submitted to Parliament and at the same time attention given to a consolidation of the Act.

The first amendment is purely formal. Section 5 of the principal Act nominates the senior administrative positions of the

Department of Lands and Surveys, and it is proposed to include the position of "Director of Land Settlement." This officer was recently appointed to control that section of the department dealing with special problems of land settlement, including war service settlement.

The next amendment is one of considerable importance and is designed to remedy a somewhat unfortunate state of affairs, one which places the department in rather an invidious position. The Act sets out that the freehold of town lots may be disposed of by the Crown by auction only. Prior to the institution of regulations for the control of land prices, this method worked satisfactorily, the person who made the highest bid naturally securing the lot. It so happens that these circumstances still apply, but not as satisfactorily as before. Although price-control regulations are in operation, the Crown is not subject to these regulations and there is therefore no bar to the amount that may be bid for a town lot at Government auctions. At several such auctions very high prices have been paid for land by persons who were obviously speculators and who were able to outbid persons who were genuinely desirous of obtaining the land for home-building or for legitimate business purposes.

The amendment will obviate the repetition of such occurrences. It proposes that all town lots for sale or lease by the Crown shall be subject to allocation by a land board whenever there should be more than one applicant for a block. The board will ensure that each block is allotted to the most deserving of the applicants, whose claim will receive precedence over those of the speculator. The amendment also proposes that where a town lot is obtained under leasehold, it shall remain under leasehold for the duration of the lease, but that at the expiration of the lease the lessee shall have priority over other applicants should he desire to renew his lease. On many occasions persons have obtained land ostensibly for leasehold purposes, but no sooner was the leasehold granted than immediate application was made for a transfer to freehold. Not only has this caused a lot of work to the department but the department has been unable to ensure that the land was utilised for the purposes for which it was granted.

The next provision in the Bill deals with the setting apart of what it is proposed to call farm reconstruction areas. For some years steady progress has been made with various reconstruction schemes that have been put into operation by the Government in the marginal, lake country and salt-affected areas, schemes in which the Rural and Industries Bank has taken part. These schemes, which are not yet all finalised, are mainly based on a system of linking properties to provide additional land for the creation of an economic unit in the various localities. In some instances, it may be necessary to revise the programmes, and there are other areas still to be dealt with. At present the general procedure has been to throw the land open for public selection. The amendment proposes that areas shall be set aside for reconstruction schemes and that the land thus available may be allotted to specific persons.

The next three amendments are the result of recommendations made by the Director of Land Settlement, Mr. Fyfe, who, in 1940, when Surveyor General, was appointed a Royal Commissioner to make an inquiry into the pastoral industry. The majority of the recommendations he made have been put into effect by the Government and have proved of value to the industry. Several of his recommendations, however, involve legislative action, and the opportunity is now taken to include them in the Act. The commissioner recommended that the Pastoral Appraisement Board be given power, when dealing with applications for reappraisement of rent and for relief of rents, to require applicants to provide all possible evidence. This is usually forthcoming, but there have been instances when lessees have been reluctant to submit relevant information. The Bill proposes that the board shall have the power to require a lessee or his agent to submit all evidence that may be considered necessary, such as properly audited books of account and other documents. It may also request the lessee or his agent to provide statutory declarations and may examine them on oath. Mr. Fyfe, in making these recommendations, did so with a full knowledge of the position, he having been chairman of the board for many years. This amendment is considered very necessary as

the board is in a position to recommend substantial concessions.

The next amendment gives effect to a recommendation of the Royal Commissioner which has been adopted for some time by the Pastoral Appraisement Board, that is, exemption from payment of rent for a maximum period of two years after the end of a drought. This will be in addition to any other relief that has been granted on the recommendation of the board. The two years' exemption will not be affected by any good season that should occur during that period.

The Act stipulates that the Land Purchase Board shall inspect any property recommended for purchase by the Crown. In view of the number of properties to be inspected and the necessity for expeditiously dealing with those required for war service land settlement, the Bill provides that the board may dispense with the necessity for personal inspection by members of the board and may rely on the investigations made by departmental officers who are qualified in such matters. A great deal of time would thus be saved, particularly in regard to prospective war service land settlement properties, if this procedure could be adopted.

The following amendments are those to which I have referred in regard to concessions to ex-Servicemen of the recent war. In order to implement the amendments, a discharged member of the Forces is defined as having been resident in the Commonwealth for not less than 12 months prior to the 3rd September, 1939, and having been honourably discharged after not less than six months' full-time service. In special circumstances the Minister may approve of the concessions being extended to a person who has had less than six months' full-time service. The Government considers that equal concessions should be available to men whether or not they left Australia during the term of their war service. In the recent war many men were prepared to go oversea but owing to the imminence of the conflict to our shores were not permitted to do so. It would not be justice in this case to differentiate between those who went oversea and those who did not. In both instances many men were absent from their properties for lengthy periods.

The Bill provides that rent may be deferred on conditional purchase leases and on repurchased estates as from the first day of the half year in which the lessee joined the Forces, until the last day of the half year wherein he was discharged. Also the term of any lease may be extended to cover this period. Further concessions to which I shall refer will not be available in the case of repurchased estates. Any discharged Serviceman who possesses a conditional purchase lease or who acquires one after discharge, whether from the Crown or otherwise, may apply for a rebate of half his rental, excluding the costs of improvements and survey fees. Should the lease be held at the time of the soldier's admittance to the Forces the rebate will commence as from the first day of the current half year. In the event of the land being acquired subsequent to enlistment the rebate will be dated as from the first half-yearly rent day nearest to the date of acquisition. In addition, a discharged Serviceman will not be required to pay rent, or interest on the cost of survey, or interest on the value of improvements, on a conditional purchase lease for the first five years of the lease.

All concessions contained in the Bill with respect to conditional purchase leases will cease should the discharged member of the Forces dispose of his property to other than another ex-Serviceman. This will also apply in the case of a deceased lessee whose property is disposed of or left under his will to other than his widow, child or parent. Any lessee who has been granted concessions under the Bill and who disposes of his lease by any means whatsoever must report the transaction within 30 days, otherwise the lease may be forfeited. This will ensure that if transfer is made to a non-ex-Serviceman, then the concessions granted may be discontinued. Should any ex-Serviceman take over land on which concessions under the Discharged Soldiers' Settlement Act of 1918 are in force, then those concessions shall continue to apply in lieu of those in the Bill.

None of the concessions in the Bill will apply to any area in excess of the maximum prescribed in the Act, that is, 5,000 acres of grazing land or 2,000 acres of cultivable land. Should a discharged member of the Forces have died prior to this Bill being proclaimed as an Act, or during the period of

his service in the Forces, and his lease devolved to his widow, child or parent, the Minister may approve of the granting of a rebate of rent as provided in the Bill. That is a brief explanation of the Bill, which, as I have stated, is primarily designed to afford a measure of relief to ex-Servicemen of the recent war and to place them in a somewhat similar category to lessees who served in the 1914-18 war. I move—

That the Bill be now read a second time.

On motion by Hon. C. H. Simpson, debate adjourned.

BILL—COUNTRY AREAS WATER SUPPLY.

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [4.35] in moving the second reading said: I think it will be agreed that one of the biggest drawbacks in our country areas is the lack of adequate and reliable water supplies. Members are aware that from time to time various representations have been made to Governments to endeavour to alter that state of affairs. In recent times, the present Government has given a great deal of attention to the problem, and finally a comprehensive scheme has been devised to serve large areas of country that today suffer through lack of adequate water supplies. In order to give effect to this comprehensive scheme, it is necessary to introduce two Bills. This is the first of the two. Unfortunately, I am not in a position to introduce the second one today, but I would suggest that members might think it desirable to have the right or opportunity, in speaking to either Bill, to refer to the other, because they are wrapped up with each other.

The PRESIDENT: I suggest that the debate centre in both Bills and that the second be not discussed at any length when it is introduced.

The CHIEF SECRETARY: Thank you for the suggestion, Mr. President. Until the second Bill, which covers the comprehensive scheme, has been introduced, members will not be in a position to debate the details, but I hope that when either Bill is before the House, reference to both will be permitted, as occasion arises. This is the first of two measures brought forward to implement the proposed comprehensive agricultural and goldfields water scheme. It will be noted that the Bill is to be read in conjunction with and be subject to the Water Supply, Sewerage and Drainage Act, 1912-1920, which provides for the constitution of the Department of Water Supply, Sewerage and Drainage and for the Minister for Water Supply, Sewerage and Drainage to be a body corporate with powers of boards under certain statutes.

The Bill applies to all parts of the State with the exception of the metropolitan area, which comes within the jurisdiction of the Metropolitan Water Supply, Sewerage and Drainage Act, 1909-1918. If approved, it will effect a consolidation of the Goldfields Water Supply Act, 1902-1942, which is to be repealed, and it will also absorb many of the provisions of the Water Boards Act, 1904-1933. The majority of the provisions in the Bill are therefore not new, so I do not think it will be necessary for me to describe them in detail. The most important objects of the Bill are to place the administration of the proposed comprehensive water scheme under one statute and to clarify the Minister's position in regard to rating and method of rating. It is proposed that the Bill will come into operation on a date to be fixed by proclamation.

A perusal of the measure will reveal that it is divided into nine parts. Part I includes a large number of definitions and the opportunity has been taken to provide a more minute description of many of these than is contained in the other Acts in which they appear. An important definition which does not appear in any other measure is that of "rating zone." This is defined as a portion of a country water area in which portion a reticulated supply of water is available or is about to be made available, and which the Governor by Order-in-Council declares to be a rating zone for the purpose of the levy, assessment and recovery of rates under the Act.

The second part of the Bill deals with country water areas, water reserves and rating zones and provides for the establishment throughout the State of rating zones, which will enable a much more equitable application of rating by the department than has so far been possible. It is proposed that these zones shall be smaller in area than the

present districts, thereby making it possible for greater consideration to be given to local conditions and difficulties than can be done under existing legislation. Provision is also included to constitute any country municipal district or townsite as a separate rating zone, thus permitting the striking of a different rate from that charged outside its boundaries.

Water boards are to be appointed in water areas constituted under the Bill, and boards which are now operating under the Water Boards Act, 1904-1942, may be retained. Part IV deals with construction and maintenance work and gives authority for the exercise of powers under the Public Works Act in relation to the construction of public works, this including, of course, the compulsory acquisition of land. Similar provisions have been included to those in the Water Boards Act and the Metropolitan Water Supply Act to ensure that adequate publicity is given prior to the commencement of waterworks in any area in order that any objection to the works by local authorities or interested persons may be dealt with.

Under Part V power is given for the supply of water by measure in any case where a bulk supply is required, and in such case a meter will be provided in lieu of charging a water rate. If requested by a majority of landholders in any locality where a reticulated scheme is not in operation, steps may be taken to provide standpipes from which water may be obtained. All land within a radius of three miles from any standpipe may be subject to payment of rates, the amount of which would be in proportion to distance from the pipe, but such rates would be less than the normal rate charged on the land. These provisions are considered essential, as it is well known that abuses have occurred in connection with water from standpipes, and the Bill will enable the department to effect a more rigid control.

Referring to rate books, the Bill provides that a ratebook shall be kept for each rating zone and that, when necessary, books shall be amended to rectify any omission in rating subsequent to assessment, both for the current year and for the preceding five years. A similar provision which exists in the Road Districts Act ensures that any errors may be corrected even though they may have been in existence for up to five years. I understand that this safeguard has proved advantageous to road boards and there is therefore no reason why the Water Supply Department should not benefit similarly. Then again Section 68 of the Goldfields Water Supply Act empowers the levying of rates on any property which is situated wholly or partly within 10 chains of a main provided—and this is important—that no part of any such property that is over 1½ miles from the main shall be ratable. The Bill re-enacts this provision with the exception of the proviso I have quoted. There are probably not many properties that this would affect.

Dealing with the rates to be charged the Bill provides for a maximum rate of 3s. in the £ on the annual value of land within a municipal district or a townsite. But—and this should be noted—where the maximum rate payable is at present 2s. in the £, that rate shall not be altered. This refers to properties rated under the Goldfields Water Supply Act, under which the maximum rate is 2s. in the £. The minimum rate payable on these town holdings is to be £1. So far as country property is concerned it is proposed that the water rate shall not in any one year exceed 5d. per acre, with a minimum charge of £2.

It is of interest to know that in 1911 the maximum rate payable was increased from 6d. to 1s. per acre, but that no higher charge than 6d. has ever been imposed so far as I am aware. Therefore the Bill will reduce the maximum rate chargeable by 1d. per acre. Certain concessions over a period of seven years are made to persons who possess an adequate water supply of their own, and who will have to pay a minimum rate of either 3d. per acre or £2, whichever is the greater. It is not proposed to continue the fixed annual rate, or, as it is better known, the holding fee of £5 per annum which has been charged on country lands in addition to the acreage rate. This will no doubt please farmers.

There are a number of other provisions in the Bill which are not included in either the Goldfields Water Supply Act or the Water Boards Act. Among these is the authority to re-assess at a higher or lower figure the annual value of any land. There are a number of circumstances that may

make re-assessment advisable, such as improvements to the property or destruction or damage of the improvements. Where any holding or land rated as one property has been divided between two or more owners or occupiers, the water rates shall be charged proportionately against each of these persons according to each one's share in the property.

The Bill provides for the issue of by-laws allowing a discount of up to 5 per cent. for prompt payment of rates. It is proposed that the recovery of outstanding rates shall be a first charge against the estate of the debtor. A similar provision exists in the Water Boards Act, but under the Bill the debt will not have precedence over any claims by the Rural and Industries Bank unless a court judgment has been obtained.

A similar provision to one in the Metropolitan Water Supply Act has been incorporated in the Bill and will give the department power to take over any land, on which rates remain unpaid for at least three years, and hold or lease such land. If any such action is contemplated, three months' notice shall be given to any person possessing an equity or interest in the property, and any lease given by the department over such land is not to exceed seven years. Should the owner of the property pay all outstanding rates within a period of 25 years, the property shall, upon demand, be returned to him within three months of such payment. If no request is received within 25 years from the owner for the return of the land, it shall be vested absolutely in the Crown. Provision is made for the sale of land on which rates have been in arrears for at least three years, and for the Minister to make by-laws.

That is a brief statement of the provisions of the Bill. As I have said, it is one of two measures designed to implement the Comprehensive Agricultural Areas and Goldfields Water Supply Scheme, concerning which I shall have more to say when introducing the second measure seeking the House's approval of the proposition. I feel sure that members will welcome the proposals embodied in the two water supply Bills because once a comprehensive scheme is put into operation it will make a tremendous difference to a large number of country districts that have suffered materially over the years as a result of lack of adequate water supplies. When I introduce the second measure I shall be dealing with a mass of details, and I think members will agree that the measure will be one for discussion during the Committee stage rather than on the second reading. It is essential that both Bills be agreed to as they are so interwoven. I move—

That the Bill be now read a second time.

On motion by Hon. A. Thomson, debate adjourned.

BILL—FACTORIES AND SHOPS ACT ACT AMENDMENT (No. 3).

Second Reading.

Debate resumed from the 12th November.

THE HONORARY MINISTER (Hon. E. H. Gray—West—in reply) [4.53]: In my opinion the contribution to the debate on the Bill by Mr. Baxter was based on wrong premises. However, I have placed a number of amendments on the notice paper lest his interpretation of some of the clauses should prove to be justified. By doing so, I have taken the necessary action to remedy any tendency in that direction and my amendments will make the intention of the Bill plain beyond the possibility of any mistake.

It appears to me that in seeking to defeat the Bill Mr. Baxter desires to maintain industrial conditions as they were in 1920 when the Act was originally placed on the statute-book. That applies particularly as regards junior assistants in shops. The Bill will mean that small groups of persons employed in factories and shops throughout the country districts in particular shall be granted the privileges of annual leave, sick leave and reasonable notice of termination of services. These three privileges are reasonable and should be granted to everyone. Mr. Baxter has apparently failed to realise that under Section 163 of the principal Act, the industrial provisions relative to wages and conditions of employment do not apply at all where an award of the court or an industrial agreement declared a common rule is in force for the time being. Section 163 of the Act says:

(1) Nothing in this Act contained shall in any way affect the jurisdiction conferred on the Arbitration Court established under the Industrial Arbitration Act, 1912-1935, and any

provisions of this Act as to any matters within the jurisdiction of the said Court may be varied, altered, modified, or excluded by any award now made or hereafter to be made by the said Court or by any industrial agreement now made or hereafter to be made under the said Act: Provided that any such industrial agreement shall not have effect as to any such matters unless and until the same has been declared a common rule by the said Court.

(2) The provisions of Sub-section (1) with regard to awards of the said Arbitration Court shall also apply to awards of the Commonwealth Court of Conciliation and Arbitration under the Commonwealth Conciliation and Arbitration Act, 1904-1930, and to any agreement made under Section twenty-four thereof, and certified by the President of the said Commonwealth Court.

That is very clear. There is no intention to usurp the functions of the Arbitration Court in any way. In the metropolitan area and in the larger towns such as Northam, Geraldton, Kalgoorlie, Katanning and so on, the workers employed in shops are organised and catered for by way of awards and agreements, but in the small places where there are perhaps only one or two shops, it is practically impossible to organise workers. However, it is maintained—and it cannot be successfully controverted—that they are entitled to receive the benefit of the present trend of improved industrial conditions which their fellow workers have already been granted by awards of the court.

In the Bill no attempt has been made to introduce comprehensive conditions of employment. The intention has been to make the Bill as simple as possible, and only broad principles have been inserted. The main object has been to ensure that workers covered by the Bill will have entitlement to a fortnight's annual leave, six days' sick leave, and, except where otherwise agreed upon and except in the case of casual workers, one week's notice of termination of employment. However, since the Bill was introduced in another place, agreement was reached between the Shop Assistants' Union and the employers party to the metropolitan shop assistants' award with regard to an amendment as to its holiday provisions, and the Arbitration Court on Thursday, the 7th November, made an order amending the award in the terms of the agreement. It is my intention in Committee to move amendments to Clauses 6 and 9, that appear on the notice paper. These amendments should satisfy any objections which have been raised to the Bill in regard to the annual leave provisions.

If an employer desires any of the safeguards, with regard to other clauses of the Bill, which are incorporated in the awards of the Court—and here once again it must be stressed there would only be a few employers with workers of a greater number than, perhaps, two or three who are not covered by such awards or agreements—it is competent for any such employer himself to take the necessary steps to file a reference in the Arbitration Court with the object of securing an award and any standard provisions which go with such award, so avoiding the provisions of the Act.

No attempt has been made in the Bill, to quote Mr. Baxter's words, "to give ultra modern or streamlined working conditions" which the court will not grant to workers governed by its awards. Once again, all that is embodied in the Bill at the moment are the broad principles, which the Arbitration Court has agreed to, of annual leave, sick leave, and weekly hiring. For instance, let me refer to the sick pay provisions. It is not considered necessary to incorporate in the Bill all the safeguards which are prescribed in awards, and which are no doubt essential where large numbers of employees are concerned. In country towns, an employer surely has the necessary facilities to ascertain if a worker is genuinely ill and, after all, Section 39A (c) places the onus on the worker to give reasonable proof of his sickness.

Obviously, it is not practicable for a union, where perhaps two or three workers are employed in a town in its particular industry, to organise and then approach the Arbitration Court for a special award to cover those workers. I do not think that the employers in small country places would desire this course to be followed; obviously, the employers would prefer to be covered by an amendment of the Act as suggested in this Bill.

It has been claimed that a worker dismissed summarily for theft or for the unlawful use of property in the care of his employer, should be penalised by the loss of the holiday pay that might be due to him at the time of the alleged offence. This would seem to be contrary to the accepted

principles of British justice, inasmuch as the worker could be punished twice for the one offence, namely, by the loss of holiday pay and by the imposition of a penalty upon conviction in a court of competent jurisdiction. It would also give the employer the right to judge whether the employee is guilty, and a legal right to take away a benefit which had already been earned and which was part of his wages paid for services which, up to the time of the offence, must be presumed to have been satisfactory.

So far as its awards are concerned, the Government has never agreed in principle that a worker should work for a month before becoming entitled to annual leave. It is considered that all workers—other than casuals—should receive pro rata holiday pay, otherwise there would be a gap of three weeks during which they would receive neither their loading nor their pro rata holiday pay. However, in view of the fact that there has now been agreement between the Shop Assistants' Union and the employers in regard to all holiday provisions under the metropolitan award, the amendment of the clause which I intend to move in the Committee stage will be found, I think, to contain the provisions suggested by Mr. Baxter. I will place a copy of the agreement on the Table for members to read, should they so desire.

The amendment to Section 29 is designed more or less to bring male workers into line with the standard hours throughout industry, that is to say, 44 per week. Surely it is not the desire to retain a 48-hour week in industry! If the opponents of the measure are prepared to submit an amendment providing for the working of a five-day week, it is suggested that Section 29 (1) (b) will require to be altered by deleting the words "8 hours and a half" and substituting in lieu "8 hours and 48 minutes." It is also suggested that this amendment can be accepted, as it will not permit additional hours to be worked for the reason that under paragraph (a) of that subclause 44 hours is still to be the maximum in any working week.

There is no prohibition of employment beyond the above spread of hours because under Section 33 workers can work overtime subject to certain limitations, for example, not more than two hours in any day, and so on, provided they are paid certain prescribed rates. With reference to Clause 5, which seeks to repeal Section 30 of the principal Act, it must be pointed out that there is no attempt by the Bill to prohibit the employment of a worker outside the hours, or the spread of hours, prescribed in Section 29. Under Section 33, a worker may be employed, subject to certain limitations outside those hours, provided he is paid at overtime rates.

With regard to the number of public holidays, Mr. Baxter complained that the Bill seeks to increase to 10 the number of such holidays that will be allowed to workers employed under the Act. The Arbitration Court, in its judgment, indicated that workers were to be entitled to 10 public holidays unless the standard in the Eastern States were proved to be otherwise. It is obvious that a number of different types of industries will be affected by the operation of the Bill. In some industries in the Eastern States, workers no doubt will be entitled to varying numbers of such public holidays, but to avoid having different numbers of holidays in country districts the Bill did set out uniform holidays which did not go beyond the standard enunciated by the Arbitration Court.

To ask a small country employer to ascertain the standard in the Eastern States for his particular factory or industry would, without doubt, result in confusion and lack of uniformity. Nevertheless, in view of the agreement between the parties to accept the metropolitan shop assistants' award, I am prepared to move in Committee an amendment to Clause 6 to bring the public holidays under the clause into line with that award. This, in effect, will mean the deletion of King's Birthday as a holiday and the substitution of Easter Saturday.

No serious objection can be seen in the proposed provision for weekly hiring which is dealt with in Clause 11 (b). The necessary safeguards are inserted, and the tendency in the State Arbitration Court has recently been that wherever it has been practicable to award a weekly hiring to so prescribe it. Surely every worker in this enlightened age, except where he has misconducted himself and so forth, which position is safeguarded in the Bill, should be entitled to a week's notice of the termination of his services. Similarly, an employer is entitled to a week's

notice by the worker so as to enable him to make the necessary arrangements to carry on his business without undue hardship. Mention was made during the debate to Clause 9, relating to Section 116 of the principal Act, whereby it is proposed to insert the words "and warehouses" after "shops." At present the Act provides for the closing of shops on certain prescribed days and on proclaimed days, but not for the closing of warehouses. I think members will readily agree that it is desirable there should be a provision requiring warehouses to be closed on certain public holidays, such as Christmas Day, and that such provision should agree with that relating to shops.

As to the proposed amendment to Section 138 embodied in Subclause (a) of Clause 11, Mr. Baxter is under a misapprehension, as he would discover if he examined the metropolitan shop assistants' award, the schedule of which sets out the junior workers' rates which it is intended by this Bill should apply. The measure refers to the rate of wage, according to the employee's age and sex, set out in the award under the heading of the classification of the minimum weekly wage payable to junior shop assistants. I stress this point, because obviously the hon. member has made a mistake. This clearly implies a schedule applying to both sexes.

There is only one such schedule, and that is the first schedule under the sub-heading of "Juniors" in Clause 11—Wages—of the award; a copy of which I have and which any member may inspect. The other schedules relate to junior female shop assistants and to junior storemen and junior packers. However, there is anomaly in the Bill as it now stands as females from 20 to 21 years of age will be entitled to a margin of 4s. 7d. over the basic wage for the metropolitan area, whereas under paragraph (g) of Section 138, when they attain 21 years of age they will immediately be reduced to the court's minimum rate prescribed for a woman over 21 years of age in any award or industrial agreement for the time being in force. That mistake is admitted. This rate at the moment is the basic wage rate for females in the South-West Land Division of the State, namely, £2 14s. 10d. per week. To rectify this anomaly, I propose to move in Committee the following amendment to Clause 11—

> (b) In line fourteen insert after the word "assistants" the words "provided that no employee shall be entitled under this paragraph to be paid at a higher rate of wage than that payable to a male or female worker over twenty-one years of age under the provisions of paragraph (g) of this section."

Further, to avoid any ambiguity in the amendments proposed by Clause 11 (a) of the Bill, it has been decided also to omit the word "relevant" in line 7 on page 6.

I appeal to members—particularly those from the country—to make it possible to do everything we can in order to keep young people in the rural areas. This Bill seeks justice for a fairly large number of young persons who happen to reside in small country places. They may be 10 or 20 miles from a country town where workers are covered by an industrial award, and surely it could not be argued that they should not be entitled to the minimum rates prescribed by the Arbitration Court. It would be of great benefit to these young people and of great assistance to their parents if we can succeed in making the country as attractive as possible to them. This Bill represents a big step forward in that direction. It surely cannot be contended that the provisions of the Factories and Shops Act, which was passed in 1920, are suited to young people at the present time.

In the main, the Bill will apply to persons under 21 years of age. I do not think employers in these small country places should be bothered by unions. A decent employer desires to carry on his business in fair competition with his opponents; and in most of the places to which I refer there is opposition. A decent employer wants to pay fair wages. If the Bill does not pass, he will be liable to be faced with unfair competition. In the interests of the young people of the country, in the interests of their parents and of their employers, I hope members will consider that phase. From my own knowledge of the country, I believe everything possible should be done to keep the young people there and prevent them from going to fancied improvement in the larger towns or cities.

Question put and a division taken with the following result:—

Ayes	9
Noes	9
A tie	0

AYES.

Hon. Sir Hal Colebatch	Hon. W. H. Kitson
Hon. J. M. Drew	Hon. G. W. Miles
Hon. G. Fraser	Hon. H. S. W. Parker
Hon. F. E. Gibson	Hon. G. Bennetts (*Teller.*)
Hon. E. H. Gray	

NOES.

Hon. C. F. Baxter	Hon. A. Thomson
Hon. J. A. Dimmitt	Hon. H. Tuckey
Hon. W. J. Mann	Hon. F. R. Welsh
Hon. H. L. Roche	Hon. R. M. Forrest (*Teller.*)
Hon. C. H. Simpson	

PAIR.

AYE.	NO.
Hon. C. B. Williams	Hon. L. B. Bolton

The PRESIDENT: The voting being equal, in accordance with long established parliamentary custom, and in order to allow further consideration of the Bill, I give my vote with the ayes. The question, therefore, resolves in the affirmative.

Question thus passed.

Bill read a second time.

BILL—CONSTITUTION ACT AMENDMENT.

Second Reading.

Debate resumed from the 12th November.

HON. C. H. SIMPSON (Central) [5.18]: When this Bill was introduced you, Mr. President, instructed the House that the measure was a constitutional one and that, in order to pass, it had to be carried by an absolute majority. That was a timely reminder of the importance of all constitutional Bills. With ordinary measures there is the feeling that when passed they can, if necessary, be revised or amended, and have their provisions tightened up or relaxed as changing conditions may render necessary. With constitutional measures, especially those involving the surrender of certain powers, it can be said that, while this is theoretically true, in practice it never happens. That is why such measures assume more than ordinary importance.

This Bill purports to be a simple measure and embraces a principle with which I am in agreement—that is, it aims at liberalisation and conciliation and does something towards an adjustment of the relationship between the two Houses constituting this Parliament. The matter of that relationship is, in my opinion, one of primary importance, and I believe most members would favour this idea if there could be a mutual approach to this problem by both Houses with each prepared to act in a spirit of conciliation and co-operation. Let me quote to the House an extract bearing on this idea from John Stuart Mill. I quote Mill because I emphatically agree with what he says, but even more so because he is an authority to whom no suggestion of political bias could be imputed. Here is what he says—

> One of the most indispensable requisites in the practical conduct of politics, especially in the management of free institutions, is conciliation, a readiness to compromise, a willingness to concede something to opponents, and to shape good measures so as to be as little offensive to persons of opposite views, and of this salutary habit, the mutual give and take is a perpetual school.

And again—

> A majority in any single assembly, when it has assumed a permanent character, habitually acting together, and always assured of victory in its own house, easily becomes despotic and overweening, if released from the necessity of considering whether its acts will will be concurred in by another constituted authority.

I think the latter part of that extract has a measure of application to both our Houses as at present constituted, and it can be strongly argued that this is not in the best interests of the people, because it means that either in one House or the other, a section of voters is permanently without political representation. Broadly speaking, political changes are an advantage. They prevent any Government from becoming despotic, and they act as a stimulus in keeping Governments constantly on their mettle.

While I believe that this Bill is a move in the right direction, I think that it is only part of the picture and must be considered in relation to the rest of the picture, and in regard to its general background. I believe that some better understanding is desirable and necessary, if only for the reason that energy now wasted in mutual recrimination could be much better employed in harmonious co-operation. But I think there is a stronger reason. I firmly believe that in the not far distant future this State of ours will witness a growth of population much greater than most members present realise.

There are three reasons for this belief. There is, first, the fact that we have abundant resources which require manpower for their development. Second, the grave need for added population to assist in the solution of the problem of defence, and third, population pressures in other countries which demand an outlet. World trends, therefore, may compel us to open our doors to migration to a far wider extent than now seems possible and that, in turn, may compel some re-adjustment of our ideas in regard both to jealously retaining our State powers as related to the Commonwealth Constitution and to the necessity for a policy outlook geared to the prospect of rapid growth, expansion and development. All these factors constitute a background which must be taken into account in the consideration of even a small measure such as this, which may have far reaching consequences.

I have said that I believe this Bill is a move in the right direction but the whole picture demands some similar move from our friends in another place. It should be part of a programme for general electoral reform. That such a reform is necessary no-one will deny. In the Lower House the time is overdue for some redistribution of seats. The system under which seven Labour members—Gascoyne, Kimberley, Pilbara, Roebourne, Mt. Magnet, Murchison and Kanowna—together represent nearly 2,000 fewer electors than the member for Nedlands decidedly calls for rectification.

Hon. G. Fraser: The same applies in this Chamber with three members.

Hon. C. H. SIMPSON: At the 1943 elections, on the 1943 rolls, it took four Liberal voters in Nedlands or two in West Perth to equal in effectiveness one Labour voter in Boulder. It took 27 Nedlands voters, or over 12 West Perth voters, to carry the same weight in the Legislative Assembly as one Roebourne vote. If concessions are made I claim that they should be mutual, and, in my opinion, a better move for electoral reform would be the appointment of an all-party committee of both houses to confer and report. I believe that is the solution.

One of the matters proposed by Sir Hal Colebatch is the abolition of plural voting. I do not agree that this would be a wise move. I am not concerned with any political significance arising out of this. That significance may be great or small. I do not know. But I contend that this is a principle which should stand or fall on its merits. It is in fact a dual principle—the recognition of individuality and the encouragement of merit. The framers of our Constitution considered this provision desirable. The question is what was in their minds, or whether the related conditions have changed. As I see it those Constitution builders visualised a young country capable of enormous development, awaiting the hands of bold adventurous men to make that development possible. Their aim was to encourage the individual who was willing to go out and establish interests further afield, one who would create wealth, provide employment, exploit resources, open up the outback, build up the economy of the State and confer benefits not only on himself but on his fellow citizens as well.

I am sure they had in mind the great value of such men who would be willing to devote their energies, capital and brains to enterprises in more provinces than one. This would tend to decentralisation and those men would be a national asset. After all, such ventures are attended by a certain amount of risk. Why should not these men be recognised and rewarded? They are the active creative men, the producers, the very ones who should be encouraged! Primary producers, particularly, are important. It has been reliably computed that one primary producer supports eleven other citizens. And, whilst on this, one point may be noted which is a curious commentary on the present trend towards centralisation.

A large proportion of plural voters are men who have built up a stake in the country, and who have over the years by hard work achieved a competence. What is more natural than that in their later years they should desire to build a city home and enjoy town amenities while still retaining an interest in the country? If each province could provide a town of sufficient size to supply amenities equal, say, to the capital city these men would undoubtedly settle there so as to be close to their interests. They would no more desire to live in Perth than a Western Australian with local interests would desire to go and live in Sydney or Melbourne. And if these men have definite and active interests in more than one province, why should they not be

vitally interested in the type of legislation and the legislator who serves those interests?

The framers of our Constitution could not be accused of any political bias. They could not foresee so many years ahead what the political set-up would be now, any more than we can forecast the position in fifty years' time. In view of possible and probable expansion the political alignments might then be vastly different. But I think those men had more in mind than just the reward and encouragement of merit. They recognised and desired to promote the principle of individuality. They were wise. In these days the principle of individuality is tending to become submerged. We seem to be developing a security complex. We are looking more and more to the Government for the solution of our problems.

The imposition of wartime controls and restrictions and the establishment of various boards and commissions is developing the idea of the Government as a sort of cross between a wet nurse and a fairy godmother with a bottomless Treasury bowl. More and more we are becoming centralised. More and more the bulk of our population concentrates in the one big city. But if the reverse trend is to be achieved then it is the individual who must be stimulated and encouraged. I think the framers of our Constitution had that in mind when they included the right to plural votes. Let me illustrate this principle by another extract—this time from a book entitled "The Moral Basis of Individualism" by Miss Ayn Rand—

The only happy society is one of happy individuals. The power of society must always be limited by the inalienable rights of the individual. From the beginning of history two antagonist have stood face to face; the active and the passive man. The active man is the producer, the creator, the originator, the individualist. His basic need is independence, in order to think and to work. He neither seeks power over others nor can he be made to work under any form of compulsion. Every good type of work, from laying bricks to writing a symphony, is done by the active man. Degrees of human ability vary, but the basic principle remains the same; the degree of a man's independence determines his talent as a worker and his worth as a man. The passive man is found on every level of society, in mansions and in slums, and his indentification mark is the dread of independence. He is the one who expects to be taken care of by others, who wishes to be given directives, to obey, to submit, to be regulated, to be told. He welcomes collectivism which eliminates any chance he might have to think on his own initiative. When a society is based on the needs of the active man, he carries the passive ones along on his energy and raises them as he rises. This has been the pattern of all human progress. When a society is based on the needs of the passive man it destroys the active: But when the active is destroyed then the passive can no longer be cared for.

The active man cannot function in harness, and once he is destroyed the destruction of the passive man follows automatically. So, in the name of pity, if nothing else, the active man should be left free to function in order to help the passive. There is no other way to help him in the long run.

The Chief Secretary referred to one passage in Sir Hal Colebatch's speech. This will be familiar to members, so I do not wish to quote it in full. It was to the effect that "a man whose qualification is that he has a wife and, happily, a family, has a responsibility as great as that of a person with a lot of money." I agree with that to the extent of admitting that added wealth in a single province should not entitle the wealthier individual to added voting power, nor does it. But I cannot agree that the individual who acquires a home, either by rental or purchase, can boast a responsibility equal to the active progressive man who spreads his enterprise throughout the country.

The first man, no doubt, is a worthy citizen, but his concern is primarily a selfish one designed to serve his own immediate needs. The second individual has a much wider measure of responsibility and serves others as well as himself. I have now in mind a man who is a successful mine-owner in one province, with pastoral interests in another, and a town home in still another province. In all those provinces his interests are definite and active and of value to the community. Why should this value be deprecated? There are men in this Chamber whose interests are similarly active. It may be argued that it is possible for a man to have interests in all ten provinces and that he could not be actively engaged in developing them all. Such cases, if they exist, must be rare, and if they do exist, I say let them have this very small privilege.

I wish to refer to a remark by Mr. Heenan which implied that one of the reasons why many qualified persons were not enrolled was the complicated nature of the enrolment qualifications. I held the job of unofficial postmaster for 20 years, and that

was not my experience. In those years I never had a case where any man had difficulty in understanding the various qualifications appearing on the card. If he could not give the answer offhand, he could always get it at home. After all, the liquid fuel license application is much more complicated and every car-owner manages that. Where I did find misunderstanding was at election times, when there was a lack of knowledge on the part of the voter that he had to fill in three different claim cards to enrol for the Legislation Assembly, the Commonwealth and the Legislative Council, and I have long contended that a simple arrangement between the State and Federal electoral authorities could solve this difficulty by providing one form only, adequately framed and supplied at all post offices. When the voter filled in the form and forwarded it to the electoral authority, he would, if qualified, be automatically enrolled for all three. A note in heavy type could inform him that, if not qualified for the Council, he could apply later, when he was duly qualified.

Then, again, I desire to offer one comment on the amendment foreshadowed regarding the extending of the franchise for the Council to soldiers not otherwise qualified. As an ex-soldier I would say this: If the vote had any value, so far as re-establishing the soldier in civil life was concerned, or helping him in any practical way, I would gladly agree to the suggestion, but I cannot see that it would help him in the slightest degree. Only in a very few cases would he be interested. As one with experience, I would say that the soldier has urges and inclinations natural to his years, but I can solemnly assure members that the desire for a vote is not one of them. In fact, the whole of his training, with its emphasis on regimentation, its restrictions and controls, coupled with the uncertainty of his future and his inability to plan ahead, tends to destroy his sense of individuality and his appreciation of the responsibilities of citizenship.

I will make one more observation. A friend, who attended the Prime Minister's election campaign meeting in the Perth Town Hall, said he was struck by two things. First, that over 90 per cent. of those present were 40 and over, and secondly, that it was the lives of these younger folk who were not present, and who apparently were not interested, that would be the most affected by the proposed programme of legislation. These, Mr. President, are the realities, and we must carefully and constantly bear them in mind when we are called upon to consider extending or liberalising our franchise qualifications.

On motion by Hon. A. Thomson, debate adjourned.

ADJOURNMENT—SPECIAL.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West): I move—

That the House at its rising adjourn till 2.30 p.m. on Tuesday, the 26th November.

Question put and passed.

House adjourned at 5.35 p.m.

Legislative Assembly.

Thursday, 21st November, 1946.

The SPEAKER took the Chair at 2 p.m., and read prayers.

QUESTION.

ROYAL PERTH HOSPITAL.

As to Opening of New Building.

Mr. NEEDHAM asked the Minister for Health:

1, What progress is being made towards the completion of the Royal Perth Hospital?

2, When will it be ready for the reception, accommodation and treatment of patients?