

developed silicosis or tuberculosis, he was to be entitled to the compensation or benefits provided for a prohibited or notified mine worker under Division 1 of Part IV. of the Act. The object of the department was to encourage men in the early silicotic stage to cease underground work before they developed silicosis advanced or tuberculosis and to preserve their right to compensation should they leave the industry, because silicosis is a progressive disease and a considerable number of miners suffering from what was diagnosed as simple silicosis, progress to the condition of tuberculo-silicosis even if removed from the working conditions in which silicosis had developed. The recommendation has been made that Section 50 of the Act be amended to carry out the department's intentions, and effect is given to that desire in the amendment I have moved. It is proposed that, pending the amendment of the Act, Bodinner and men in a similar position, shall be registered. There may be other instances and with the amendment in the Act, an opportunity will be provided to deal with them.

Hon. J. CORNELL: I know Bodinner and the circumstances surrounding his case. It is an eye-opener to me that his interests can be dealt with in the manner desired by the Honorary Minister, and therein he is differently situated to men from Southern Cross.

Hon. J. J. Holmes: The Minister told you why they were dealt with in the way he indicated.

Hon. J. CORNELL: Bodinner went to Lake King and spent £1,000 on his farm there. When the men went to Southern Cross they knew their condition and were aware that they were dusted. When Bodinner went to Lake King he did not know of his condition. Once or twice Bodinner returned to Kalgoorlie and evidently worked at the mines so that he retained his right to compensation, but when he received his notice he was not working underground. The difference between Bodinner and the men at Southern Cross, is that the men who went to Southern Cross were served with a notice regarding their condition before they went to their farms, whereas Bodinner returned to the mine and worked, subsequently returning to his farm

where he was notified of his condition. Because Bodinner was not working on the mine when he received his notification, he was excluded from the benefits of the Act. I support the new clause.

New clause put and passed.

Title—agreed to.

Bill reported with amendments.

### ADJOURNMENT—SPECIAL.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [6.16]: I move—

That the House at its rising adjourn until Tuesday, the 28th November, at 4.30 p.m.

Question put and passed.

*House adjourned at 6.18 p.m.*

## Legislative Assembly.

*Wednesday, 22nd November, 1933.*

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The SPEAKER took the Chair at 4.30 p.m., and read prayers.

### BILL—HEALTH ACT AMENDMENT (No. 2.)

*Message.*

Message from the Lient.-Governor received and read, recommending appropriation for the purposes of the Bill.

**QUESTION—SECESSION.**

Mr. GRIFFITHS asked the Premier: 1, Is the Secession Committee likely to present its report before the close of this session? 2, If not, will he give the House an assurance that Parliament will be called together upon the receipt of the committee's report?

The PREMIER replied: 1 and 2, I am not aware what progress the committee is making or when the report is likely to be presented.

**QUESTION—EMPLOYMENT.***Farm Labour.*

Mr. LATHAM asked the Minister for Employment: As there is a serious shortage of farm labour in the agricultural areas for harvesting, which the Labour Bureau is unable to fill, will he make sufficient labour available from relief works?

The MINISTER FOR EMPLOYMENT replied: Necessary action has already been taken to meet the position.

**BILLS (2)—THIRD READING.**

- 1, Reserves.
- 2, Fremantle City Council Lands Act Amendment.

Transmitted to the Legislative Council.

**BILL—STATE TRANSPORT CO-ORDINATION.***As to Select Committee.*

MR. LATHAM (York) [4.34]: I move—  
That the Bill be referred to a select committee.

The Bill passed the second reading last evening, and I feel sure a considerable number of amendments are necessary to make it acceptable, not only to the people providing transport in the State, but also to those who are using that transport. We are not anxious to delay the measure, but I hope the Minister will give to members of the House opportunity for knocking into shape some of the clauses which we consider should be amended. I have been able to get certain proposed amendments placed on the Notice Paper, but other members have not yet had opportunity even to peruse those amendments.

**THE MINISTER FOR RAILWAYS**

(Hon. J. C. Willecock—Geraldton) [4.36]  
I hope the House will not agree to the motion. I am satisfied the Leader of the Opposition is moved by the very best intentions and has no desire to delay the Bill, but irrespective of that, the carrying of the motion would necessarily delay the passage of the Bill considerably. If any body wished to kill the Bill, there would be no simpler method than that of sending it to a select committee which would deliberate so long that the House would not have opportunity adequately to deal with the Bill this session. Most certainly the sending of the Bill to a select committee would unduly prolong the proceedings and carry the consideration of the Bill over the next five or six weeks, possibly much longer. Several times has the Premier indicated his desire to close down the session before Christmas, and I am sure members do not want a summer session for the further consideration of the measure.

Mr. Latham: It was brought down pretty late.

The MINISTER FOR RAILWAYS: But it is very important, and the Government have given a lot of consideration to it.

Mr. Latham: We have not had opportunity to do that. To go through the New South Wales Act and the South Australian Act and find out their application, is pretty difficult and takes time.

The Premier: It is not the first important Bill that has been brought down at the end of the session.

The MINISTER FOR RAILWAYS: The Notice Paper is comparatively free of other business.

Mr. Latham: That is so.

The MINISTER FOR RAILWAYS: And members, if they wish, can carefully study the Bill as it goes through Committee, and consult with any persons outside whose interests may be affected. I am sure there will be reasonable opportunity intelligently to discuss the Bill in Committee. But if we were to appoint a select committee, they would occupy at least three or four weeks, and it would then be necessary to bring down another Bill embodying various clauses, which in turn would require study in Committee. Presently Christmas will be upon us, and if the Bill goes to a select committee we shall

have to sit in the new year. I do not think any member desires that. This Bill for the control and co-ordination of transport is not a new thing, for it has been tackled all over the world. Similar legislation has been passed in practically every State of Australia, and it is not our fault that Western Australia is the last State to consider such important business. Every public man keeps himself more or less au fait with what has been done in other Parliaments, and this problem has received a great deal of publicity. The deliberations of the Victorian Parliament have been published extenso in the Victorian Press. If people are sufficiently interested, they can study the legislation which has been passed elsewhere, and so they will know generally the principles followed in the Bill.

Mr. Doney: Still it is only when the Bill is actually before us that we know what lines it follows.

The MINISTER FOR RAILWAYS: The lines followed in the Bill have been followed elsewhere, and its principles are well-known. The whole thing has been widely discussed, including the provisions of the Bill in their incidence on railway finance, which is a very important matter. It was all discussed by the House last year and the year before, on the amendments to the Traffic Act. But that dealt with the thing piecemeal and in one aspect only, whereas the Bill before us endeavours, not only to carry out the provisions of the Traffic Act, but also to co-ordinate all forms of transport.

Mr. Doney: Your explanation only emphasises what an intricate Bill it is.

The MINISTER FOR RAILWAYS: There is such a lot of information extant that we do not want to take evidence in Western Australia as to the general effect of the Bill. I have laid on the Table a copy of the Victorian report, which has been available for a considerable time.

Mr. Latham: There are 49 other members beside yourself, and we have not been able to get hold of the report. Three or four of us cannot read it at once.

The MINISTER FOR RAILWAYS: But the general conclusions of those inquiring into transport in Victoria have been published in the Press. If the conditions existing in this State are allowed to continue

they will have a very bad effect on the industrial and economic life of the State. The Bill is to co-ordinate all our various forms of transport, and I do not know that we require evidence from a select committee about that. The principle is a desirable one, and the Bill attempts to give effect to it. I do not think evidence by interested parties outside, who undoubtedly will endeavour to conserve their own interests as far as possible, will be of any use to us in our deliberations.

Mr. Doney: The same could be said of all select committees, could it not?

The MINISTER FOR RAILWAYS: Not to the same extent. Nobody voted against the second reading of the Bill. It is generally agreed that the principle contained in the Bill is something which the House desires. The provisions of the Bill can be dealt with on their merits in Committee and, if found to be unsatisfactory, can be amended. I do not think we can obtain any useful information from a select committee on the subject. I cannot see the necessity for it, but I do see the danger of seriously delaying the passage of the Bill. If it be sent to a select committee we shall not be able to pass it without very serious inconvenience to all members by requiring them to sit after Christmas.

Mr. Doney: What about postponing the Committee stage until Tuesday next, if you do not want a select committee?

The MINISTER FOR RAILWAYS: When introducing the Bill I gave my explanation of it, and set out all the facts. I did not expect members to assimilate it all in two or three days. The Bill has now been before the House for a week. This has provided them with time in which to acquaint themselves with the principles contained in it. If they do not think it conforms to the principles they hold themselves, it is competent for them to amend it in any way they desire. I do not think it will help much to appoint a select committee to go into all the details. The public generally have had seven or eight days in which to place their views before members concerning the principles contained in the measure. I accept the assurance of the Leader of the Opposition that he is actuated by the best of motives in moving that the Bill be referred to a select committee. That would, however, so seriously delay the measure that we would not then have sufficient time in which to deal with it.

Mr. Stubbs: Suppose the select committee required only a week in which to complete its work?

The MINISTER FOR RAILWAYS: We know from experience that it is constantly necessary to ask for an extension of time in which to bring up the report of a select committee. I am sure the same thing would occur in this case. We are in possession of sufficient information already to deal with the measure as it is. I have requested members opposite to state what particular aspect of the Bill they thought should be inquired into by a select committee, but so far no attention has been drawn to any special aspect of it. I do not know what further information we could get that would be of any use to the House. I, therefore, hope the motion will not be agreed to, as there is danger that we shall not be left sufficient time in which to deal satisfactorily with the Bill.

HON. N. KEENAN (Nedlands) [4.50]: I hope the Minister will reconsider his decision. The Bill is of great importance, how important it is difficult to estimate. It may bring a great deal of benefit to the State and to the community, but on the other hand it may work inconceivable damage. It should be passed only after every possible aspect of the position has been examined and considered. I do not refer to details, but to general principles. The experience of Victoria is of very little use to us. The proposition there is entirely different from the proposition here. It is difficult to draw any correct analogy between the conditions existing in the two States. From my point of view a select committee does not lead to a retardation in the passing of a measure, but to a large extent it eliminates debate in the House. If a select committee is appointed, presumably on the lines of that which dealt with the Land Bill, its recommendations for certain amendments would be brought down and would be accepted. There would, therefore, not be that long discussion in committee which otherwise must take place. It is not right to suppose that the reference of a Bill to a select committee is necessarily likely to retard its progress. Even if it be necessary to have a special session to consider this matter, although in common with most members, if not all, I would regret the necessity for a special session, it is of sufficient importance to war-

rant one. Because it might be inconvenient for us to come back after Christmas, that cannot be quoted as a sufficient reason for hurrying the measure through during the present session. With the exception of a few members I do not think the House can be said to have studied the questions that are at issue, and with which the Bill deals. They have not had the opportunity to do so. It is true that certain literature was laid upon the Table of the House, but, as has well been observed, the House consists of 50 members, and one copy is of very little use in the education of so many within the limited period of a week, during which the papers have been available. That does not include two off days when members were not in the House. I am sure the well considered opinion of a select committee would very greatly shorten the debate, and assist in the measure being passed. It is of the utmost importance that the House should be fully educated on this matter. Indeed, it is of importance too that the Minister himself should be fully educated concerning it. Every day some fresh information is forthcoming. I know the Minister has given the matter close attention, but one's mind is receptive, and every day further information is available for the proper co-ordination of the various systems of transport that are in existence to-day. I hope the Minister will reconsider his decision.

MR. STUBBS (Wagin) [4.55]: I, too, hope the Government will agree to the appointment of a select committee. When members have sifted the contents of the Bill we shall be able to deal more thoroughly with the question of co-ordinating means of transport, and frame a Bill that will be acceptable even to another place. There are only four weeks between now and Christmas. If the Government desire to put this measure on the statute-book in time for the next financial year, they should agree to our request. There are forty odd clauses in the Bill. Since 9.30 this morning, except for a short respite for lunch, I, together with several other members on this side of the House, have spent practically the whole day comparing the effects of this Bill with measures in force in the Eastern States. I defy anyone to grasp the true importance of many of the clauses, and to get a true grip of them in the short time at our disposal. I am as anxious as the Government are to

do something to arrest the falling revenue of the railways, which in the end, if not tackled seriously by Parliament, will hamper the financial position of Western Australia.

The Premier: The marginal notes of 75 per cent. of the clauses show that they are identical with similar sections appearing in Acts passed in the other States.

Mr. Doney: But a comparison of that sort requires an enormous amount of searching out.

The Premier: It is all here, as I have said.

Mr. Latham: The Acts in the other States have not been copied in their entirety.

Mr. STUBBS: Conditions in Victoria differ vastly from those existing in this State. Here we have a mile of railway for every 90 people, whereas in Victoria there are 400 or 500 people for every mile of railway. In some respects the measure is framed on the Acts passed in the Eastern States. In order that we may arrive at a consensus of opinion from the vast majority of the people concerned in this measure, it would be wise to hasten slowly. We can well afford to spend a week or two upon it in order that it may reach the statute-book in a form that will be creditable to Parliament as a whole. I hope the Government will not unduly press forward with the committee stage. I am confident that as soon as the Bill reaches another place some member will move for it to be referred to a select committee of that House, whereas, the proper place for an inquiry by a select committee is in this House, where the Bill was initiated. Undoubtedly if the measure is referred to a select committee in another place that will be the end of it. I have not spoken of the matter to any member there, but my opinion is that that is what would happen to the Bill.

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

Ayes	..	..	..	..	17
Noes	..	..	..	..	24

Majority against	..	..	7
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# AYES.

Mr. Brockman  
Mr. Ferguson  
Mr. Griffiths  
Mr. Keenan  
Mr. Latham  
Mr. McDonald  
Mr. McLarty  
Mr. North  
Mr. Patrick

Mr. Piesse  
Mr. Sampson  
Mr. Seward  
Mr. Stubbs  
Mr. Thorn  
Mr. Warner  
Mr. Welsh  
Mr. Doney

(Teller.)

# NOES.

Mr. Clothier	Mr. Nulsen
Mr. Collier	Mr. Rodoreda
Mr. Hawke	Mr. Steeman
Mr. Hegney	Mr. F. C. L. Smith
Miss Holman	Mr. Tonkin
Mr. Johnson	Mr. Troy
Mr. Kenneally	Mr. Wansbrough
Mr. McCallum	Mr. Wilcock
Mr. Marshall	Mr. Wilson
Mr. Millington	Mr. Wise
Mr. Moloney	Mr. Withers
Mr. Needham	Mr. Raphael

(Teller.)

Question thus negatived.

# In Committee.

Mr. Steeman in the Chair; the Minister for Railways in charge of the Bill.

Clauses 1, 2—agreed to.

Clause 3—Interpretation:

Hon. N. KEENAN: I move an amendment—

That in the definition of "Board" the word "State" be struck out, and "Western Australian" inserted in lieu.

The title of the board would then be "Western Australian Transport Board," indicating the geographical origin of the board. This is in accordance with what obtains in the Eastern States.

The MINISTER FOR RAILWAYS: I have no objection to the amendment, which will tend to obviate the possibility of confusion.

Amendment put and passed.

Mr. LATHAM: I move an amendment—

That in the definition of "Commercial goods vehicle" the words "or ordinarily capable of being" be struck out and "intended to be" inserted in lieu.

The MINISTER FOR RAILWAYS: Those words are in the Traffic Act, which has been our law for some considerable time. They are necessary for enforcing the provision as to licensing. If vehicles are ordinarily capable of being used on roads or streets, it is proof presumptive that they are being so used. The Bill does not supersede the Traffic Act. Omission of the words might lead to people using vehicles for commercial purposes without obtaining licenses.

Mr. Latham: Too many penalties are being piled up.

The MINISTER FOR RAILWAYS: There is good reason for retaining the words.

Mr. LATHAM: Do the words mean that a vehicle capable of being used as a commercial vehicle on streets or roads must be licensed, although not so used at all? The words might apply to a vehicle in a factory.

The Minister for Railways: No.

Mr. LATHAM: There might be reason for the insertion of the words if this were a traffic Bill. A vehicle might be stored, and not used on the roads from one year's end to another. There need be no fear as to evasion of the Traffic Act, the penalties being too severe. The Minister already has all the power he needs.

Hon. N. KEENAN: Does the Minister intend this definition of "commercial goods vehicle" to cover and include a vehicle used by the owner for the carriage of his own goods? Perth shops have motor vehicles for the delivery of their goods. Are they covered by this definition?

The Minister for Railways: All that is dealt with under the Traffic Act.

Hon. N. KEENAN: Will the definition apply to vehicles carrying only goods the property of the owner of the vehicle?

The Minister for Railways: No.

Hon. N. KEENAN: In that case, after the word "goods" the words "not being the property of the owner of the vehicle" should be inserted.

Mr. GRIFFITHS: A young friend of mine has a car which, owing to the depression, he has not used for nine or ten months. Would he be liable to be brought in under this definition?

The Minister for Railways: That matter is dealt with under the Traffic Act.

Mr. SEWARD: I desire to bring forward the same aspect, as referring to a truck. I know of a man who has a truck laid up at his home, the truck not being used on the roads at all. He should not be liable to pay a license fee. Again, a truck used only on a farm should not be subject to license fee, although capable of being used on the roads.

The MINISTER FOR RAILWAYS: I give the hon. member my assurance that in such cases the vehicle would not be subject to license fee. The operation of the Bill will not differ from that of the Traffic Act. Under that Act no action has ever been taken in the circumstances mentioned by the hon. member.

Mr. SAMPSON: The Traffic Act makes it perfectly clear that only when a vehicle

is used on a road is it liable to be licensed. Actually the vehicle must be found on the road before any prosecution can be launched against the owner. It is not merely a question of whether the vehicle is "ordinarily capable of being used" on the road. I support the amendment because, if the words are retained in the interpretation, misunderstandings may arise.

Mr. RODOREDA: Opposition members are proceeding along wrong lines. We are not dealing with the licensing of commercial goods vehicles, but with the definition of what such vehicles are, irrespective of whether they are on a farm, on a road or in a shop.

Mr. Doney: But when we come to deal with the licensing provisions, the definitions will apply.

Mr. Griffiths: One must be read with the other.

Mr. Latham: What use do you think the definition is? Merely an ornament?

Mr. RODOREDA: It is a description of a commercial goods vehicle, and the amendment should not be agreed to.

Mr. DONEY: I hope the Minister's assurance will be embodied in the Bill; otherwise it will be useless. He will not be in his present position for all time. The definition as it is worded is at variance with the Minister's explanation.

The MINISTER FOR RAILWAYS: When an application is made for a license for a commercial goods vehicle, the board will require to be satisfied that the vehicle is one ordinarily capable of being used on the roads for the transport of goods.

Mr. Latham: You suggest that a man would apply for a license for a vehicle that was not ordinarily capable of being used for that purpose?

The MINISTER FOR RAILWAYS: The Leader of the Opposition knows that that is the way Bills are drafted. Very often they contain provisions that may be applied once or twice only, in exceptional instances. As the member for Roebourne pointed out, we are merely considering the definition, not the actual licensing of a vehicle.

Mr. Latham: That is so, but this clause is one of the most important parts of the Bill.

The MINISTER FOR RAILWAYS: All the fears of members opposite regarding the possibility of farmers having to take out licenses for vehicles that are not used on the

roads, are groundless. That phase is not under consideration because we are merely dealing with the interpretation clause and not with one relating to licenses. Unless the words that the Leader of the Opposition desires omitted from the interpretation are retained, I cannot see how anyone will be able to apply successfully for a new license. The retention of the words is absolutely necessary.

Mr. LATHAM: If an ordinary motor car is found on the roads, with a bag of sugar in the back, according to the interpretation clause, it will be classed as a commercial goods vehicle. The interpretation is so wide that it will cover almost anything.

The Minister for Railways: If a man has not previously secured a license, how will it be possible for him to procure one unless these words are retained in the paragraph?

Mr. LATHAM: With the exclusion of those words, the interpretation will be wide enough to enable a man to secure a license. The interpretation is framed as a drag-net and it could be made to apply to almost any class of vehicle. Other types of vehicles are defined. My perusal of the Bill suggests to me that it is the worst drafted I have seen for a long time. It is clear in no respect whatever. I am sure it was not referred to anyone who knows anything about the subject. Let us see to it that the interpretation clause is perfectly clear. Who will interpret what is to be regarded as a commercial goods vehicle? What type of board will carry out that duty? If the matter were handed over to the officials of the Railway Department for an interpretation, I am sure it would not be satisfactory. The Traffic Act clearly defines what vehicles are, and we should see to it that the definitions are clear in the Bill. Members must be most careful in dealing with every part of this Bill, now that they have decided to deal with it rather than refer it to a select committee.

Mr. RODOREDA: I want to assist the Leader of the Opposition on this most intricate point. There is not the least danger of a motor car, in the back of which a bag of sugar is being transported, being brought within the interpretation of a commercial goods vehicle. I cannot see how a motor car could be described as a vehicle ordinarily capable of being used on roads for the transport of goods.

Mr. Brockman: That is just what would happen.

Mr. RODOREDA: I have never heard a motor car referred to as such. Usually it is regarded as a vehicle for the carriage of passengers, although, in exceptional instances, goods may be carried by motor car.

Mr. Patrick: I have seen a 1,000-gallon tank on an ordinary motor car.

Mr. RODOREDA: That would be an exceptional instance. If the Leader of the Opposition moved an amendment specifically to exclude utility vehicles I would be in accordance with his views.

Mr. THORN: The Leader of the Opposition is perfectly right regarding the danger attaching to this interpretation. Many farmers use vehicles on the farm although never on a road. The board might decide that such vehicles were ordinarily capable of being used on roads for the carriage of goods, and demand licenses accordingly.

The Minister for Railways: Of course not.

Mr. THORN: It is all very well for the Minister to express that view, but the fact remains that the board could do so. If there is any such danger, why not remove it? Motor cars are being used for the conveyance of goods every day and if the board availed themselves of the interpretation included in the Bill, those cars would be brought under the heading of "commercial goods vehicles."

Mr. DONEY: The Minister went to a great deal of trouble to explain that cars or utility trucks, not being used because the owners were unable to pay the license fee, were not included. I would suggest that the word "and actually being used" be inserted after the word "used" in line 15. That would meet all objections and at the same time conserve the meaning the Minister wishes to retain.

The MINISTER FOR RAILWAYS: The interpretation of "commercial goods vehicle" is taken from the South Australian Act. If the Leader of the Opposition prefers the definition in our Traffic Act, I have no objection to the striking out of the words to which he takes exception.

Amendment put and passed.

Hon. N. KEENAN: The Minister does not desire, I take it, the provisions of the Bill to apply to the owners of com-

mercial goods vehicles used to carry their own goods.

The Minister for Railways: That is so.

Hon. N. KEENAN: In order to make that clear, I move an amendment—

That at the end of the definition the words "not the property of the owner of such vehicles" be added.

Mr. Latham: That would make the definition clear.

The MINISTER FOR RAILWAYS: It would depend upon where the goods were transported to. Commercial goods vehicles are not allowed to run over main roads and elsewhere without a license, not even under the Traffic Act.

Hon. N. KEENAN: The Bill is a corollary to the Traffic Act. It is not intended in any way to abridge the Traffic Act.

The Minister for Railways: Where it conflicts with the Traffic Act, the Bill, when passed, will prevail.

Hon. N. KEENAN: Cases will occur where the person who is carrying goods for reward will say that the goods are his own. I have no objection to throwing the onus on him to prove that that is so. I do not desire to shelter such a person if he commits that offence.

Mr. MOLONEY: The member for Nedlands has, I think, misconstrued the position. He said the Bill would be a corollary to the Traffic Act, but he did not say it would override the Traffic Act.

Mr. Latham: It will, where the Acts conflict.

Mr. MOLONEY: It will be competent for the member for Nedlands to deal with the point he has raised when we come to the part of the Bill dealing with the registration of commercial goods vehicles. The Traffic Act contains provisions with respect to the carriage of goods in a person's own vehicle. I cannot see any objection to the definition; although it has been amended, it has not been altered in essence.

Mr. SEWARD: I support the amendment. I mentioned last night that there were farmers in a part of my electorate who could only dispose of their aged sheep by fattening them and bringing them down to the market. The sheep must be killed on a Thursday; and, in order to get them to market, the farmers bring them down in their own cars. If the Bill passes, farmers will only be able to take the sheep to the nearest railway station, which

will be Pingelly. It is not very much further to bring them to Perth by car. They must be in Perth to reach the Friday morning market. If the definition passes unamended, it will mean that the farmers will be unable to bring the sheep down in their cars as they do at the present time. I hope the Minister will agree to the amendment moved by the member for Nedlands.

Amendment put and negatived.

Mr. LATHAM: In the definition of "Goods" I move an amendment—

That after "Goods" the following words be inserted:—"other than passengers luggage."

The MINISTER FOR RAILWAYS: Passengers are not permitted to travel on goods vehicles. This is expressly prohibited except in special circumstances. Therefore I cannot accept the amendment.

Amendment put and negatived.

Mr. SAMPSON: In the same definition, I move an amendment—

That at the end of the definition the following words be added "but does not include primary products when transported in the producers own motor vehicle or trailer."

It is desirable that where primary products in the shape of perishables are required to be delivered to a market, the primary producer should have the opportunity of moving them without coming under the Act.

The MINISTER FOR RAILWAYS: This is something that the Committee has already dealt with, and moreover it is outside the scope of the Bill.

Amendment put and negatived.

Mr. NORTH: I move an amendment—

That in the definition of "Omnibus" after the word "used" in the first line, the following words be added "or intended to be used."

These words are necessary and the definition will then read "Omnibus means a motor vehicle used or intended to be used as a passenger vehicle to travel passengers at separate fares."

Amendment put and passed.

Mr. LATHAM: In the definition of "Operate" we find that it means to carry or offer to carry passengers or goods for hire or for any consideration. What is the



meaning of the words "or for any consideration"?

The Minister for Railways: Money.

Mr. LATHAM: There might be just a promise.

The Minister for Railways: Some sort of reward; it may be money or anything.

Mr. LATHAM: I suppose the Minister has given consideration to this.

The Minister for Railways: It is a legal term.

Mr. LATHAM: In the definition of "Public Vehicle," I move an amendment—

That at the end of the definition the following words be added, "but does not include utility truck owned by a farmer and used exclusively for his farming operations."

The Minister for Railways: That is provided for in the first schedule.

Mr. LATHAM: Some farmers may have to carry their goods further than eight miles.

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

Ayes	..	..	..	20
Noes	..	..	..	20
				—
A tie	..	..	..	0
				—

#### AYES.

Mr. Brockman	Mr. Piesse
Mr. Ferguson	Mr. Rodoreda
Mr. Griffiths	Mr. Sampson
Mr. Hawke	Mr. Seward
Mr. Keenan	Mr. F. C. L. Smith
Mr. Latham	Mr. J. M. Smith
Mr. McDonald	Mr. Thorr
Mr. McLarty	Mr. Warner
Mr. North	Mr. Welsh
Mr. Patrick	Mr. Doney

(Teller.)

#### NOES.

Mr. Clothier	Mr. Moloney
Mr. Collier	Mr. Needham
Mr. Cross	Mr. Nulsen
Mr. Hegney	Mr. Tonkin
Miss Holman	Mr. Troy
Mr. Johnson	Mr. Wansbrough
Mr. Kennelly	Mr. Willcock
Mr. McCallum	Mr. Wise
Mr. Marshall	Mr. Withers
Mr. Millington	Mr. Wilson

(Teller.)

#### PAIR.

AYE.	No.
Mr. J. I. Mann	Mr. Raphael

The CHAIRMAN: I give my casting vote with the Noes.

Amendment thus negatived.

Mr. LATHAM: I move an amendment—

That there be added to the definition of "Vehicle" the words "or a car privately operated."

If we do not pass this amendment we shall be including in the operations of the Bill every bit of motor transport in the State. Perhaps I have given too much consideration to this, but—

The Premier: Too much suspicion.

Mr. LATHAM: No, but I do not think private motor cars should be included in this definition. They should be exempted.

Hon. N. KEENAN: I was going to move an amendment with the same purpose, but differently worded. I would have moved to add at the end of the definition the words "or a privately-owned vehicle used only for the pleasure of the owner." In the other States, where they have passed legislation of this kind, there is a special section dealing with privately-owned vehicles used for the pleasure of the owners. Actually, this definition of "vehicle" exempts certain vehicles from the operation of the measure, but without the amendment privately-owned vehicles will be brought within the scope of the Bill. I understand there is no intention to make such a vehicle liable to the incidence of the measure, so the words I suggest should be added.

Mr. LATHAM: I will withdraw my amendment in favour of that suggested by the hon. member.

Amendment, by leave, withdrawn.

Hon. N. KEENAN: I move—

That there be added to the definition of "vehicle" the words "or privately owned vehicle used only for the use or pleasure of the owner."

Mr. MARSHALL: The amendment would permit any business man owning a motor vehicle to do his own transportation and, indeed, the transport work of a district under the pretence that the goods carried were his own property.

Mr. Thorn: In a car used solely for pleasure?

Mr. MARSHALL: The amendment stipulates "use or pleasure." A business man could have several privately-owned vehicles and could use them to transport, not only his own commodities, but those of other people.

Hon. N. Keenan: We have already defined "commercial goods vehicles."

Mr. MARSHALL: Still, the amendment would make it possible for the owner of a private vehicle to transport all sorts of

goods. If the word "use" were deleted from the amendment, I would not oppose it.

Mr. MOLONEY: I will support the amendment. At first glance there seemed to be merit in the remarks of the member for Murchison, but only at first glance. That hon. member would have the amendment restricted to vehicles used exclusively for pleasure. I hope the mover of the amendment will insist upon retaining the word "use." Even the Minister cannot have any objection to the amendment.

The MINISTER FOR EMPLOYMENT: The word "use" in this amendment is very dangerous. There is nothing to prevent a business man from going into the country in a motor vehicle and towing a loaded trailer, claiming that the goods he was transporting were for his own use.

Mr. Seward: It is the vehicle, not what is in it.

The MINISTER FOR EMPLOYMENT: We give him permission to carry certain goods in it, but they must be for his own use.

Mr. Latham: The position is protected by Clause 32.

The MINISTER FOR EMPLOYMENT: I would see no objection to the amendment if the vehicle were confined to the pleasure of its owner, but the word "use" is very dangerous.

Mr. LATHAM: We have already defined a commercial goods vehicle, and later in the Bill it is prescribed that such a vehicle shall be registered and licensed before going on to any road. Then we provided for the omnibus, carrying passengers, and now we are dealing with the remaining vehicles, ordinary motor cars. The word "vehicle" is to include an aircraft, but not certain other vehicles, to which the amendment adds "privately owned cars."

The Minister for Railways: But it does not say "cars."

The Minister for Employment: The amendment says, not "car," but "vehicle."

Mr. LATHAM: It is a pity we did not clearly define the word "vehicle." Divided as the definition is into three sections, it is very difficult to follow.

The Minister for Works: Motor cars carry goods into the country now.

Mr. LATHAM: That is so, but where this Act conflicts with the Traffic Act this Act will prevail.

The Minister for Works: As it reads now, a private motor car will not be able to carry a parcel.

Mr. LATHAM: It is necessary that provision should be made for passengers' luggage. I hope further consideration will be given to the interpretation before the Bill goes to another place.

The MINISTER FOR EMPLOYMENT: If we are to accept the amendment, I hope "vehicle" will be struck out and "car" inserted in lieu. Then everything the Leader of the Opposition asks for could be granted.

*Sitting suspended from 6.15 to 7.30 p.m.*

Amendment put and passed; the Clause, as amended, agreed to.

Clause 4—agreed to.

Clause 5—State Transport Board:

Mr. LATHAM: I move an amendment—

That all the words after "members" in line 12 be struck out, and the words "one of whom shall be a Government official, one representing rural interests, and one city interests but none of whom shall be financially interested in any form of transport service or contract" be inserted in lieu.

I hope the Minister will accept the amendment. Clause 5 is the most important clause in the Bill, as the whole working of the Act will depend entirely upon the personnel of the board. If the board consists of men who thoroughly understand transport difficulties and are prepared to give a fair and reasonable deal to the Government utilities and the motor transport services, everything will be all right. There may, however, be two railway men appointed to the board. The public will have no confidence in the board if it is to be dominated by the Railway Department.

The Minister for Railways: That is not likely. No railway man will be on the board.

Mr. LATHAM: It would be better if we knew who the members of the board were to be.

The Minister for Railways: Nobody knows that.

Mr. LATHAM: The Minister ought to have some knowledge of it.

The Premier: Do you think you would select the members of a board before you had an Act?

Mr. LATHAM: I dare say the Minister has in mind whom he is going to appoint.

The Minister for Railways: I have not.

The Premier: Did you select the members of the Lotteries Commission before the Act was passed?

Mr. LATHAM: They were chosen before the Bill was introduced; the Premier knows that.

The Premier: You did not say who were going to be appointed to that board.

Mr. LATHAM: The Minister at the time practically told the House.

The Premier: He did not. Did you have the members of the Milk Board appointed before the Act was passed?

Mr. LATHAM: I did not select the members of that board, and cannot be held answerable for what other Ministers did. Would the Minister say what departments are likely to be represented on the board? The Public Works Department might be represented, or the Treasury. A Treasury official ought to be on the board.

The Premier: Not necessarily.

Mr. LATHAM: Personally, I would like to see a Treasury official appointed as chairman of the board.

Hon. N. KEENAN: I hope the Minister will allow me to intervene for the purpose of suggesting that consideration of this clause be postponed, as I intend to move amendments, which I shall place on the Notice Paper, dealing with the constitution of the board and the manner in which it should be brought into existence. The amendments are lengthy, and it will be utterly impossible for me to explain them to members unless they have a copy of them. I would have had the amendments placed on the Notice Paper to-day, but I was under the impression that the second reading would continue to-day.

The Premier: Could you outline your proposals?

Hon. N. KEENAN: I have attempted to follow the English statute of 1933 which governs the control of traffic in London. It is a measure of very great importance and has been carefully drawn. So far as the provisions of that Act are applicable to the particular conditions of our State, I propose to ask the House to accept them.

The MINISTER FOR RAILWAYS: I would like to meet the wishes of members. I know the member for Nedlands was un-

well last night and therefore had not the opportunity of giving the House the benefit of his views. I do not want members to be without the views of a responsible member such as Mr. Keenan. The clause is important and, while I do not wish to rush the Bill through, I want to make progress. The provisions of the English Act are complicated. They provide that the Government shall select an independent committee which, in turn, shall select the members of the board. That is a roundabout method. Personally, I do not think the board should consist of men representing interests. I therefore commend to members the circular by Professor Hytten which has been placed on the Table of the House. He strongly condemns the representation of interests on a board such as this, because the members would be antagonistic to one another and would not reach unanimity.

Mr. Latham: It is for that reason I drafted my amendment.

The MINISTER FOR RAILWAYS: The amendment provides for the separate interests being represented on the board. Members may be interested to know about the constitution of these boards in the other States. In South Australia the board was appointed for three years, and none of its members was a Government official. In Victoria the term is indefinite. Indeed the Bill has not yet been passed. Parliament is now considering the report of the Royal Commission and the Board is still in existence. It is representative of the railways, the main roads, commercial interests, and has an independent chairman. In Queensland the board consists of representatives of the railways, the roads, and the police, but there is no term of office laid down. In Tasmania the board consists of five members, one a Government nominee, one representing the local authorities, one representing the Public Works Department, one representing the Commissioner of Police, and one representing the Commissioner of Railways. It has a life of five years. In New South Wales the board is appointed for five years. Its members represent the railways, the police, and the main roads, and each advises his particular Minister on matters of transport. I commend to the notice of members the circular issued by the Bank of New South Wales on transport questions. The opinion expressed

there is that it is unwise to have on a board of this kind people directly representing certain interests. We think it is better to have a board consisting of people who are capable of assessing the financial and economic effect of any transport policy upon the State. We want a board whose members will be broad in outlook, and whose whole attention will be focussed upon the economic point of view of the State as a whole. The Government are not wedded to having the right to appoint two representatives on the board, but I do think we should have one representative upon it.

Mr. Latham: And he should be the chairman.

The MINISTER FOR RAILWAYS: If the Committee consider that one member only should represent the Government I do not think there will be much objection to that. If the board is to represent road transport, bus transport, Alpine cab transport, and so on, its members will all be looking after their own interests, and not those of the general community. We are prepared to have this matter fully discussed by members, and to be guided to a large extent by the opinions they may express on the subject. The general principles of the Bill must be maintained, but in other respects the Government are open to conviction. I am quite agreeable that this very important clause should be postponed for the time being.

Mr. LATHAM: Before I withdraw my amendment, seeing that the Minister proposes to postpone further discussion upon the clause, I should like a ruling as to whether I can move my amendment when the clause comes up for discussion again.

The CHAIRMAN: The hon. member will have the right to move his amendment again if he withdraws it now. The question before the Chair at the moment is, that the words "proposed to be struck out, be struck out."

Hon. N. KEENAN: Seeing that the question is not now that "the words proposed to be struck out stand part of the clause," I suggest that if the amendment to strike out certain words is defeated it will be competent for a member to move an amendment to delete other words.

Mr. LATHAM: I should like to know whether I shall be permitted to move my amendment after the member for Nedlands has moved that certain words con-

tained in the clause be deleted, and they are deleted.

The CHAIRMAN: If the Committee decide that certain words may not be omitted, on an amendment moved by the member for Nedlands, that they be struck out, it will not then be competent for the Leader of the Opposition to move that any of them be deleted.

Hon. N. KEENAN: The amendment before the Chair at the moment is that certain words be struck out. If that amendment is negatived the clause remains as printed.

The CHAIRMAN: That does not alter the principle. The only way in which the clause could then be amended would be by an amendment moved on the recom-mittal of the Bill.

Mr. DONEY: If the Bill is dealt with in Committee to-morrow, which amendment will have priority, that of the Leader of the Opposition or that of the member for Nedlands?

The CHAIRMAN: I gather that the member for Nedlands will move his amendment first. If that is defeated the Leader of the Opposition will then be unable to move to strike out the words he wants deleted.

Hon. N. KEENAN: Will that mean that no amendment to the clause can be moved if my amendment is defeated? My amendment would be to strike out a considerable portion of Clause 5. I do not desire to imperil the position of any member who wishes to amend the clause in some other particular. If the proper procedure is adopted I do not think the position of any member will be imperilled. The question will be that certain words be struck out. If that amendment is defeated, it will then be open for any other member to move an amendment that some other portion of the clause be struck out.

The CHAIRMAN: If the Leader of the Opposition wishes to go on with his amendment, say to-morrow, he must get in before the member for Nedlands.

Mr. LATHAM: The member for Nedlands proposes to move for the deletion of certain words at the beginning of Clause 5, whereas I desire to deal with the second paragraph.

The CHAIRMAN: I did not understand that the member for Nedlands intended to move an amendment to strike out words at the beginning of the clause.

Mr. LATHAM: I should like to know if I shall be able to move to amend the clause as printed, if the amendment of the member for Nedlands is not carried.

The CHAIRMAN: If an amendment to strike out practically the whole clause be defeated the Leader of the Opposition can then move to strike out a smaller portion of the clause.

Mr. LATHAM: On that understanding I will withdraw my amendment.

Amendment by leave withdrawn.

On motion by the Minister for Railways, further consideration of Clause 5 was postponed.

Clause 6—agreed to.

Clause 7—Vacancy on board:

Mr. RODOREDA: It may be that, when we know what the constitution of the Board is, the wording of this clause will have to be altered. It might be advisable, after the word "seat" in line 3, to insert, "and representing the same interests as the person he displaces."

Mr. SAMPSON: My object is to prevent the possibility of confusion. The member for Nedlands apparently has in mind a method of appointment different from that by the Governor. Thus a difficulty might arise. In the circumstances the remaining clauses of this division should be postponed.

Mr. RODOREDA: In view of what has been stated, the best course seems to be to postpone the consideration of this division.

The MINISTER FOR RAILWAYS: That course is not necessary. These machinery clauses appear in almost every Bill providing for the appointment of a board. If the constitution of the board should be drastically altered, this part of the Bill could be recommitted.

Mr. RODOREDA: I still see no need to go through the division clause by clause now. Nothing will be gained by discussing the clauses to-night.

Clause put and passed.

Clauses 8, 9—agreed to.

Clause 10—Powers and authorities:

Mr. LATHAM: I move an amendment—

That in lines 1 and 2, the words "and under the direction of the Minister, the board shall" be struck out, and "the board may of its own volition or under the direction of the Minister shall" inserted in lieu.

The amendment proposes to enable the board to act of their own volition, without awaiting instructions from the Minister. Some members may feel that the board should operate without the Minister's directions. Certainly the board should not be prevented from doing things of even a trivial nature except after consultation with the Minister. It should not be necessary for the Minister to ask the board to investigate everything that crops up.

The MINISTER FOR RAILWAYS: If the board put up a reasonable request for investigation, undoubtedly any Minister would agree to it; but some member of the board might want to initiate investigations costing a considerable amount of money, and in order to protect the funds of the State the Minister should have some say in the matter. Results from an investigation might not be commensurate with the expense involved. The Agricultural Bank trustees have not yet had funds made available to them to travel all over the State for the purpose of making themselves familiar with the Bank's securities. No Minister would refuse authority, under the Bill, to make investigations of importance. The board's operations must not become an incubus on the finances of the State.

Mr. Stubbs: Would any board with a sense of responsibility incur unnecessary expense in making investigations?

The MINISTER FOR RAILWAYS: In return I might ask, would any Minister with a sense of responsibility refuse authority to make reasonable investigations?

Mr. Latham: Eastern States transport boards have sole control in this respect.

The MINISTER FOR RAILWAYS: There should be close touch between the board and the Government, so that the Government may know exactly what the board are doing. As regards licenses and so forth the board will be a law unto themselves, and there will be no appeal from their decisions. As regards investigations the board would act in co-operation with the Minister.

Mr. MOLONEY: For the life of me I cannot see what the Leader of the Opposition desires. His amendment proposes to retain the opening words of the clause, "Subject to this Act." Yet he wishes the board to be absolutely free and untrammelled.

Mr. Latham: Only in respect of investigations.

Mr. MOLONEY: We might as well establish a board immune from any control whatever.

Mr. Latham: They are, in most circumstances.

Mr. MOLONEY: If the Government were to accept the amendment, probably later on we would hear complaints that the board had too much power and people would appeal to the Government to curb their activities. I regard the amendment as unnecessary. The board should be under the direction of the Minister. Apparently the Leader of the Opposition thinks the Minister will hamstring the board and countermand any orders given by them. I do not think any responsible Minister would take action to restrict the board in their investigations. Apparently Opposition members want the board to be a law unto themselves.

Mr. Latham: You will later on agree to give the board greater power.

Mr. MOLONEY: But those provisions of the Bill give that power subject to certain safeguards.

Mr. Latham: The clause merely gives the board power to investigate.

Mr. MOLONEY: Apparently the hon. member wants the board, of their own volition and quite apart from what the Minister may desire, to be allowed to do what they like.

Mr. LATHAM: The member for Subiaco is absolutely wrong. If the amendment be agreed to, it will mean that the board may make such investigations regarding transport matters as they may themselves determine. In carrying out such inquiries, they will have to take into consideration matters that are specified in the Bill. Instead of being forced to run to the Minister every time they desire to do anything, the board should be able to act of their own volition.

The Premier: The board might desire to carry out an investigation in Victoria or New South Wales.

Mr. LATHAM: The Premier is joking. He assured members that the appointment to the board would be viewed so seriously that there was no need to be afraid from that standpoint.

The Premier: Even wise men like a trip to the Eastern States now and again.

Mr. Ferguson: The Premier likes to dodge them.

Mr. Moloney: But he is not wise.

The Minister for Works: The Leader of the Opposition will remember when one Royal Commission went to the Eastern States to carry out investigations and had to be recalled by the Government.

Mr. LATHAM: The appointment of that body was authorised by Parliament.

The Premier: The board will have no more power than that Commission, whose supplies had to be stopped in order to make them return to the State.

Mr. LATHAM: At any rate, the board will have to report to the Minister after making investigations. We must remember that the present Minister will not be in control for all time.

The Premier: No, some foolish Minister may succeed him.

Mr. LATHAM: Certainly not; his successor will be a sensible Minister. But irrespective of who he may be, no Minister would desire to be worried about trivial matters, although the board will certainly consult the Minister regarding matters of major importance.

Mr. SAMPSON: I hope the Minister will agree to the amendment. The position is something like appointing a manager of a company and then prohibiting him from doing anything until the directors had met and discussed every little detail. Apparently the Minister is to be paramount and is to be consulted about every trivial matter that has to receive attention. He is to be a Pooh Bah—the head and the tail, the Alpha and Omega of the board. I am sure the Minister does not want a board that will have to consult him about every little detail. If a board of that description, devoid of all initiative were desired, then three very obedient clerks could be appointed to do all that was necessary.

The Premier: Will a seat on the board be an office of profit under the Crown?

Mr. SAMPSON: I do not know, but I cannot imagine any member of Parliament being appointed. The board should not be stultified. If the Minister is so disbelieving regarding the ability of those who will be appointed to the board, surely we should know who are to be appointed. If the board have to run to the Minister every time to get a suggestion or advice, then

God help this co-ordinating measure, it will be useless.

Mr. GRIFFITHS: The utmost liberty, consistent with the control that will be exercised by the Minister should be granted to the board to exercise initiative in carrying out important inquiries. While the board will exercise a certain amount of independence of thought, they will not be likely to act contrary to the Minister's desires. We have capable men in the State who could undertake the duties. One man whose name comes to my mind is carrying out most successfully, various enterprises and making them payable when others failed to do so. I refer to the chairman of the Parks and Gardens Board.

Mr. THORN: I hope the Minister will accept the amendment because if we are to get the best service from members of the board, they should be given some independence. The Minister should be satisfied with the power of veto, instead of that of control and direction.

Mr. FERGUSON: Far be it from me to clothe the board with extravagant powers that may be used not in the best interests of the State. I do not think there is any likelihood of anything of that sort happening regarding the board under discussion. The Minister should have the power of veto, but we should not crib, cabin and confine the board in such a manner as to prevent them from exercising initiative in the interests of the State. I am surprised at the Minister's attitude. The Premier extravagantly said the board might go wandering round Australia to make investigations. No such thing is to be feared, because the same clause specifically states that the board shall be empowered to demand certain information as to the internal transport of the State. Before they could go out of Western Australia they would have to obtain the consent of the Minister.

The Premier. They would not.

Mr. FERGUSON: The Minister should have control of the board, but to attempt to stop the board from using their initiative would be a wrong policy.

Mr. NEEDHAM: At first glance the amendment seems a good one, but the more I have heard in support of it, the more do I feel inclined to vote against it.

Mr. Latham: That is the worst of its having so many supporters.

Mr. NEEDHAM: I cannot see that the amendment would improve the Bill, while on the other hand it would tend to cramp the Minister. The effect of it would be to give the board co-equal power with the Minister in initiating investigations.

Mr. Thorn: But the Minister would have the last say.

Mr. NEEDHAM: Not under the amendment. I object to any board having co-equal power with the Minister. After all, the board will have ample scope to suggest to the Minister certain lines of investigation, and I am sure the Minister will not reject such suggestions. If the amendment be carried, we shall find the board making investigations of a serious nature which might more or less commit the Minister or the Government before the Minister was aware of the investigations. The more we read the Bill, the more clearly do we see that ultimately the board will be clothed with almost plenary powers, and I do not feel inclined to give them such powers. I hope the Minister will stick to the clause.

Mr. RODOREDA: If the amendment be agreed to it will tend to negative paragraph (a); indeed, if we give the board power to make investigations of their own volition, we shall have to amend paragraph (a).

Mr. Latham: No, that means that they must carry out any investigations directed by the Minister.

Mr. RODOREDA: Under the amendment they could not take directions from the Minister as to the making of investigations. There are many respects in which the board should not act of their volition.

Amendment put, and a division taken with the following result:—

Ayes	..	..	..	..	20
Noes	..	..	..	..	13
					—
Majority for	..	..	..	..	2
					—

Ayes.	
Mr. Ferguson	Mr. Sampson
Mr. Griffiths	Mr. Seward
Mr. Hawke	Mr. F. C. L. Smith
Mr. Latham	Mr. J. M. Smith
Mr. McDonald	Mr. Stubbs
Mr. McLarty	Mr. Thorn
Mr. North	Mr. Tonkin
Mr. Patrick	Mr. Warner
Mr. Piesse	Mr. Welsh
Mr. Rodoreda	Mr. Doney

(Teller.)

## Noss.

Mr. Clothier  
Mr. Collier  
Mr. Cross  
Mr. Hegney  
Mr. Johnson  
Mr. Kenneally  
Mr. McCallum  
Mr. Middleton  
Mr. Moloney

Mr. Needham  
Mr. Nulsen  
Mr. Raphael  
Mr. Troy  
Mr. Wansbrough  
Mr. Willcock  
Mr. Wise  
Mr. Withers  
Mr. Wilson

(Teller.)

Amendment thus passed.

Mr. HEGNEY: There will be a consequential alteration required in paragraph (a). In view of the amendment just passed, it will be necessary to delete from that paragraph the words "as the Minister may from time to time direct."

Mr. LATHAM: The Minister will agree that it would be unfair to those persons who have pioneered a route and established a business if other persons were allowed to enter into competition with them.

The Minister for Railways: The Railway Department have built up a business and they have been subjected to competition by these very people.

Mr. LATHAM: My suggestion is that tenders shall be called only for new routes that are to be opened up. The bus proprietors have met the wishes of the public, and have conformed to the Act. They have had licenses issued to them each year, and I think it would be a contemptible trick if we passed legislation providing for the calling of tenders in respect of the routes which they have established. I move an amendment—

That in line 7 of paragraph (d) "new" be inserted between the words "any" and "license."

Mr. McDONALD: I support the amendment. The member for Nedlands asked me to move a similar amendment. The object of the Bill is to give fair protection to the railways, which have built up a large business. The amendment is designed to give to the people who pioneered the bus routes the same protection which the Bill intends to give to the railways. It should be remembered that the men who pioneered the bus routes had their lean periods in the early stages and made losses. Now that they are getting on their feet there is reasonable ground for saying they should not be called upon to pay again.

Mr. F. C. L. SMITH: I support the amendment. The bus proprietors who have built up a business and given good service

to the community are entitled to security of tenure. If there is a possibility of the routes being put up to tender every 12 months we cannot expect to receive the same service from the bus proprietors as they would render if they had reasonable security of tenure. Of course, they must provide a reasonable service along the routes.

Mr. McDonald: Would they not raise their fares?

Mr. F. C. L. SMITH: I believe so, but they could not be expected to render the same service. If they do not provide a reasonable service, there is nothing to prevent the board from issuing another license for the same route and cancelling the existing license.

Mr. SAMPSON: When moving the second reading of the Bill the Minister made reference to the manner in which licenses were granted to hotel keepers. Licenses of hotels are renewed yearly, subject to the hotel being conducted properly. If the proprietor of a bus carries on his service properly there is no justification, in my opinion, for calling for tenders for the route over which he is operating. If a license is proposed to be granted for a new hotel in any district, a value is placed upon the license. That is right, and the same thing should apply to bus routes.

Mr. THORN: I hope the Minister will accept the amendment. I will give him an instance to show how unfair it would be to a bus proprietor if tenders were called after he had pioneered a service. In the Swan district we were sadly in need of transport facilities, and a bus service was commenced. It has been gradually built up until to-day we have a very fine and efficient service, one of the best in the State. It would be very unfair to the people who built up that service if someone else were allowed to tender for the route. We have always been proud of the pioneers who have helped the State, and this is an instance where we should show our appreciation of their services.

Mr. NEEDHAM: In view of the fact that many of these companies have been established for some considerable time, and also in view of the indisputable fact that they are rendering good service to the public, the amendment moved by the Leader of the Opposition is worthy of consideration. Bus proprietors should have some security



of tenure. Reference has been made to the hotel trade. Leases of hotels are usually granted for a period of about five years. They are then sometimes put up for tender, and the proposed tenant is invariably asked to pay a fair amount by way of ingoing. Nevertheless, once he secures his lease, he has security of tenure for a specified period. If the amendment be not passed, then many bus proprietors will become modern Othellos; they will find their occupation gone, and without any chance of obtaining compensation. There is no suggestion for payment of compensation in the event of a bus proprietor losing the service he is conducting. It would not be fair, when tenders are called, if these pioneers lost their business for the sake of a few pounds. It is not beyond the province of the board to see that they are running their services for the benefit of the public, and are observing the proper labour conditions, etc. The Minister may contend that these concerns have made a fair amount of profit, but that should not be held against them in the event of their losing a contract as well as their capital. If the clause is not amended it may result in injustice being done to a certain section of the community, whereas the object of the Bill is said to be to protect the community and everyone in it. In view of these considerations, the Committee ought to be careful before rejecting the amendment moved by the Leader of the Opposition.

**The MINISTER FOR EMPLOYMENT:** The amendment strikes at the very root of the Bill. We are asked to say that the competition with the railways has been eminently fair, and ought not to be disturbed. The Leader of the Opposition thinks that existing licenses should be sacrosanct. Certain people have contracts for the conveyance of children to school. Because they hold those contracts, can they be said to have established a permanent right over them?

**Mr. Thorn:** That is quite a different matter.

**The MINISTER FOR EMPLOYMENT:** Did the transport concerns show any regard for the railways when they began their operations on the roads? Members seem to think they have established a proprietary right over certain routes, and should not be interfered with. From time to time the

Railway Department call for tenders for the conduct of refreshment rooms. They do not contend that because a particular person has conducted a certain refreshment room, his tender must be accepted. The whole business is thrown open to public tender. I do not suggest that the board will refuse to renew the licenses of these transport organisations, but I claim that other people should have the right to embark upon the business if they desire to do so. No immunity should be given to those who are already established in the business.

**Mr. F. C. L. Smith:** They are entitled to something for their goodwill.

**The MINISTER FOR EMPLOYMENT:** I am surprised to hear the support for those concerns which have been living upon the assets of the State.

**Mr. F. C. L. Smith:** They have rendered good service in some parts where no service has been rendered by the Government trams:

**The MINISTER FOR EMPLOYMENT:** The fact that some people have given a good service where there is no tramway service would certainly entitle them to some consideration at the hands of the board. The amendment, however, suggests that whether people have given a good or a bad service they ought not to be interfered with if they are already in the transport business.

**Mr. Patrick:** The board would not be prevented from granting other licenses for the same route.

**The MINISTER FOR EMPLOYMENT:** That would defeat the object of the amendment. If the amendment is carried, the Bill might as well be dropped, for it will deprive the board of any opportunity to control this form of traffic.

**Mr. SAMPSON:** The Minister for Employment is unwise in choosing as an illustration the catering at railway refreshment rooms. In those cases it is not always the highest tender that is accepted.

**The Minister for Employment:** And it need not be in this case.

**Mr. SAMPSON:** People who are running these motor bus services have built up a prescriptive right, and have created the trade and the goodwill. In many cases it is the poor catering that has brought grave discredit upon the railway system. I should like to see the proposed board

take control over refreshment room catering.

Mr. LATHAM: There is no analogy between a contract for conveying children to school and motor transport for commercial purposes. In the former case the contractor knows the number of children he has to convey and the mileage he has to travel. In the case of the other form of transport, very often a man begins with a taxi, develops a route, gives a good service to the public, and eventually runs a bus service. As the clause stands, the board could say, "You have developed a route; we will now call for tenders and make people pay a premium for the right to run over it."

The Minister for Railways: The board would only do that when they considered that the interests of the public would be best served by their doing so.

Mr. LATHAM: A route could always be closed down if the board decided there was interference with the railway service. This motor transport business has been built up since 1923. It would not be fair to the people concerned to call for tenders on the ground that the State has an opportunity to make a profit out of their endeavours.

Mr. RODOREDÁ: I, too, support the amendment, and am not at all impressed by the arguments advanced by the Minister for Employment. He was unfortunate in the two illustrations he gave. Any person who tenders for the conveyance of children to school knows that he is only tendering for a certain set period. He makes his tender accordingly. He acquires no vested interest; when his contract terminates he has to be prepared to lose all the money he has put in by way of equipment. If a liquor license is cancelled, compensation is made. The Bill gives no compensation for the cancellation of a bus route. By its inaction Parliament has allowed the transport people to build up vested interests. A license does not grant a sole right to a particular route; competition can be introduced if there is room for it.

The MINISTER FOR RAILWAYS: A great deal of meaning which is not actually there has been imported into the clause. If the board consider that in the best interests of the public they should call tenders, they will do so. The paramount consideration of the board will be the public interest. If

the board came to a unanimous conclusion that the public interest would best be served by calling tenders in the case of existing licenses, they should have power to do so. The board will not be a money-making or taxing board.

Mr. Patrick: Then why invite premiums?

The MINISTER FOR RAILWAYS: The premiums are not the sole aim. If the board consider that a licensee has done everything that is needed for a satisfactory service, tenders will not be called. The dominating principle of the Bill, and of this particular clause, is the public interest. By calling competitive tenders an infinitely better service might be secured. An unsatisfactory service, or one that is merely comparatively satisfactory, should not be allowed to continue simply because a license exists.

Mr. Latham: The board would have to be fair to existing licenses.

The Premier: There is no reason to assume that the board would not be fair.

The MINISTER FOR RAILWAYS: A licensee might carry on a service satisfactorily at the start, but allow it gradually to deteriorate. There might not be room for two services in that instance; so that if another license were granted, both licensees would incur loss. We ought to get away from vested interests if they are against the public interest. Irrespective of whether a license is old or new, the board should have the right to call tenders if that is desirable in the public interest. Someone who establishes a service ought not to be allowed for that reason alone to retain it for ever and a day. The Leader of the Opposition wants a vested interest to be protected irrespective of the public interest to deny the board the right to call est. The effect of the amendment would tenders except in the case of new licenses. I hope members will not be misled into accepting the amendment, because I am convinced it will work harm. It will encourage the obsolescent in connection with transport facilities and we should strive to bring about the best services possible. We should not deprive the board of the right to do what they consider is in the best interests of the public, or limit their discretionary powers.

Mr. RAPHAEL: While I desire to support the Government, the Minister has apparently more faith than I have in boards

created by Parliament. The Minister informed the Committee that he had not arrived at any decision regarding the personnel of the board, and yet a few minutes ago he was booming the virtues of that body. I believe in some instances the interests of the promoters of bus services should be protected because they have provided facilities that the Government did not.

Mr. WITHERS: I support the amendment. The Minister has based his argument on the interests of the public. The State has employed highly paid officers to look after the interests of the community in connection with transport matters, but they allowed the State-owned facilities to get into such a condition that the man in the street, without any business acumen, could visualise possibilities that apparently the chief transport officers could not envisage. I do not think that the Railway Department have justified the protection now asked for against those people who have invested their money in motor services that have catered so well for the public. It will be at the discretion of the board that licenses will be renewed, and if a bus has become obsolete, as the Minister suggested, the board will certainly not renew the license merely because one was granted previously. Is it right to ask people who, for seven years or so, have conducted a bus service, to pay a premium? If a premium is to be sought, it should be from people who desire to establish services in opposition to those already in operation, and those who have engaged in the business should have some security of tenure. The clause as it stands may lead to victimisation.

Amendment put, and a division taken with the following result:—

Ayes	..	..	..	..	22
Noes	..	..	..	..	17
					—
Majority for	..	..	..	..	5
					—

## AYES.

Mr. Brockman	Mr. Raphael
Mr. Cunningham	Mr. Rodoreda
Mr. Ferguson	Mr. Sampson
Mr. Griffiths	Mr. Seward
Mr. Latham	Mr. P. C. L. Smith
Mr. McDonald	Mr. Stubbs
Mr. McLarty	Mr. Thorn
Mr. Needham	Mr. Welsh
Mr. North	Mr. Wise
Mr. Patrick	Mr. Withers
Mr. Piesse	Mr. Doney

(Teller.)

## NOES.

Mr. Clothier	Mr. Millington
Mr. Collier	Mr. Moloney
Mr. Cross	Mr. Nulsen
Mr. Hawke	Mr. Tonkin
Mr. Hegney	Mr. Troy
Miss Holman	Mr. Wansbrough
Mr. Johnson	Mr. Willcock
Mr. Kenneally	Mr. Wilson
Mr. McCallum	(Teller.)

Amendment thus passed.

Mr. SAMPSON: I move an amendment—

That in line 1 of paragraph (c) the words "of its own motion" be struck out.

In view of the previous decision of the Committee, the retention of the words might imply that where reference was not made to their own motion or their own volition, the board would not be able to act.

The MINISTER FOR RAILWAYS: I do not think we ought to consider the amendment, for this paragraph deals only with tenders. If nobody puts in an application for a route, and the board are satisfied that it would be in the interests of the public to call for tenders, they can do it by their own motion. This is only carrying out the principle already affirmed by the Committee, that the board should have power to take steps of their own volition. It is only right that the board should have the initiative given them in this paragraph (e).

Mr. SAMPSON: The words proposed to be struck out are not necessary; indeed they are only a duplication of the opening words of the clause—"the board may of its own volition." The retention of those words would imply that the board did not really have the power given to them in the first line of the clause.

Amendment put and a division taken with the following results:—

Ayes	..	..	..	..	13
Noes	..	..	..	..	26
					—

Majority against .. .. 13

## AYES.

Mr. Brockman	Mr. North
Mr. Cunningham	Mr. Piesse
Mr. Ferguson	Mr. Sampson
Mr. Griffiths	Mr. Thorn
Mr. Latham	Mr. Welsh
Mr. McDonald	Mr. Doney
Mr. McLarty	(Teller.)

## NOES.

Mr. Clothier	Mr. Patrick
Mr. Collier	Mr. Raphael
Mr. Cross	Mr. Rodoreda
Mr. Hawke	Mr. Seward
Mr. Hegney	Mr. F. C. L. Smith
Miss Holman	Mr. Stubbs
Mr. Johnson	Mr. Tonkin
Mr. Kenneally	Mr. Troy
Mr. McCallum	Mr. Wansbrough
Mr. Millington	Mr. Willcock
Mr. Moloney	Mr. Wise
Mr. Needham	Mr. Withers
Mr. Nulsen	Mr. Wilson

(Teller.)

Amendment thus negatived.

Clause as previously amended, agreed to.

Clause 11—Power as to railways and tramways:

Mr. LATHAM: I move an amendment—

That after "shall" in line 1 of subclause (1) the words "or of its own volition may" be inserted.

This will give opportunity to the board to inquire into some of the railway services in country districts.

Amendment put and passed.

Mr. LATHAM: I move an amendment—

That after "inadequate" in line 2 of subclause (2) the words "impossible of improvement" be inserted.

Before recommending the closure of a railway or a tramway the board should first inquire to see if it is impossible of improvement.

Amendment put and passed.

Mr. NORTH: I move an amendment—

That after "closure" in line 5 of subclause (2) the words "or partial suspension of service" be inserted.

It may prove on investigation that, instead of closing the railway or tramway, it would be sufficient partially to suspend the service.

Amendment put and passed; the clause, as amended, agreed to.

Clauses 12, 13—agreed to.

Clause 14—Fees for licenses:

The MINISTER FOR RAILWAYS: There seems to be a misapprehension in regard to the manner in which fees are to be collected; I discussed the matter with the parliamentary draftsman, who desires to recast the clause in order to make it explicit. The clause, as re-cast, will be on the Notice Paper to-morrow, so that members will have an opportunity of considering it.

Progress reported.

# **BILL—LOTTERIES (CONTROL) ACT AMENDMENT (No. 2.)**

## *Second Reading.*

Debate resumed from 10th November.

MR. LATHAM (York) [10.3]: The Bill is exactly the same as that which was introduced previously, except that the clause amending the Constitution Act has been deleted. I have exactly the same objections to the Bill that I voiced when it was before the House previously, so there is no reason why I should delay the House now. When we reach the Committee stage I propose to see if we cannot knock the clauses into shape.

The Premier: Out of shape.

Mr. LATHAM: Well, out of shape. I shall not delay the House by repeating what I said previously about the Bill.

Question put and passed.

Bill read a second time.

## *In Committee.*

Mr. Hegney in the Chair; the Minister for Police in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of definition:

Clause put, and a division taken with the following result:—

Ayes	..	..	..	..	22
Noes	..	..	..	..	17
					—
Majority for	..	..	..	..	5
					—

## **AYES.**

Mr. Clothier	Mr. Nulsen
Mr. Collier	Mr. Rodoreda
Mr. Cross	Mr. Sleeman
Mr. Hawke	Mr. F. C. L. Smith
Miss Holman	Mr. Tonkin
Mr. Johnson	Mr. Troy
Mr. Kenneally	Mr. Wansbrough
Mr. McCallum	Mr. Willcock
Mr. Millington	Mr. Wilson
Mr. Moloney	Mr. Withers
Mr. Needham	Mr. Raphael

(Teller.)

## **NOES.**

Mr. Brockman	Mr. Piesse
Mr. Cunningham	Mr. Sampson
Mr. Ferguson	Mr. Seward
Mr. Griffiths	Mr. Stubbs
Mr. Latham	Mr. Thorn
Mr. McDonald	Mr. Welsh
Mr. McLarty	Mr. Wise
Mr. North	Mr. Doney
Mr. Patrick	

(Teller.)

Clause thus passed.

Clause 3—Distribution of moneys for charitable purposes being made with the approval of the Minister:

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

Ayes	..	..	..	..	23
Noes	..	..	..	..	16

Majority for .. .. 7

AYES.

Mr. Clothier	Mr. Raphael
Mr. Collier	Mr. Rodoreda
Mr. Cross	Mr. Sleeman
Mr. Hawke	Mr. F. C. L. Smith
Miss Holman	Mr. Tonkin
Mr. Johnson	Mr. Troy
Mr. Kenneally	Mr. Wansbrough
Mr. McCallum	Mr. Willcock
Mr. Millington	Mr. Wise
Mr. Moloney	Mr. Withers
Mr. Needham	Mr. Wilson
Mr. Nulsen	

(Teller.)

NOES.

Mr. Brockman	Mr. Piesse
Mr. Cunningham	Mr. Sampson
Mr. Ferguson	Mr. Seward
Mr. Griffiths	Mr. Stubbs
Mr. Latham	Mr. Thorn
Mr. McDonald	Mr. Welsh
Mr. McLarty	Mr. Doney
Mr. North	
Mr. Patrick	

(Teller.)

Clause thus passed.

Clause 4—Continuance of Act for a further period of three years:

Mr. SAMPSON: I move an amendment—

That in line 3 the words "thirty-six" be struck out and "thirty-four" inserted in lieu.

This is new legislation, and it is only right that members should have an opportunity to review it during the coming year. This is specially desirable because the legislation is experimental.

The MINISTER FOR POLICE: I cannot accept the amendment. The appointments are only for 12 months, so that the action taken by another place will not affect that position. We have passed the experimental stage, and as we have proposed the continuance of the measure until 1936 we will stand by that.

Mr. LATHAM: The Government are not bound to make further appointments to this Commission, when all appointments terminate at the end of the year.

The Premier: No one said we were bound.

Mr. LATHAM: A new principle has been embodied in this legislation. In the first place all the funds may now go to the unemployed, and secondly, by providing for

Ministerial control, we are practically turning this into a State lottery. We should have an opportunity to see within the next 12 months how these new provisions work out. I want to see how much money goes to the unemployed, and whether Ministerial control is preferable to commission control.

The Premier: You can always bring down an amending Bill if you like.

Mr. LATHAM: This is a Government measure and any amending Bill should be brought down by the Government. I hope the opportunity will be afforded to members to review the matter next session.

Mr. GRIFFITHS: There is a strong feeling in the country as well as in the city concerning these important alterations to the principles contained in the Act. Through the intrusion of Ministerial control over the funds, this organisation will become a State lottery.

The Premier: You have been running about the country stirring up people against this.

Mr. GRIFFITHS: I hope the Committee will not agree to any extension of the term beyond the ensuing 12 months.

Mr. FERGUSON: I support the amendment, and do not understand why the Minister for Police objects to it. After dried fruits legislation had been on the statute-book for four or five years, during which period it had proved highly beneficial, the hon. gentleman strongly opposed an extension of that legislation for three years, and was willing to agree to only one year. If the one-year extension is good for such legislation as that, why is it not good for this legislation, into which two new principles have been introduced—the extension of the use of the funds, and the extension of the Minister's power to declare the purposes for which the funds may be used? There is no party significance attaching to the Bill, and the Committee might well agree to the amendment of the member for Swan.

Amendment put, and a division taken with the following result:—

Ayes	..	..	..	..	14
Noes	..	..	..	..	25

Majority against .. .... 11

## AYES.

Mr. Cunningham  
Mr. Ferguson  
Mr. Griffiths  
Mr. Latham  
Mr. McDonald  
Mr. Needham  
Mr. Patrick

Mr. Piesse  
Mr. Raphael  
Mr. Sampson  
Mr. Seward  
Mr. Stubbs  
Mr. Thorn  
Mr. Doney

(Teller.)

## NOES.

Mr. Brockman  
Mr. Clothier  
Mr. Collier  
Mr. Cross  
Mr. Hawke  
Miss Holman  
Mr. Kenneally  
Mr. McCallum  
Mr. McLarty  
Mr. Millington  
Mr. Moloney  
Mr. North  
Mr. Nulsen

Mr. Rodoreda  
Mr. Sleeman  
Mr. F. C. L. Smith  
Mr. Tonkin  
Mr. Troy  
Mr. Wansbrough  
Mr. Welsh  
Mr. Wilcock  
Mr. Wilson  
Mr. Wise  
Mr. Withers  
Mr. Johnson

(Teller.)

Amendment thus negatived.

Clause put and passed.

Clause 5—agreed to.

New clause:

Mr. PIESSE: I move—

That the following be inserted to stand as Clause 2a:—‘Section 2 of the principal Act is amended by adding a paragraph after paragraph (gg) in the definition of ‘Charitable purposes’ as follows:—’ (ggg) For the relief of distressed aborigines under the control of the Aborigines Consolidation Act of 1912.’

I know of no more urgent need than that of providing for distressed aborigines.

The Premier: That is not a new clause, but an amendment of Clause 2. You cannot now begin to amend Clause 2.

The CHAIRMAN: The amendment is not very clear.

Mr. PIESSE: The intention is to bring aborigines within the definition of Section 2 of the Act.

The Premier: The amendment, as worded, is not a new clause, but an amendment of Clause 2 of the Bill.

The CHAIRMAN: The wording of this new clause appears to be similar to that of Clause 2 of the Bill.

Mr. PIESSE: I should like to alter my amendment upon those lines.

The Minister for Lands: It is an amendment to a clause that we have already passed.

The Premier: It is not a new clause.

The CHAIRMAN: The hon. member desires to secure provision for relief for distressed aborigines.

Mr. PIESSE: Would I be in order if I moved to recommmit the Bill?

The CHAIRMAN: Not at this stage. I have ruled that you are in order in moving the amendment.

The Premier: It is not in order just the same.

Mr. PIESSE: Provision is made for the relief of distressed white persons, but no action has been taken regarding the aborigines.

*Point of Order.*

The Minister for Police: I ask for your ruling, Mr. Chairman, as to which section of the Act the new clause will amend. I ask whether it is in order to seek to amend a clause already passed. Section 2 of the principal Act is amended by Clause 2 of the Bill, which has already been agreed to. Can the member for Katanning, without securing the recommittal of the Bill, move an amendment that will also amend Section 2, and if so, where will it appear in the Bill?

The Chairman: If the amendment be passed it will stand as Clause 3 and will amend Section 2 of the principal Act.

The Premier: But the amendment you read, Mr. Chairman, was not in the form originally submitted by the member for Katanning. The amendment has been reconstructed, and it is not within your province or that of anyone else to reconstruct an amendment submitted by a member. As he submitted it originally, it was out of order and you ruled it so. Now an amendment has been moved that you say is in order, and the member for Katanning has not even seen it. It is not for the Chairman to reconstruct amendments submitted by members.

The Chairman: The member for Katanning stated the terms of the amendment in the form he desired.

The Premier: I submit that any alteration to an amendment should be effected by the member submitting it. It should not be done by the Chairman.

The Chairman: I have allowed the hon. member to move the amendment and the only alternative is to disagree with my ruling.

The Premier: But the amendment is not that submitted by the member for Katanning. It is a different one.

The Chairman: The member for Katanning orally submitted what he desired and

the amendment was altered accordingly. I have ruled that the amendment is in order.

The Minister for Police: If that is so, then the Bill already contains a clause that the Committee have agreed to, which amends Section 2 of the principal Act, and now, apparently, we are to have a second clause also amending Section 2 of the principal Act. I cannot understand how that can be.

Mr. Patrick: We tried to get the amendment in its proper place but it was ruled out of order.

The Premier: The member for Katanning can achieve his end only on recommitment.

The Chairman: At any rate, I have ruled that the amendment is in order and it will stand as a new Clause 4 amending Section 2.

#### *Debate Resumed.*

Mr. PIESSE: The Bill provides for relief of unemployed persons but as that will not cover aborigines, special provision should be made to that end. The position of the natives was brought prominently under my notice recently. A well disposed person has undertaken missionary work near Katanning, where natives have been camping. Out of his goodness of heart, he opened up a school voluntarily, without any assistance from the Aborigines Department but with the approval of the Protector. As a result of the setting up of that school, quite a number of aborigines have come in from some distance out to settle there. Only recently I asked the missionary how the natives were faring, and he said the attendance at the school had been quite good, but he was very much struck with the ill-nourished condition of the children. This is one of the uses to which the funds at the disposal of the Lotteries Commission could well be put. I commend the proposed new clause to the Committee.

Mr. SAMPSON: This is a definite gesture of sympathy with the natives, and I hope it will be agreed to. The natural food of the natives is becoming less and less, and more than ever those natives must depend on the white man.

Mr. FERGUSON: The proposed new clause should appeal to the Committee. There is no more deserving cause for the charitably inclined people of the State than the natives and half-castes in the unfortunate position in which they find themselves to-day. There is a great deal of distress and privation

amongst them. In days gone by many of them used to be employed on farms, and were able to earn sufficient to keep body and soul together, but since the depression they have found considerable difficulty in securing employment, and so there has been more hardship noticeable amongst them. Those who contribute most to the lotteries, no doubt, would be quite willing that some share of their contributions should go to the relief of the half-castes and natives.

The MINISTER FOR POLICE: There is no need for the proposed new clause. In the definition section of the principal Act, paragraph (i) reads as follows:—"Subject to the limitations imposed by Section 19, any body which in the opinion of the Minister may fairly be classed as charitable." The only limitation in Section 19 respecting that, is the restriction to £250 of the money supplied to any single body. So, as I say, there is no need for the proposed new clause, because the commission could allocate to the relief of the natives and half-castes £250 out of any one sweep. It rests with the commission.

Mr. Latham: Subject to the Minister's approval.

The MINISTER FOR POLICE: That is so. The proposed new clause merely includes the natives in the definition of "Charities" and, as I have shown, there is no need for this.

Mr. F. C. L. Smith: Have any applications been made on their behalf?

The MINISTER FOR POLICE: Not that I am aware of. Such applications, of course, would be made to the commission.

Mr. MOLONEY: The new clause moved by the member for Katanning is far-reaching, but I was relieved when I learned of his charitable intention. I anticipated what the Minister has said, however, that the hon. member could just as easily have achieved his purpose had he approached the Lotteries Commission.

Mr. PIESSE: I am pleased to hear the Minister for Police say that relief can be obtained under Section 19 of the Lotteries Act, but at the same time I think it would be better to pass the proposed new clause which specifically mentions aborigines.

The Premier: I do not think their relatives down there do the fair thing by them.

Mr. PLESSE: Some people are very good to them. It is perhaps to be regretted that more has not been done for the aborigines. Except for the Protector of Aborigines, it seems to be nobody's business to look after them. I make no apology whatever for stressing the necessity for doing something for them, because I know from experience what they have suffered. Some of them have had barely sufficient food to keep them alive. After all, if the clause were inserted in the Bill, there would be some direction to the Lotteries Commission that the aborigines are entitled to something. They are human beings. Some people seem to think they have no soul and no feelings. It is scandalous to think that little children, some of them almost as white as our own have to suffer as these children have suffered during recent years.

The Premier: At Wagin the people would not let some of them go to the same school as their step-brothers and step-sisters.

Mr. PLESSE: Perhaps that is so.

The CHAIRMAN: I do not think we had better discuss that to-night.

Mr. PLESSE: At present there is no instruction to the Lotteries Commission by this House that the aborigines should be provided for.

The Premier: This would not be an instruction to them.

Mr. PLESSE: It would be specified in the Act.

The Premier: It would not be an instruction.

The PLESSE: The Commission would take it as an indication that the aborigines were provided for by the Act.

The MINISTER FOR POLICE: I desire to make it very clear that I do not oppose the clause, because I consider the object to be a worthy one, but it is unnecessary to include the clause in the Bill. There is ample provision already. Representation can be made to the right quarter for this matter to be dealt with. It is the opinion of members that the commission should have a free hand, that they should not be influenced in any way and that the Minister should have no control over the commission. I am surprised that the hon. member has allowed 12 months to elapse before making representations to the commission on this subject.

Hundreds of matters are referred to that organisation.

Mr. Wise: More unworthy objects than this have perhaps received help.

The MINISTER FOR POLICE: I will assist the hon. member to place this matter before the commission, but I object to any unnecessary amendment being embodied in the Act. In fact, the proposed new clause is completely out of order.

The CHAIRMAN: That is a reflection upon the Chair.

The MINISTER FOR POLICE: I apologise. The object itself is a worthy one, and should receive consideration at the hands of the commission, but it should not be specified in the way suggested, in an Act of Parliament.

New clause put and negatived.

Title agreed to.

Bill reported without amendment and the report adopted.

#### BILLS (2)—RETURNED.

1, Land Tax and Income Tax.

Without amendment.

2, Constitution Acts Amendment.

With amendments.

*House adjourned at 11.3 p.m.*

### Legislative Assembly,

*Thursday, 23rd November, 1933.*

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The SPEAKER took the Chair at 4.30 p.m., and read prayers.