be many cases of nuisances, neighbour to neighbour, arising from the use of saws or cement mixing machines. That is because there is no zoning, or if there is zoning the local authority cannot shift the nuisance because by so doing a great loss will be suffered by the business concerned. There is no overriding authority to deal with this question. Neighbour to neighbour nuisances will gradually worsen until such time as the town-planning scheme is fully in operation. I am glad the previous Government made the move to implement that scheme, and the present Government is carrying it on. In years to come it will cost many thousands of pounds to carry through this job.

I have an interesting quotation from a newspaper dealing with a matter which has received constant attention in the Press, namely, that Australians do not work enough, they should do better and they should follow other countries. We all agree that more production is necessary. Occasionally one reads something in the Press to the credit of the Australian workers. The article I have referred to states—

> Mr. Menzies points to blessings. Australians had to spend less time earning the equivalent of a loaf of bread or a pound of meat than workers of any other country.

How refreshing it is to hear that. For many years we have been critical of ourselves, and perhaps rightly so, but it is nice to read something like this when a comparison is drawn with other countries. It goes on—

> To attain the Australian standard of living an American would have to work seven per cent. longer, a Canadian 25 per cent. longer, a Frenchman three times longer, an Italian four times longer and a Russian over seven times longer.

Those figures are taken from a world-wide survey made by the American Department of Labour, and so they are official. That is an interesting line of thought because a great many people have the idea that we should do more work and increase production. This angle shows that with less work than others, we are getting better results. It really means that our production is more efficient than anywhere else in the world. After I have spoken, some members may quote from another newspaper showing quite the contrary. With those remarks I support the Estimates..

Progress reported.

House adjourned at 11.38 p.m.

Legislative Council

Thursday 17th December, 1953.

CONTENTS.

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

CLOSING DAYS OF SESSION.

Statement by the Chief Secretary.

The CHIEF SECRETARY: Without notice, Mr. President, I would like to draw the attention of members to the fact that we think we are in the last stages of this session, and I would appeal for their co-operation in endeavouring to get through the business as quickly as possible. As far as I am able, I will curtail the speeches I have to make on the various measures and, while I do not want members to feel that their style is cramped in any way, I would very much appreciate their assistance in getting through the notice paper as quickly as we can.

BILL—ROAD CLOSURE.

Second Reading.

THE MINISTER FOR THE NORTH-WEST (Hon. H. C. Strickland—North) [2.34] in moving the second reading said: This is the usual Bill submitted each year for the closure of certain roads and right-of-ways. The details are as follows:—

Clause 2. Closure of Pit-rd., Albany: The abovementioned road was provided to give access to portion of Plantagenet Location 2 which had been surveyed as lot 1 on Land Titles Office Diagram No. 5668, which land, together with the other land adjoining the road, has been acquired and is held in fee simple by the Albany Superphosphate Coy. Pty. Ltd. The separate access to lot 1 is no longer required, and it is desired that the road be closed and that the land contained therein be sold to the company so that it may be consolidated with the company's adjoining land in the one certificate of title.

Clause 3. Closure of Range-st., Albany: The Albany Rifle Range has been removed by the Commonwealth to a new site, and the Albany Municipality has acquired the old site for additions to the adjoining recreation reserves. Range-st., which severs the land acquired by the council, was originally provided as a deviation in lieu of portion of North-rd., which was closed and acquired by the Commonwealth but is now part of the area transferred to the council, and it is proposed that it be reopened as a public road. The closure of Range-st. as provided for in this section will enable the council to consolidate the contiguous areas for recreation purposes.

Clauses 4 and 5. Closure of portion of Glyde-st. and portion of a certain right-of-way (Georges-st.) at Bayswater: To enlarge the Bayswater school site reserve No. 4747, the Public Works Department resumed certain adjoining land which is separated from the main site by portions of a public road and a private right-of-way which it is desirable should be closed in order that the school site can be consolidated into one area. The Bill provides for the closure of the portion of Glyde-st. and also the portion of the right-of-way known locally as Georges-st. and for the revestment of the land in Her Majesty as of her former estate with the intention that the land therein be included in the school site reserve.

Clause 6. Closure of a right-of-way at Boulder: Boulder lot 1389, originally comprising 1 acre and 9.8 perches, was granted in fee simple in 1903 to John Ryan, who subdivided the land into four lots separated by a right-of-way as shown on Land Titles Office Diagram No. 2607. The four lots were subsequently acquired by the Municipality of Boulder and have since been surrendered to the Crown and revested in Her Majesty. The fee of the land in the right-of-way remains in the certificate of title which is still registered in the name of John Ryan. It is proposed to resubdivide the area to dispense with the right-of-way and it is necessary to revest the land contained therein in Her Majesty as of her former estate. It is proposed that the new lots will be leased to certain applicants who have taken over houses erected thereon under a municipal housing scheme.

Clause 7. Closure of a right-of-way at Boulder: Boulder lot 658, containing a quarter acre, is held in fee simple by the Boulder Municipality in trust for a municipal endowment, and the council proposes to erect on the lot extensive buildings to include infant health clinic, St. John's Ambulance Depot and residential quarters in connection therewith. The buildings as designed require additional ground, and it is desired to include in lot 658 the western half of the contiguous right-of-way for which closure is now sought. The other half of the right-of-way would be included in the adjoining lot 2241 which is the subject of public buildings reserve No. 9911. A corrugated galvanised iron fence 6ft. high is already erected along the centre line of the right-of-way.

Clause 8. Closure of portion of Johnson Parade, Mosman Park: In 1914 an area of land was resumed from Swan Locations 82 and 83 for the purpose of providing a road one chain wide along the river foreshore at Mosman Park, and the road was gazetted on the 12th June, 1914. A macadamised road was subsequently constructed on the western side of the surveyed road, and the local authority developed the eastern or river side as a park or recreation reserve, which has become very popular as a river beach resort both with the local residents and with visitors from other parts of the metropolitan area. The riverside portion has been grassed and planted with trees and to protect this development from encroachment by cars a fence has been erected which carries a top rail consisting of a two-inch water pipe from which the lawns and gardens are watered. Owing to the liability for possible accidents

through obstructions on the gazetted road, the local authority has requested that its width be reduced to exclude the portion fenced off with the intention that the area in question be proclaimed a Class "A" reserve for park, gardens and recreation.

Clause 9. Closure of portion of Woodstock-st., Mt. Hawthorn: For the purpose of increasing the size of the Mt. Hawthorn school site, which was badly overcrowded, the Public Works Department resumed certain land on the opposite side of Woodstock-st., and later resumed the land comprised in the intervening portion of Woodstock-st., the closure of which is now sought. This portion of the street has a bituminised roadway 15ft. wide and footpaths either side for which the council will require compensation. Although Woodstock-st. is regarded as an important road facility for east and west traffic between two main traffic arteries, viz., Charles-st. and Scarborough Beach-rd., it is considered that the need for the increased area for the school site is paramount to the traffic requirements.

Clauses 10 and 11. Closure of portion of Ocean Parade and portion of a certain right-of-way at North Fremantle: Negotiations have been completed with the Commonwealth of Australia for the State to acquire certain land at North Fremantle which is required for wheat storage purposes and which will ultimately be included within the Fremantle harbour boundaries and will be vested in the Fremantle Harbour Trust Commissioners. Separating certain portions of the area to be acquired from the Commonwealth is a small portion of a private right-of-way provided for in the subdivision of North Fremantle lot 32, and which it is desired to close so that the land comprised therein may be reincorporated in the adjoining land. Portion of Ocean Parade, comprising an isolated, unused and undeveloped road, is also part of the area which it is desired to vest in the Fremantle Harbour Trust Commissioners, and its closure is sought for that purpose.

Clause No. 12. Closure of a certain right-of-way at Tambellup: A private right-of-way was provided in a subdivision of freehold land at Tambellup for the benefit of appurtenant owners who desire that the right-of-way be closed and that the land be divided between them. The Tambellup Road Board concurred in the proposal which cannot be effected in the ordinary way under the Road Districts Act owing to difficulty in interpreting the relevant section dealing with the vesting of the land, and it is necessary for direction to be given in this Act for the division of the area between the two owners of the appurtenant land.

Clause 13. Closure of a right-of-way off Patricia-st., Victoria Park: A certain right-of-way off Patricia-st., Victoria Park, is no longer required by the appurtenant owners who have agreed to the closure of the portion of it contiguous to G. W. Sanders's property comprising lots 10 and 11 on Land Titles Office Plan, No. 2010, and all are agreeable to his acquiring the contained land. The City of Perth and also the Town Planning Board have consented to the proposed closure. It is intended to dispose of the land in the right-of-way to G. W. Sanders whose house encroaches thereon.

Clause 14. Closure of portion of Kitchener-st., Wagin: The Wagin Municipal Council has acquired some freehold land on the north-western side of the agricultural showground as an addition thereto and to consolidate the area, desires to close the intervening portion of Kitchener-st. and to include the contained land in the showground reserve also. A new road will be provided out of and along the north-western side of the newly-acquired area which comprises portions of Wagin lots 338 and 341 to 343 inclusive.

Clause 15. Closure of portion of road No. 3691 at Kwinana: In connection with the resubdivision of Crown land at Kwinana in accordance with designs approved by the Town Planning Board, it is necessary to close certain roads in favour of new roads in more suitable positions. Other roads are being closed under the ordinary provisions of the Road Districts Act, but as the land comprised in the portion of Road No. 3691 was resumed from land not then under the Transfer of Land Act, which land was later resumed by the Crown, it is necessary to provide for revestment of the land in the road to remove any doubts as to the legal position.

Clause 16. Closure of Napier-st. level crossing at Cottesloe: In 1906 the Railway Department opened up a level crossing through the railway reserve connecting Roads Nos. 931 and 932, now named respectively Cottesloe Avenue and Railway-st. at Cottesloe. The crossing, which has been known as the Napier-st. crossing, has been in continual use but owing to a number of fatal accidents at the crossing it has been decided to close it in the interests of public safety. The land on which the roadway has been constructed remains portion of the railway reserve, but to remove any doubts as to the legal authority of the Railway Department to close the crossing, it is desired that Parliament authorise the closure. I move—

That the Bill be now read a second time.

HON. J. G. HISLOP (Metropolitan) [2.46]: Would it be possible for the Minister to allow me to see the plan of Woodstock-st. so that I could speak on the matter at a later stage?

HON. C. H. SIMPSON (Midland) [2.47]: I had in mind making the same suggestion as that put forward by Dr. Hislop. I know that when these road closure Bills

are put before the House it is really a matter of seeking parliamentary sanction for something which has been discussed and arranged with the authorities concerned, and that what is done here is purely formal. As members might desire to see the plans, I was going to move that the debate be adjourned to a later stage of the sitting so that they could see them as well as the photographs which, in some cases, accompany the file. I would like to move to that effect.

The PRESIDENT: The hon. member cannot move in that way as he has already spoken.

On motion by Hon. H. S. W. Parker, debate adjourned till a later stage of the sitting.

(Continued on page 2888.)

BILL—PENSIONS SUPPLEMENTATION.

Received from the Assembly and read a first time.

BILL—INDUSTRIAL DEVELOPMENT (RESUMPTION OF LAND) ACT AMENDMENT (No. 2).

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [2.48] in moving the second reading said: Members will see that we have three Bills dealing with resumption of land. I have put them on the notice paper so that they will follow each other. There is a certain amount of similarity between them, and we will clean them all up while we are on the subject. This Bill proposes two amendments only. The first is to increase the membership of the Land Resumption for Industries Committee from four to six. The committee, at present, comprises the Surveyor General, the Director of Industrial Development, the chairman of the Town Planning Board, and a representative of the Chamber of Manufactures.

The Act provides that any person engaged, or about to engage, in industry may make application to the Minister for the acquisition of land under other ownership for the purpose of establishing and carrying on his business. All such applications are referred to the Land Resumption for Industries Committee for consideration. If the committee decides to reject the application, the decision is final. The committee also deals with appeals made by unsuccessful applicants, makes recommendations to the Minister regarding applications, and handles other matters such as may be prescribed by regulation.

In the establishment of industries in particular areas, the local authorities are often concerned, and it is thought that it would be of considerable use to have a representative of the local authorities on the committee. As I have said, the Chamber of Manufactures has a nominee on the committee. He, of course, to a great extent would represent the applicants for land. If local authorities were also represented on the committee they could look after the interests of the owners whose land is the subject of consideration for resumption. The other three members of the committee are Government officials.

When this amendment was before another place it was suggested that from the public health point of view in the establishment of industries it would be advisable to have a medical officer of the Public Health Department on the committee. An amendment to this effect was agreed to by another place and is now part of the Bill.

The other amendment proposes to give power to local authorities which will enable any one of them to raise an objection, not only to land being resumed for the extension of an existing obnoxious industry, but also to land being resumed under this Act for the establishment of a new industry which could reasonably be considered as obnoxious.

Under the principal Act local governing bodies have very little authority. It is true that they can raise a protest or objection to the compulsory resumption of land under the principal Act, but their standing in regard to the Act is limited to that procedure. This measure, if it becomes law, will give a local authority the opportunity of making an objection which would be fatal to any land being compulsorily resumed under the Act for the establishment of an industry which could be regarded as being obnoxious, and also for the extension of an industry in a particular area where that industry is already regarded as obnoxious. I move—

That the Bill be now read a second time.

On motion by Hon. C. H. Simpson, debate adjourned till a later stage of the sitting.

(Continued on page 2869.)

BILL—PUBLIC WORKS ACT AMENDMENT.

Second Reading.

Debate resumed from the 11th December.

HON. L. A. LOGAN (Midland) [2.53]: As the Chief Secretary said, this is one of four Bills dealing with the powers of resumption. We have already passed one, the State Housing Act Amendment Bill, and this measure intends to extend the powers of resumption to the Public Works Department. The Bill will give the departmental officers the right to go on to property and investigate the possibility of securing a water supply; extra powers as regards the extension and establishment of townsite areas; the extension and establishment of research stations; and the power to divert or otherwise alter the course of rivers or creeks. The Bill also includes other odds and ends.

I believe that we must give these departments powers of resumption; but, in my opinion, there is one weak point or bad feature about most of these Bills —it applies to this one in particular—and that is in regard to an appeal against a resumption. We all know that there is a right of appeal against the price offered, but there is no right of appeal against the actual resumption. That is a phase to which we should give serious consideration, especially when this measure deals with properties bordering on country towns, townsite areas and areas for agricultural research purposes.

The other day I asked the Minister to endeavour to find some way of incorporating in the Bill a method of allowing a right of appeal. I realise that he has had little time to go into the matter, but it is an aspect that should be considered. It is not much good inserting in the Bill provision for the right of appeal to the Minister because the Minister actually makes the resumption. Although the Minister signs the resumption order, he does not necessarily take part in the proceedings, and probably he has not an intimate knowledge of the area in question. If we could arrange for a stay of proceedings for, say, 28 days before the resumption took effect, it might give the owners an opportunity of approaching the Minister; who would, in turn, be able to investigate the position for himself. It would mean that he would have a first-hand knowledge of the particular case.

I hope the House will give consideration to the suggestion I have made and that the Minister will have it investigated. In this democratic country of ours every man should have the right of appeal if his land is being resumed for certain purposes. I do not know how to get round the position except by a stay of proceedings which would enable the Minister to investigate any case that involves an appeal. That is a fair request and one which I think the Minister should seriously consider. I will support the second reading, and I trust that the House will give consideration to the issue I have raised.

HON. SIR CHARLES LATHAM (Central) [2.56]: The Public Works Department has authority to resume land for all sorts of purposes, although I will admit that it is restricted in some directions. The only other department that has the power of resumption of land for townsites is the Lands Department. But that power has been seldom used in this State and very little private land has been resumed for townsite purposes. Recently the State Housing Commission was granted the power of resumption also, but I am fearful that all these powers will enable a Government to resume a person's land irrespective of how important it may be to the individual concerned. The resumption may spoil his property and yet, as Mr. Logan pointed out, he has no right of appeal except against the price that has been paid.

While I do not intend to oppose the Bill, I think next year some provision ought to be inserted in the Public Works Act to enable a right of appeal to some authoritative body, such as the Supreme Court, so that a man could state his case; and if the resumption would ruin his property, he would have some right. I do not like this frittering away of private ownership, and that is what this Bill will mean. Already the Government has very extensive powers, and soon the private individual will have no rights at all. Now that this Bill has been introduced, the Government will have complete powers of resumption; and if there is any responsibility on Parliament, it is thrust upon the Legislative Council, whose members do represent property-owners and those who are interested in property. We do not represent the rank and file because unfortunately our franchise does not enable us to do so. It clearly sets out that we must be land-owners or pay rent for houses.

Hon. H. Hearn: But it does not necessarily follow that we do not represent everybody.

Hon. Sir CHARLES LATHAM: The other House represents the people generally. However, I am not going to argue the point. Members are entitled to their own opinion, and I suppose I am right and wrong as often as they are. I thought it necessary to point out that, with all these measures, we are taking away from the individual his rights and handing them over to the Government. I am not going to oppose the Bill, but members should realise that we are rapidly drifting towards socialism. In another 50 years there will be no private ownership if we continue along the lines we are at present following.

HON. F. R. H. LAVERY (West) [3.0]: I intend to support the Bill, but to a certain extent I agree with the remarks made by Sir Charles Latham. It has been necessary under the Act to make large-scale resumptions of properties in the area I represent, particularly in Kwinana. One family down there has been engaged in a particular industry for the past 100 years. A certain portion of that property has to be resumed to enable a main road to be constructed.

Those people are not in a position to stop progress—and I do not suggest they should be—but there should be some right of appeal to the Minister concerned and the legislation should be reviewed to see if other arrangements cannot be made before finality is reached. I was pleased to hear Sir Charles Latham say that members of this House do not represent the rank and file; the bulk of the rank and

file have no illusions on that score. It was very refreshing, however, to hear Mr. Hearn say that we do represent the rank and file, and I agree with him. I support the Bill.

HON. C. W. D. BARKER (North) [3.2]: I am not going to waste the time of the House. I support the Bill. I can see that powers will be needed, particularly in the North now that oil has been discovered.

Hon. Sir Charles Latham: The Government has those powers under the Land Act.

Hon. C. W. D. BARKER: Those powers will be very necessary because of the possible industrial development down here as the result of the discovery of oil in the North. This legislation is very timely. There may, however, be something in the suggestion put forward about appeals. I do not think we should do anything to obstruct the progress of the State, and I support the measure.

THE CHIEF SECRETARY (Hon. G. Fraser—West—in reply) [3.4]: I am pleased to hear the general expressions of opinion on this Bill. The main point on which members have been critical is that dealing with the interest rate and the curtailment of that interest rate for a period. We have found by experience over the years that people are inclined to prolong the finalisation of arrangements, necessitating extra interest being paid in connection with the resumptions. That is why the Bill contains the bar it does.

Hon. L. Craig: It is pretty tough when the Government fails to complete the documents in time.

The CHIEF SECRETARY: When I referred to the delaying tactics, I was not excluding the Government at all; I know it is not blameless. But the provision is needed to stop such practices. I now turn to Mr. Logan's remarks. I quite agree that something along the lines he suggests ought to be done. I do not know whether it can be attended to at the present time, but I feel sure that between now and next session we can give consideration to that phase. It is not easy to draft an amendment which would fit the Bill.

Hon. L. A. Logan: I realise that.

The CHIEF SECRETARY: We have only this protection. In most cases when the Minister signs the resumption order he does so because it is requested by his department. I do not think members need have any fear that once the Minister has signed the resumption order he would not give a fair hearing to an appeal that might be made.

Hon. L. A. Logan: That is why I suggest we should stay proceedings.

The CHIEF SECRETARY: I do not know whether that would get over the difficulty. I think there is a safeguard because an appeal can be made to the Minister. When that is done, he will have both sides of the case before him; and I feel sure members will agree that no matter who the Minister happens to be, he will give the matter his full consideration and make a fair decision.

Hon. L. A. Logan: I doubt if he has the power to revoke once he has signed.

The CHIEF SECRETARY: He would have the power on appeal. I do not think the hon. member need fear that the Minister would not give consideration to an appeal after he had signed the resumption. I do not think the suggestion of 28 days would be very effective.

Question put and passed.

Bill read a second time.

In Committee.

Hon. W. R. Hall in the Chair: the Chief Secretary in charge of the Bill.

Clauses 1 to 4—agreed to.

Clause 5—Section 75A added:

Hon. J. G. HISLOP: I am not satisfied with the Chief Secretary's explanation on the matter of six months. On inquiry I have found that seldom is settlement reached in six months. Further, in the Bill we find a provision for 12 months. Surely it would be better to make this uniform and permit the interest to be paid for 12 months and at the same time allow the individual that period in which to make a claim. I move an amendment—

> That in line 4 of paragraph (b) of proposed new Section 75A the word "six" be struck out with a view to inserting the word "twelve" in lieu.

The CHIEF SECRETARY: I hope the Committee will agree to the Bill as printed. I did not know an objection was likely to be raised or I would have had some concrete examples to put forward. I can only assume that six months has been arrived at after due consideration by the department. Twelve months is a fairly long time and in ordinary resumptions six months should be ample. I admit that on occasions where resumptions are required for the widening of the main road in areas such as Kwinana, Coogee and Spearwood, perhaps more than six months would elapse. I oppose the amendment.

Hon. J. G. Hislop: I think we should have some degree of uniformity and we should have a period of 12 months right throughout the Bill.

The CHIEF SECRETARY: They are two entirely different matters. One is to extend the time to the person who may suffer damage, and it is possible that 12 months may elapse before anything would develop as a result of the resumption.

Hon. A. R. JONES: I cannot understand the Minister's explanation. He said that in some cases people held up the finalisation in order to collect interest. As I read the measure there is no possibility of that happening. Paragraph (b) of proposed new Section 75A contradicts the argument put up by the Chief Secretary.

The Chief Secretary: In what way?

Hon. A. R. JONES: The Minister said that people would hold up finalisation and collect interest. The amendment sets out that the department will take the land. Once the department has taken the land and the person has no right of appeal, I think the interest should commence from that time until it is finalised because it depends on the department's handling of the affair.

Hon. L. CRAIG: It has been claimed that on occasion when the Government has resumed a piece of land, there has been delay in the production of the necessary documents in order that interest might be collected from the Government, and sometimes these interest payments have extended over quite a long period. The Bill proposes that, from the date of resumption, six months is the maximum period on which the Government shall pay interest.

The Chief Secretary: A number of properties are sold under a contract of sale.

Hon. L. CRAIG: That is so.

Hon. Sir CHARLES LATHAM: When the department makes a resumption, an official goes to the Titles Office and obtains the alterations to the title. A piece of my land was resumed, and I was unaware of it until I was informed that the title was required so that the necessary amendment could be made.

Hon. L. C. DIVER: After a resumption is made, a considerable time may elapse before its gazettal. Perhaps the resumption has been made for a new road and the road may be in use. The paragraph would penalise the owner and, through the negligence and apathy of the department, he would be able to collect interest on the outstanding money for a period of only six months. Thus the dice is loaded against the owner.

Hon. A. F. GRIFFITH: Usually the Government has no conscience when resuming land. As I have mentioned on previous occasions, officials can move on to a property and start surveying and clearing, and that is the first notice the owner has that the property is going to be resumed. I know of instances of the Housing Commission having resumed land, and for three years the owner has not been able to get his title.

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

Clauses 6 to 9, Title—agreed to.

Bill reported with an amendment and the report adopted.

Third Reading.

Bill read a third time and returned to the Assembly with an amendment.

BILL—INDUSTRIAL DEVELOPMENT (RESUMPTION OF LAND) ACT AMENDMENT (No. 1).

Second Reading.

Debate resumed from the 11th December.

HON. L. CRAIG (South-West) [3.26]: Here we have another resumption Bill, this one proposing to confer power to acquire land for the expansion of an industry as well as for the development of an industry. It has been held in a police court case that the resumption of land for the expansion of an industry was ultra vires, and the Bill proposes to authorise the resumption of land in such a case as well as when land is required for the establishment of an industry.

When an industry has been established in a certain district, nobody should be permitted, because he happens to hold a small piece of land essential to the industry, to sit on the land and demand a fantastic price for it. I have an instance of a block of land in the middle of a country town, though this block was not required for the expansion of an industry. A big company has bought a large area except for a tiny bit on the corner of a main street. On this small piece of land there is a small butcher's shop. However, the whole block is of no use to the company because the owner of the shop, with a turnover of a few pounds, is demanding £35,000 for his land. That is a fantastic price. This action on the part of the owner is holding up the industry and nothing can be done about it.

Hon. C. W. D. Barker: He is holding a gun at the head of the company.

Hon. L. CRAIG: Yes, like a bushranger.

Hon. H. Hearn: Is that a case of Naboth's vineyard again?

Hon. L. CRAIG: Mr. Hearn should quote his scripture to somebody else. Adequate protection including the right of appeal is provided for an owner whose land is resumed. However, the essential point is that the Bill would make provision for resuming land, not only for the establishment of an industry, but also for the expansion of an industry.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment and the report adopted.

Bill read a third time and *passed*.

BILL—GOVERNMENT RAILWAYS ACT AMENDMENT.

Second Reading.

Debate resumed from the 9th December.

HON. G. BENNETTS (South-East) [3.32]: I think this is a most important measure, which seeks to do something about the trouble that exists in connection with the Railways Commissioner. It proposes that, instead of having a life tenure of the job, the commissioner shall be appointed for seven years and the assistant commissioners for five years. If an officer knows that his services cannot be terminated, it is possible that his actions will not be in the best interests of the service. In that regard, we have only to ask ourselves what would happen in Parliament if elections were not held from time to time.

Hon. L. Craig: You have a life job.

Hon. G. BENNETTS: No; I do my job and give the electors no chance of complaining about me. If I had a life job, it is possible that I would not visit or take such an interest in my electorate. I feel that the Bill is in the best interests of the State, although I still believe that we have too many members on the commission, and think that the sooner we reduce the number by legislation, the better, because we know that there is trouble in the administrative side of the Railway Department.

The Bill makes provision for one commissioner on the industrial side, and that meets with my approval. I feel certain that if one of the officers was not in his present position the railway service would be in a much worse state than it is. I think he is doing the main job at present, and apparently he is able to keep harmony both in his office and among the workers generally.

Hon. A. R. Jones: Are you referring to Mr. Clarke?

Hon. G. BENNETTS: No, to the Chief Traffic Manager, Mr. Brophy. There is no part of the service that he is not capable of running. Only a few weeks ago, the Commonwealth Railways Commissioner was here and he formed a high opinion of Mr. Brophy's ability. I am afraid that some inducement may be offered this officer to leave Western Australia and enter another service. I have heard it said that the Government would do well to pay one of the present commissioners his life's salary and let him go, and there is food for thought in that. I support the Bill.

HON. SIR CHARLES LATHAM (Central) [3.37]: This measure, which has been so clearly explained, contains small but important amendments, the first of which is to appoint an additional member to the commission, which at present consists of three members, there being one vacancy for the time being owing to the death of the late Mr. Raynor. The next amendment seeks to appoint to the commission an employee of the department who will probably be elected by the men themselves. The existing legislation makes life appointments to the commission, but the Bill seeks to alter that to a seven-year appointment. I think even seven years is too long if a man proves unsatisfactory in the job. Of course, he could be removed by repealing the Act, but he would then have a claim against the Government for his salary for the balance of his term of appointment and would probably be awarded a reasonable amount by the court.

In Subsection (8) of Section 10, the Act sets out how the services of these officers may be dispensed with. I cannot understand why it is thought necessary to put a railway employee on the commission. The employees have their unions—very influential unions, as we discovered last year and at the beginning of this year—to look after their interests, and I think it is unwise to have on the commission a railways employee, because he would then become an employee and a master also.

Hon. C. W. D. Barker: He may be a traffic manager, or something like that.

Hon. Sir CHARLES LATHAM: He would not represent the department or the Government, but the men employed in the department.

Hon. C. W. D. Barker: This is an attempt to put on the commission a man with practical experience.

Hon. Sir CHARLES LATHAM: Surely the present commissioners are men of practical experience. The first, a man from India, had practical experience. The second was experienced in mechanical engineering, and the third was a man with practical running experience.

Hon. W. R. Hall: And they cannot agree.

Hon. Sir CHARLES LATHAM: It is not likely that any Government would appoint as a commissioner a man who had no knowledge. I do not think any member of this House, except Mr. Bennetts, would be qualified for the position, because he is the only one who has had railway experience. Mr. Barker, by way of interjection—not that he believes what he says—

Hon. C. W. D. Barker: Of course I do.

Hon. Sir CHARLES LATHAM: Then the hon. member has very little confidence in his Government. The only provision of the Bill that I will oppose is that which seeks to appoint an employee of the railways to the commission to represent the employees, because the unions already look after the employees very well and demonstrated their power at the end of last year. How could a commissioner, who was also one of the employees, have the confidence of the other commissioners? He would be expected by the people he represented to tell them everything that happened at meetings of the commission.

Hon. C. W. D. Barker: Oh no!

Hon. Sir CHARLES LATHAM: I do not think the hon. member is as unsophisticated as he would like us to believe. The other commissioners would not be happy about such an appointment and would not like to be placed in such an awkward position. There is a railwayman on the commission and he was appointed for his practical knowledge of railway affairs. Each of the commissioners should be qualified to speak on behalf of some section of the railways.

HON. A. R. JONES (Midland) [3.45]: I intend to support the second reading of the Bill because I believe that these commissioners should be appointed for a set term. On the grounds already outlined by previous speakers, I am going to reserve the right to vote against the clause which will entitle the employees to have representation on this commission. Members opposite must think that we are of very frail mind if they imagine we cannot see through this type of legislation. In the blue book tabled at the request of a member the other day, one of the first things I noticed was that it is the policy of the Labour Government to endeavour to have appointed Labour men or union representatives on all boards as soon as possible. Therefore, this Bill merely presents an opportunity to appoint an employees' representative to the Railways Commission.

This proposition is just as ridiculous as asking the Waterside Workers' Union to permit a member of the Stevedoring Industry Board to have representation on the former body. Why such ridiculous requests should be put to members of this House I do not know; and I would like the Chief Secretary, when replying to the debate, to give us a reasonable answer. We have had exactly the same thing in the Fire Brigades Bill and in the Bill dealing with appointments to the Abattoirs Board.

Hon. C. W. D. Barker: Do you not think it advisable for one of your people to have representation on boards dealing with primary produce?

Hon. A. R. JONES: Yes.

Hon. C. W. D. Barker: Well, this is much the same thing.

Hon. A. R. JONES: It is not the same at all.

Hon. C. W. D. Barker: Does the hon. member invite his employees to discuss the working of his little farm?

Hon. A. R. JONES: Yes; but I do not invite them to find out all about my own personal business. That is what the Labour Party seeks to do in this move. It wants to know all about the business of any board. Why ask members, who are credited with having some brains, to pass a Bill such as this?

THE CHIEF SECRETARY (Hon. G. Fraser—West—in reply) [3.48]: The only objection raised has been to the appointment of an employees' representative. It is a remarkable thing that whenever one tries to make a forward move, serious objection is raised to it. The Government considers it essential, for the better working of the railways, that the employees should have a representative on the Railways Commission. I am astounded at the remarks that have been made by country members. What do they say when we are making appointments to their boards? What about the Wheat Board and the Agriculture Protection Board? On all occasions they ask that farmers be represented. Not only must they be represented, but also they must have majority representation. What a different story now, when we seek to place an employees' representative on the commission for the better working of the railways! Strong objection is raised to it.

Hon. A. R. Jones: There is no parallel.

The CHIEF SECRETARY: I say there is. We do not refuse farmers' representation on boards that are established for the benefit of the farming community. We should be consistent. We want the employees to have the same advantages as farmers have on their boards. That is all we are asking in this Bill, and I cannot see any objection to it. The late Mr. Raynor was elected at one time to be the employees' representative, and so he acted. Did anything disastrous occur during the time he acted in that capacity?

Hon. A. R. Jones: He was a liaison officer.

The CHIEF SECRETARY: He was appointed to the commission to act as the employees' representative.

Hon. H. S. W. Parker: He was appointed by the Governor.

The CHIEF SECRETARY: He was appointed to the commission, and one of his special duties was to represent employees. I would like members, particularly Sir Charles Latham, to read the Bill. It does not specify that an employee will be appointed. It says "a representative of the employees."

Hon. Sir Charles Latham: What does that mean?

The CHIEF SECRETARY: It can be either an employee or a representative of the employees.

Hon. A. R. Jones: It could be Mr. Chamberlain.

The CHIEF SECRETARY: It does not necessarily mean that the appointee will be an employee, and the person who is selected will be appointed by the Minister as being the most appropriate man for the job. There is nothing objectionable in that. At this stage we introduced this legislation—

Hon. H. Hearn: To implement your party's programme.

The CHIEF SECRETARY: Yes; and I make no apology for it; and I think the hon. gentleman would find that his industry would do much better if he permitted more representation of the employees than he has done, because there would be closer liaison.

Hon. H. Hearn: You can have close liaison without doing that.

The CHIEF SECRETARY: There are a number of boards today that have a workers' representative on them. I say, particularly to country members, that all we are asking for is exactly the same as they ask for when appointments are made to such bodies as the Onion Marketing Board and the Potato Marketing Board.

Hon. A. R. Jones: There is no parallel.

The CHIEF SECRETARY: I would not expect the hon. member to see any parallel, because there are none so blind as those who will not see. However, it is a different story when he is speaking for the appointment of a farmers' representative on such boards as I have mentioned. I will deal with the other phase of the Bill when it goes into Committee.

Question put and passed.

Bill read a second time.

In Committee.

Hon. W. R. Hall in the Chair; the Chief Secretary in charge of the Bill.

Clause 1—agreed to.

Clause 2—Section 8 amended:

Hon. C. H. SIMPSON: I move an amendment—

That paragraph (a) be struck out.

During the second reading debate, I pointed out that paragraph (b) of this clause would have the effect that one of the qualifications of an appointee to the Railways Commission would be that he must be an employees' representative. By means of paragraph (a) it is proposed to waive the existing qualification of a commissioner and substitute the words as set out in paragraph (a). It has been pointed out that the late Mr. Raynor had been appointed as an employees' representative. I take it that the present Government, when assuming office, and to implement one of the planks of its platform, issued an instruction that one of the commissioners was to so act.

However, does not the commission, as a whole, study the interests of the employees in every possible way and expect them to do their work to the advantage of the railways which it is managing? It is inevitable that conflicts of opinion between the commission on the one hand and the employees on the other could occur in the many matters that have to be adjudicated and decided upon from time to time.

Hon. E. M. Davies: Do you not think that those difficulties would be ironed out under this proposal?

Hon. C. H. SIMPSON: There are other ways of doing that. Do members think that an employees' representative should be present at confidential discussions that are held by members of the commission? If he were, it would destroy the principle of each side considering its own angle of the case and submitting it to a third party for a decision. It is dangerous to depart from any principle associated with the consideration of an appointment which lays down that only the actual qualifications needed for the appointment should receive consideration. To waive these qualifications is a great mistake. Two commissioners are selected on special grounds, and the other one is selected because of the special duties he has to perform. In the whole set-up that practice is not only necessary but has worked successfully. I ask the Committee to agree to my amendment.

The CHIEF SECRETARY: I hope the Committee will not agree to the amendment. The Government thinks that this provision will make for more efficient working of the department. Many of the problems that are being met with today in the railways would be overcome by the appointment of an employees' representative on the commission. We feel that we should get away from the old ideas. However, this is actually not a new idea because it has been well tried in all parts of the world. We know that this State is inclined to be very conservative, but it is time we made some changes.

Hon. Sir CHARLES LATHAM: The Chief Secretary worked himself into a fit of frenzy because we expressed our objection to this clause. There is no analogy between boards which are comprised of farmers and this commission, because boards that handle primary products are dealing with the production of farmers. I do not believe this proposal would improve working relationships. The commissioners themselves would not be as open in their talks with each other when a union representative was present.

The Chief Secretary: Do you think that they can be worse than they have been in the past?

Hon. Sir CHARLES LATHAM: They have been very good. In 1921 there was a very big strike, and there was another during the term of the previous Labour Government. It was not from the rank and file of workers.

Sitting suspended from 4.2 to 4.26 p.m.

Hon. Sir CHARLES LATHAM: Rumour has it that in the minds of those at Trades Hall a man has already been chosen for this position, and he is not a railway man, but an official of Trades Hall.

The Chief Secretary: Who said that?

Hon. Sir CHARLES LATHAM: The rumour is all over the place. It can be heard at almost every street corner. I am rather surprised the Minister should display innocence.

The Chief Secretary: This is the first I have heard of it.

The Minister for the North-West: It would not have originated here, would it?

Hon. Sir CHARLES LATHAM: I am sure it did not.

The Chief Secretary: It would be news to the Minister for Railways.

Hon. Sir CHARLES LATHAM: If this is carried, which I hope it will not be, the selection must be a very wise one indeed.

The Chief Secretary: It will be.

Hon. Sir CHARLES LATHAM: It should not be one of the officials of Trades Hall; but I am doubtful whether the rumour is not correct. The representatives of the Labour movement change their minds occasionally. When the Builders Registration Act was passed in another place, I suggested to the sponsor, Mr. Needham, that there should be a Trades Hall representative on the board, but he would not have that in any circumstances. He was right, of course; I was only putting a feeler out. Unlike the present Minister, Labour men at that time said that the business was one entirely for the men themselves and they did not want any outsider pushed in. It is the same with the farmers' movement. We do not take outsiders in. So it is no use throwing out a challenge about what the Country Party or its organisation does.

I hope the Committee will agree to the amendment. Up till last year, apart from some trouble about four or five years ago, we had not had any serious disturbance for 30 years. I cannot see that the other commissioners would have any confidence if one of their number was a man who could walk out and give information to the employees. That would be expected of him if he were a servant of theirs.

The Chief Secretary: Not a servant of theirs.

Hon. Sir CHARLES LATHAM: He represents them; the Bill says so.

The Chief Secretary: You are a servant of your electors, are you?

Hon. Sir CHARLES LATHAM: I hope so.

The CHIEF SECRETARY: I am surprised to hear the hon. member talk about rumours and take notice of them. As a member of Cabinet, I say that there is no foundation whatever in any rumours that may be going around; and my colleague can say the same.

Hon. H. Hearn: They are rumours, you mean.

The CHIEF SECRETARY: They are definite rumours. There is no one in mind at all for the appointment. The Cabinet Ministers do not know who it will be, and they will not know until after the Bill goes through, when consideration will be given to the matter.

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

Ayes	18
Noes	7
Majority for	9

Ayes.

Hon. L. Craig	Hon. A. L. Loton
Hon. L. C. Diver	Hon. J. Murray
Hon. Sir Frank Gibson	Hon. H. S. W. Parker
Hon. H. Hearn	Hon. H. L. Roche
Hon. C. H. Henning	Hon. C. H. Simpson
Hon. J. G. Hislop	Hon. J. McI. Thomson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. Sir Chas. Latham	Hon. F. R. Welsh
Hon. L. A. Logan	Hon. A. F. Griffith *(Teller.)*

Noes.

Hon. G. Bennetts	Hon. F. R. H. Lavery
Hon. R. J. Boylen	Hon. H. C. Strickland
Hon. E. M. Davies	Hon. C. W. D. Barker
Hon. G. Fraser	*(Teller.)*

Amendment thus passed; the clause, as amended, agreed to.

Clauses 3 and 4, Title—agreed to.

Bill reported with an amendment and the report adopted.

Third Reading.

Bill read a third time and returned to the Assembly with an amendment.

BILL—ACTS AMENDMENT (ALLOWANCES AND SALARIES ADJUSTMENT).

Received from the Assembly and read a first time.

BILL—LAND AGENTS ACT AMENDMENT.

In Committee.

Resumed from the previous day. Hon. W. R. Hall in the Chair; the Chief Secretary in charge of the Bill.

Clause 2—Commencement (partly considered):

Clause put and passed.

Clauses 3 to 5—agreed to.

Clause 6—Section 14A repealed:

Hon. H. K. WATSON: This clause relates to the appointment of the land agents supervisory committee, one of the members of which is to be a licensee. I move an amendment—

> That in line 12 of Subsection (1) of proposed new Section 14A after the word "licensee" the following words and parentheses be inserted:—"(who shall be nominated by the Real Estate Institute of Western Australia)."

The amendment is self-explanatory. Recently, we had a Bill dealing with builders registration, and on the Builders Registration Board there is a representative of the architects in Western Australia. That member is nominated by the Architects Association; and as this Bill deals exclusively with land agents, it is only fitting that the land agent member on this committee should be one who has the confidence of his fellow operators. If the amendment is agreed to, it will ensure that the person nominated is a man of integrity and ability, and one with wide practical experience. Most of the reputable land and estate agents in this State are members of the institute, and that body conducts examinations, has a code of ethics, and preserves a certain amount of discipline over its members. As the whole basis of the Bill is discipline over these people, I think the land agent member should be a member of the institute.

The CHIEF SECRETARY: I hope the Committee will not agree to the amendment, because it will limit the choice of the person to be appointed. My information is that only one-third of the land agents in this city are members of the institute; and, if the amendment is agreed to, the choice will be confined to members of the institute and will exclude the other two-thirds among whom, I am told, are some of the largest firms in this city.

Hon. L. C. Diver: I thought you believed in unionism.

The CHIEF SECRETARY: Certain types. This happens to be a minority organisation, and we always believe in the decision of the majority. A much better choice could be made if the Bill remains as printed.

Hon. A. F. GRIFFITH: I hope the Committee will agree to the amendment. The Minister says that if we accept it, it will narrow the field. That may or may not be so; but the Real Estate Institute is a corporate body and, as Mr. Watson said, has a recognised standing in the community. The sole object of the Bill is to give protection to the public against any land agent who might be likely to default. What better person could we have to represent the public in this case than a member of the institute? Those who are not members can join or, if they cannot join, there is some good reason for it.

The Chief Secretary: There must be good reason why two-thirds are not members!

Hon. A. F. GRIFFITH: While I do not doubt the Chief Secretary, I am not prepared to accept his statement that two-thirds of the practising land agents are not members of the institute.

Hon. H. Hearn: I would be astounded if it were true.

Hon. A. F. GRIFFITH: It does not sound correct to me.

The Chief Secretary: I would not say it is a fact, but that is the information passed to me officially.

Hon. A. F. GRIFFITH: I can find out. The way the clause stands, any person could be nominated, and he need not be a practising land agent. He could be a person who has retired from business.

The Minister for the North-West: Why would you want a retired man on the committee?

Hon. A. F. GRIFFITH: That is the point. We want a practising member on the committee; in other words, a member of the institute.

The Minister for the North-West: A person who has retired would have no further interest in the game.

Hon. A. F. GRIFFITH: Exactly; but there is nothing to stop his being appointed if this amendment is defeated. I support the amendment, and hope it will be agreed to.

Hon. Sir CHARLES LATHAM: If there are two-thirds of the land agents who are not members of the institute, they are working as individuals. The other third who comprise the institute are bound together as one body, and that influences me to accept the amendment. If it is agreed to, a person from outside could still be nominated by the institute.

The Chief Secretary: That body is not likely to nominate someone from outside. That is a bit too tall!

Hon. Sir CHARLES LATHAM: There would have to be a good reason for doing it.

Hon. R. J. Boylen: What qualifications must one have to be a member of the institute?

Hon. Sir CHARLES LATHAM: One of the persons outside the institute may be a particular friend, and the Minister may have great confidence in him, but may know little about his business. Land agents are plausible people; they have to be to sell property. But if the institute nominates a person, it will ensure that he is a reputable agent.

Hon. H. K. WATSON: For the information of the Committee, there are 100 members of the Real Estate Institute; and therefore, if the Chief Secretary's information is correct, there are 200 who are not members. Among the members of the institute are all the leading and most responsible estate agents in the State. All the recent cases of defalcations have concerned agents who are not members of the institute.

The CHIEF SECRETARY: I am rather surprised that Mr. Griffith supports this amendment, because within a few minutes he will move an amendment along the lines of the wording in the Bill. The hon. member will have to swallow his words.

Hon. A. F. GRIFFITH: I do not know to what the Chief Secretary is referring. The principal Act deals with land agents, and everybody recognises the institute as being an authoritative body. The Minister cannot tell me that it is intended that a member of the institute shall be appointed; otherwise the Bill would not have been framed like this. The institute is a responsible body and works for the protection of the public.

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

Ayes	14
Noes	10
Majority for	4

Ayes.

Hon. L. Craig	Hon. J. Murray
Hon. L. C. Diver	Hon. H. S. W. Parker
Hon. H. Hearn	Hon. H. L. Roche
Hon. C. H. Henning	Hon. C. H. Simpson
Hon. J. G. Hislop	Hon. J. McI. Thomson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. Sir Chas. Latham	Hon. A. F. Griffith *(Teller.)*

Noes.

Hon. C. W. D. Barker	Hon. F. R. H. Lavery
Hon. G. Bennetts	Hon. L. A. Logan
Hon. R. J. Boylen	Hon. A. L. Loton
Hon. G. Fraser	Hon. H. C. Strickland
Hon. Sir Frank Gibson	Hon. E. M. Davies *(Teller.)*

Amendment thus passed.

Hon. A. F. GRIFFITH: I move an amendment—

That in line 7 of Subsection (2) of proposed new Section 14A after the word "auditor" the words "as defined in Subsection (1)" be inserted.

Amendment put and passed.

The CHIEF SECRETARY: There is a very long amendment on the notice paper, which was requested by Mr. Griffith. I consulted the Minister for Justice, whose Bill this is, and we agreed to move to insert it in the measure. I am making this explanation because members might think it is my amendment.

Hon. Sir Charles Latham: You are endorsing it.

The CHIEF SECRETARY: Yes; we are accepting it. I move an amendment—

That a new section be added to stand as Clause 14G, as follows:—

(1) In this section, unless the context otherwise requires—

"banker" means the manager, or other officer, for the time being in charge of the office of a bank in which any account of a land agent is kept;

"trust accounts" means accounts relating to moneys received or held by a land agent for or on behalf of any other person;

"year" means a period of twelve months ending on the thirty-first day of December, subject however to the provisions of subsection (5) of this section.

(2) (a) A land agent shall—

(i) keep full and accurate accounts of all money received or held by him on account of any other person and of all payments made by him of that money;

(ii) before the end of the next business day after the day on which the money is received or paid enter in the accounts particulars of the amounts so received or paid and the person from whom it was so received or to whom it was so paid;

(iii) keep the accounts in such manner that they can be conveniently and properly audited;

(iv) correctly balance the accounts at the end of each month.

(b) In this subsection "business day" means a day other than Saturday, Sunday, or a public holiday.

(3) (a) When a land agent receives money for or on behalf of any other person he shall forthwith give to the person paying the money a receipt for it complying with this subsection and specifying briefly the subject matter or purpose in respect of which the money was received, and shall retain legible carbon duplicates of the receipt.

(b) Receipts issued under this subsection shall be taken from bound books containing not less than one hundred receipts and arranged so that a carbon duplicate of each receipt issued shall be retained in the book.

(c) The land agent shall produce the retained duplicates in the appropriate books to the auditor at every audit, and at such other times as the auditor may reasonably require.

(d) The receipts and the duplicates thereof shall be so numbered and/or lettered or both that every receipt can be identified and so that the receipt and duplicate have the same number or letter.

(e) This subsection does not apply in the case of a land agent if the auditor for the time being employed by the land agent certifies to the Minister that he is satisfied with the system employed by the

land agent and that the receipt books are so kept and entered up as to enable the accounts to be properly and conveniently audited, and the Minister approves of the system employed by the land agent of recording the receipt of moneys.

(4) (a) Within three months after the end of each year, every person who carried on business as a land agent during the whole or any part of that year—

(i) shall cause his trust accounts for that year, or part of a year, as the case may be, to be audited by an accountant duly qualified and approved under this section; and

(ii) shall forthwith after the completion of the audit obtain from the auditor a report of the result of the audit verified by the statutory declaration of the auditor in the form prescribed by the regulations; and

(iii) shall forthwith send or deliver the report, together with the declaration, to the Minister.

(b) The first audit under this section shall be conducted within three months after the thirty-first day of December, one thousand nine hundred and fifty-three, and shall be in respect of the period of six months commencing on the first day of July, one thousand nine hundred and fifty-three, which period of six months is deemed to be a year within the meaning of this section.

(c) Forthwith after completing an audit the auditor shall deliver his report and a signed copy of it to the land agent concerned.

(d) The land agent shall retain the signed copy of the report and produce it on demand pursuant to paragraph (b) of subsection (14) of this section.

(5) (a) Notwithstanding anything in this section, a land agent may apply in writing to the Minister to fix some date other than the thirty-first day of December, as the date up to which his trust accounts are to be audited, and the Minister may, in his discretion, permit the land agent to substitute such other date for the thirty-first day of December.

(b) The Minister may, upon giving not less than one year's notice to the land agent affected, revoke any permission granted under this subsection.

(c) When permission is granted under this subsection the Minister shall fix the period in respect of which the first audit shall be made, and the permission may be given upon such conditions, with respect to the time within which the first or any subsequent audit shall be made, or otherwise, as the Minister may think fit.

(d) So long as the permission remains in force, and subject to any conditions which may be imposed, this section shall, in relation to the land agent concerned, be read as if such other date was substituted for the thirty-first day of December.

(e) When any date has been substituted for the thirty-first day of December under this subsection, the date so substituted shall not be further changed except by permission of the Minister granted in accordance with this subsection.

(6) (a) No accountant shall be qualified to act as an auditor under this section unless he is approved by the Minister.

(b) Any accountant who—

(i) is a member of some one or more of the societies or bodies following that is to say—

The Institute of Chartered Accountants in Australia;

Federal Institute of Accountants (Incorporated);

Commonwealth Institute of Accountants; or

The Association of Accountants of Australia (Incorporated);

(ii) is engaged as a principal in practice as a public accountant in the State; and

(iii) is of good character,

shall be approved by the Minister, but the Minister may refuse to approve—

an accountant who has not been continuously engaged, for at least three years, in practice as a public accountant in the State, either as a principal or as an employee in the office of a public accountant, or firm of public accountants; an accountant if it appears to the Minister that he is liable to forfeit, or to be deprived of his membership of any of the societies or bodies aforesaid, or that there is any other sufficient reason for refusing the approval.

(c) When the principal office or place of business of a land agent is situated more than twenty miles from the General Post Office at Perth, the Minister may, if he thinks fit, give his approval to the audit of the accounts of that land agent by any person who is in the opinion of the Minister, competent to make the audit, and so long as that approval remains unrevoked, the person so approved shall be deemed to be an accountant approved by the Minister for the purposes of the audit of that land agent's accounts, but not further or otherwise.

(d) No person shall audit the accounts of a land agent if he is a clerk, servant, or partner of that land agent, or if he is a clerk or servant of any other land agent actually in practice, or if he is himself a land agent carrying on business as such.

(7) Subject to the provisions of this section the auditor by whom the audit of, and reports on, a land agent's trust accounts are to be made shall be selected and employed for that purpose by that land agent.

(8) In the event of a land agent carrying on business at more than one place the Minister may from time to time give such directions as he thinks fit for separate audits of the trust accounts in respect of the business carried on at each place, or for the acceptance by the auditor of the certificates of some person or persons approved by the Minister with respect to the examination of the trust accounts kept at any branch of the business.

(9) The Minister may, if in his opinion just cause exists for doing so—

(a) revoke any approval granted by him to any person to act as auditor under this section;

(b) vary or revoke any other approval, direction, permission, or authority granted or given by him under this section.

(10) (a) In the exercise of the discretions conferred by this section the Minister may inform his mind as he thinks fit.

(b) A person aggrieved by any decision or determination of the Minister under this section may apply to the Minister in writing to refer that decision or determination to a Judge of the Supreme Court for review.

(c) Upon the application, the Minister shall submit the facts to a Judge for his opinion or direction thereon, and shall abide by the decision of the Judge, which shall be final.

(11) (a) For the purposes of an audit or report under this section every land agent shall, as and when the auditor requires, produce to the auditor his books and all papers, accounts, documents, and securities in his possession custody or power in any way relating to any moneys received by the land agent for or on behalf of any other person and shall furnish the auditor with all such information and particulars as he reasonably requires.

(b) The auditor may examine such books, papers, accounts, documents, and securities at any time, either during or after, the end of the period in respect of which the audit is made.

(12) Every banker of a land agent shall, on the request of any auditor engaged in the audit of that land agent's trust accounts under this section, produce to that auditor all such books, papers, accounts, documents and securities as may be reasonably necessary for the purposes of the audit.

(13) Every auditor of a land agent's trust accounts shall include in his report furnished pursuant to subsection (4) of this section a statement as to the following matters—

(a) whether the trust accounts of such land agent have in the opinion of the auditor been kept regularly and properly written up;

(b) whether the trust accounts of such land agent have been ready for examination at the periods appointed by the auditor;

(c) whether such land agent has complied with the auditor's requirements;

(d) whether such land agent's trust accounts are in order or otherwise;

(e) any matter or thing in relation to such trust accounts which should in the opinion of the auditor be communicated to the Minister.

(14) (a) Every land agent shall prepare and certify under his hand and produce to the auditor

who audits his trust accounts a statement setting forth in detail particulars of—

(i) moneys held, on the last day of the period to which the audit relates, by the land agent for or on behalf of any other person; and

(ii) negotiable or bearer securities, or deposit receipts in the name of the land agent which represent moneys drawn from the land agent's trust accounts and which are held by the land agent on that day.

(b) The auditor shall examine the statement and endorse on it a certificate as to whether or not it is correct, and deliver it to the land agent.

(c) The statement so delivered shall be retained by the land agent and be produced on demand to the auditor making the next succeeding audit of the land agent's trust accounts, together with a signed copy of the report of the last preceding audit of those accounts.

(d) Where a land agent's accounts are being audited for the first time or where for any other reason no statement containing the particulars set out in paragraph (a) of this subsection and relating to the previous period of audit, is available for the purpose of audit, the land agent shall in lieu thereof make out and produce to the auditor before the making of his report, a statement containing the like particulars as to moneys and negotiable securities held on the first day of the period to which the audit relates.

(e) Every statement made under this subsection shall be verified by the statutory declaration of the land agent, or, in the case of a firm of land agents, by the statutory declaration of one of the partners, or in the case of a company, by the persons holding a land agent's licence on behalf of the company pursuant to subsection (3) of section three of this Act.

(15) If an auditor in the course of auditing a land agent's trust accounts discovers that the accounts are not kept in such a manner as to enable them to be properly audited, or discovers any matter which appears to him to involve dishonesty or a breach of the law on the part of the land agent, or discovers loss or deficiency of trust moneys, or failure to pay or account for any such moneys, or to comply with the provisions of this section, he shall fully set out the facts so discovered by him in the report to be delivered to the Minister, and shall furnish signed copies of the report to the land agent concerned.

(16) (a) Except where this section provides otherwise an auditor shall not divulge to any person, or in any proceeding, any information which he has obtained in the course of conducting any audit under this section.

(b) An auditor is not guilty of a breach of this subsection by disclosing information—

(i) by means of, or in a report made pursuant to this section; or

(ii) in or for the purpose of any legal proceedings arising out of any such report or instituted in connection with the trust accounts of the land agent to whom the information relates.

(17) (a) On request by any person interested in any moneys or securities held or which ought to be held or which have been received by a land agent, the Minister may disclose to such person or his solicitor, such portion of any report of an auditor, or of any statutory declaration, statement, or other document delivered to the Minister under this section as affects or may affect such person.

(b) A report of an auditor under this section or a statutory declaration, statement or other document delivered to the Minister under this section shall be available in the hands of the Minister for inspection by the auditor appointed to audit the accounts of the same land agent for the next succeeding year.

(18) (a) A person who contravenes or does not observe any requirement of this section commits an offence.

Penalty: Fifty pounds.

(b) If an offence against this section is committed by a company, the company itself and every director, manager, secretary or other officer of the company who commits, authorises or permits the act or omission constituting the offence, commits the offence.

(19) The fees payable by a land agent to an auditor for an audit under this section shall be such as are agreed on between the land agent and the auditor.

(20) A land agent who, in the course of his business, has in any year neither received nor held any money for or on behalf of any other person shall be deemed to have complied with this section if within the period of three months after the end of that year he makes a statutory declaration to that effect and delivers the same to the Minister.

(21) Where trust accounts are kept by a firm of land agents an audit of those accounts under this section and the certificates and report of the auditor thereof operate as regards those trust accounts as an audit certificate and report in relation to each land agent who is a member of such firm.

(22) (a) Any notice to be given to a land agent or other person under this section may be given to him by notice in writing enclosed in a sealed envelope and left at his usual or last known place of business with some person apparently employed thereat or by prepaid letter posted to that address.

(b) Where the notice is so left, the time at which it is left shall be considered as the time of giving such notice; and if the notice is given by post, the time at which the notice so posted would be delivered in the ordinary course of post shall be considered as the time of giving such notice.

Hon. A. F. GRIFFITH: I think members should understand this matter plainly. I thanked the Chief Secretary for his co-operation, and I think he thanked me for mine. This is not my amendment, and the Chief Secretary knows that as well as I do. The amendment was prepared by the Government, and I agree with it except for one or two points. I move—

That the amendment be amended by striking out subparagraphs (i) and (ii) of paragraph (b) of Subsection (6) of proposed new Section 14G and inserting the following in lieu:—

"(i) is a member of one or both of the societies or bodies following, that is to say—
The Institute of Chartered Accountants in Australia;
The Australian Society of Accountants; and/or

(ii) is registered under Section 402 of the Companies Act, 1943-1953, as qualified to act as an auditor; and"

The CHIEF SECRETARY: I do not want members to think that I was misleading the Committee when I said these amendments were requested by Mr. Griffith.

Hon. A. F. Griffith: I do not suggest that for a moment.

The CHIEF SECRETARY: At Mr. Griffith's request I consulted the Minister for Justice, and he instructed the draftsman to frame this amendment. I am quite prepared to accept the hon. member's amendment.

Hon. A. F. GRIFFITH: The purpose of my amendment is that when a man is not a member of the Institute of Accountants in Australia, or of the Australian Society of Accountants, he can still be recognised as an accountant under Section 402 of the Companies Act, and be qualified as an auditor. If he were qualified as an auditor under Section 402 of the Companies Act, it would be undesirable not to permit him to earn a living by participating in the audit of land agents' books.

Amendment on amendment put and passed.

Hon. H. S. W. PARKER: Paragraphs (a) and (b) of the proposed new subsection do not seem to agree. Is there not some contradiction?

Hon. A. F. GRIFFITH: The amendment I moved would leave no doubt as to who the auditors would be. If the auditor is one of those specified, the Minister shall approve subject to the subsequent conditions.

Hon. H. S. W. PARKER: The proposed new Subsection (18) (b) reads—

If an offence against this section is committed by a company, the company itself and every director, manager, secretary or other officer of the company who commits, authorises or permits the act or omission constituting the offence commits the offence.

Trustee companies do a lot of land agency business, and I think a provision of this sort would have a serious effect on them. I do not like the proposed new section, which really constitutes a new Bill, presented to us at this stage of the session. These provisions have been taken from the Act of another State, and might contain quite a lot that do not fit our conditions.

I warn members that, by accepting this proposed new section, we shall, in the eyes of the public, be placing a hall-mark on all land agents that they are perfectly honest and straightforward, and that there need be no worry because all their accounts will be audited. A false impression will be created through the implication that every land agent who puts up a brass plate is honest, and that the money of clients will be quite safe; whereas a dishonest person might still continue in business because

he would hide everything and the auditor would have nothing to audit. There would be nothing in the office to show what was being done, and yet unfortunate individuals would believe that they were fully protected because provision is made for the auditing of accounts.

I am not in favour of compulsory audits in order to give a hall-mark of honesty. This is a late stage of the session to introduce such a provision, and I cannot see any urgency for adopting it immediately. It could be fully considered during the recess and introduced again next session.

The CHAIRMAN: Order! I have allowed a certain amount of latitude.

Hon. H. S. W. Parker: But these proposals have only just been placed before us.

The CHAIRMAN: I wish members to be quite clear about the amendment. It has been agreed that subparagraphs (i) and (ii) of Subsection (6) (b) be replaced by the amendment suggested by Mr. Griffith and accepted by the Chief Secretary. Now I understand that the Chief Secretary has a further paragraph to add at the end of the proposed new Subsection (22).

The Chief Secretary: I thought you would finalise the other portion first of all.

The CHAIRMAN: This is a complicated business and the Clerk must be considered. I intend to put the Chief Secretary's amendments straight out, then allow Mr. Griffith to move his amendment, and then the Chief Secretary can move for the addition of a paragraph (c) to proposed new Subsection (22); but I thought that the other procedure would be simpler.

The CHIEF SECRETARY: I move—

> That the amendment be amended by adding the following paragraph to Subsection (22) of proposed new Section 14G:—
>
> > (c) The provisions of this subsection are in addition to, and do not derogate from the provisions of Section 31 of the Interpretation Act, 1918.

I do not know whether the paragraph is necessary, because the provision in the Interpretation Act would still apply. However, the draftsman has suggested its insertion.

Hon. A. F. GRIFFITH: Mr. Chairman, you allowed Mr. Parker to address his remarks to the whole of the proposed new section.

The CHAIRMAN: I did not want to do so.

Hon. H. S. W. Parker: You could not help it.

Hon. A. F. GRIFFITH: I hope that Mr. Parker's remarks will not influence members. I want an opportunity to contradict what he said, because I believe it was entirely fallacious.

Hon. H. S. W. Parker: Is not the question before the Chair the addition of paragraph (c)?

The CHAIRMAN: I am taking the whole of the proposed new section.

Hon. A. F. GRIFFITH: The procedure I am suggesting is the practice now employed by any reputable land agent, and therefore to adopt it would be only common sense. The audit suggested will be an added protection for the public.

Amendment on amendment put and passed.

Hon. H. S. W. PARKER: Proposed new Subsection (22) has been taken in from the South Australian law; but in fact, our Interpretation Act, which applies to all Acts here, sets out how notices must be served, so I do not think this subsection is necessary.

Hon. H. K. WATSON: In that case I move—

> That the amendment be amended by striking out Subsection (22) of proposed new Section 14G.

The CHIEF SECRETARY: Before agreeing to the amendment on the amendment I think we should be certain that the position is covered by the Interpretation Act.

Hon. H. S. W. Parker: I can assure the Chief Secretary that it is.

Amendment on amendment put and passed.

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

Clauses 7 and 8, Title—agreed to.

Bill reported with amendments and the report adopted.

BILL—RESERVES.

Second Reading.

Debate resumed from the previous day.

HON. SIR CHARLES LATHAM (Central) [5.45]: I have studied the Bill. It is the usual measure that is brought down every session, and I have no objection to it.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment and the report adopted.

Bill read a third time and *passed.*

BILL—FIRE BRIGADES ACT AMENDMENT.

Second Reading.

Debate resumed from the 4th December.

HON. H. HEARN (Metropolitan) [5.50]: In principle, the Bill is something similar to the Government Railways Act Amendment Bill, which we dealt with earlier this

afternoon. It seeks to place on the Fire Brigades Board a representative of the workers, who can be drawn either from the Fire Brigades Officers Association or from the Fire Brigades Employees Union. As the numbers in the firemen's union are much greater than those in the officers' association, it would appear that ultimately, if the Bill were passed, either a member of the union, the union secretary, or some other representative of the workers would be elected to the board.

Most members know that at present the board comprises 10 members, two of whom are appointed by the Government, three are elected by the insurance offices, and four by the local authorities, while one is elected by the Volunteer Fire Brigades Association. I consider that the objections to this appointment are the same as those that were raised to the election of a workers' representative to the Railways Commission, because such an appointment must, of necessity, lead to some embarrassment of those on the board.

From time to time the board must consider the question of wages and working conditions, particularly when it is preparing a new agreement to be presented to the court. If on the board there is a member who belongs to the firemen's union, or who might be the secretary of the union, it can be easily seen what an embarrassing situation could arise.

Another point we must bear in mind is that the chief officer would, in some ways, be subservient to that particular member of the board. I understand that it is a common practice, during the discussions that take place on the Fire Brigades Board, to ask the chief officer to retire when any recommendations, possibly those by the chief officer himself, are being considered. It is impossible, however, to ask a board member to retire. I think the principle is a bad one, especially when we bear in mind that the board has operated successfully without such a representative all through the years. The Chief Secretary can correct me if I am wrong, but I feel that it is not the wish of the board that this representative of the employees should be appointed as a member. I will vote against the measure.

HON. E. M. DAVIES (West) [5.54]: I am not surprised at Mr. Hearn's remarks. I am sure members are getting used to hearing the same statements when any Bill is brought before the House which proposes that those who are employed in an industry and who are an important section of it seek to have a representative on the board which is controlling it. On this board, apart from the representatives of the authorities enumerated by Mr. Hearn, there is a representative of the Volunteer Fire Brigades Association.

Most members of trades unions in the country districts are members of volunteer fire brigades, and they are playing their part in rendering a service to protect the life and property of the community. This shows that they are performing a duty which is the very basis of citizenship. Therefore, as the Volunteer Fire Brigades Association already has representation on the board, I cannot see why Mr. Hearn should have any great objection to the appointment of another member who will represent a body of men who happen to be employed by the Fire Brigades Board, and who carry out the same function of protecting life and property as the volunteer fire brigades. By virtue of their experience in fire-fighting, any representative of theirs would no doubt be able to give the board the benefit of their knowledge of fire-fighting during any discussions on this subject.

The only objection that seems to be raised is that the board might be discussing a certain question which affects the workers, and therefore it would not be right for an employees' representative to be present. In the conduct and control of industry some industrialists in the United States of America have, from time to time, allowed their employees to have a say in the conducting of their enterprises. I would point out that many members have often referred to America as seting a good example in regard to employer-employee relationships.

I am quite certain that, not only in regard to this board, but also in many other enterprises and sections of industry, if a representative of the employees were given the opportunity to be associated with the management of any undertaking, it would be of benefit to the employers as well as creating greater confidence among the workers themselves. I have great respect for Mr. Hearn as being one of the leading lights in industry from the employers' point of view, and I feel certain that he would appreciate the opportunity that is being given to the employees to offer their advice to the employers in order that the undertaking in which they are engaged can be run more efficiently. Therefore, I am surprised at his objection to any legislation connected with the appointment of an employees' representative on any board.

At the annual fire brigades' demonstration, many trade unionists from country districts can be seen among the volunteer firemen who are taking part and who, as I have said before, give their spare time in the service of the volunteer fire brigades in order that life and property may be preserved.

Hon. L. C. Diver: Who is the representative of the Volunteer Fire Brigades Association?

Hon. E. M. DAVIES: I do not know, and it does not matter. The fact is that the association has a representative, and that

he can be changed from time to time on any nomination received from the association. All we seek is that this other body of firemen be given an opportunity of tendering its advice to the Fire Brigades Board of Western Australia. It is ridiculous to object that such a representative would be able to hear any discussions that relate to the employees, because already the Volunteer Brigades Association has a representative on that board.

Hon. H. Hearn: There is no question of payment.

Hon. E. M. DAVIES: That is only splitting straws. In the cities, it is necessary to employ permanent fire-fighters. Are they to be told that they are less patriotic and less public-minded than those employed in other parts of the State? I trust that members will give these suggestions a trial; if they do not come up to expectations, amendments can be made next session. At least, by the acceptance of the Bill, an opportunity will be given to demonstrate whether this method of representation will benefit the efficiency of fire brigades generally.

I support the Bill and hope that members will give it a better reception than they have given to the last few Bills. It is becoming a common practice, whenever a new Bill is discussed in this House, for members opposite to throw up their hands in horror and talk about all the possible pitfalls. Let us change that attitude on this occasion with a view to incorporating in industrial businesses and bodies the proposals suggested by this measure.

HON. A. R. JONES (Midland) [6.3]: I support the second reading because there are amending clauses which are necessary for the working of the Fire Brigades Board. I oppose the appointment of an extra representative on the board particularly as he is to be elected by the Fire Brigades Employees' Industrial Union of Workers. I have taken the trouble to visit three fire brigades in the country and I saw their captains and presidents. I interviewed them and asked their opinion about this clause because I felt it was different to other requests that have been made for employee representation. Not one of the persons I saw was in favour of the appointment of an extra representative.

The Chief Secretary: They were voluntary brigades. They already have their representative.

Hon. A. R. JONES: I agree. They claim that, theirs being an unpaid service, they were entitled to representation. The members of the Fire Brigades Board desire to conduct their business in privacy, just as would any other executive body. With the presence of an employee representative on the board, those members would have no privacy in their deliberations. I join with Mr. Hearn in saying that it is undesirable to make such an appointment. Even though the representative might be the most suitable type, and would be of assistance to the board, there would be times when the board would find his presence an embarrassment, when it was discussing such things as additions or types of machinery to be used. If the employees' representative were not in favour of the suggested types of machinery, he would inform the men, and they would know beforehand what was going to happen. I feel that this measure will impede the proper working of the board. Therefore, I support the second reading, with the reservation that I shall vote against this clause in Committee.

HON. C. W. D. BARKER (North) [6.7]: I am amazed at the attitude adopted by Mr. Jones. In America, it is common practice to appoint a representative of the employees to the board of management. I receive a journal from England covering conditions in factories there. At the Rowntree chocolate factory in York there is a representative of the employees on the board of management. Together they discuss all the intimate details of the firm; they discuss the contracts and the quotes. The workers are taken into the firm's confidence, and they know how much work is expected of them. In the whole of the firm's history there has not been a strike. That spirit can be fostered here by giving workers an opportunity to co-operate with the management. Workers do not want the firm's affairs to be kept secret; they wish to co-operate. That is the right attitude to take.

It is wrong to say that the employees' representative would sit on the board as a spy. In England and America, where the shop-steward system exists, and where workers are represented on the board of management, this system has worked very successfully. By adopting a similar method in this State, we would bring the relationship of employer and employee closer, so that they would work in co-operation and not against each other. To keep workers beyond the pale, as it were, toiling as slaves, without knowing anything about what they are working for, is not a sound policy.

HON. L. A. LOGAN (Midland) [6.10]: I would point out that the representative of the employees need not be a member of a fire brigade. He can be the union secretary, and he need not know anything about fire brigades.

Hon. C. W. D. Barker: You are surmising that it is going to be the union secretary.

Hon. L. A. LOGAN: It is not necessary for the representative to be a member of a fire brigade, and the previous speaker was not correct in that regard. In reply to the Chief Secretary's reference to primary producers and the election of mem-

bers to various boards, I would point out that producers do not ask employees to be members of boards. Representatives of the relevant industry are appointed to the board set up to control that industry —not some outside person—so the anology is out of place. Frankly, I cannot see the necessity for this clause. There is a union secretary on the job who looks after the interests of the workers. At present he has the right to walk into any fire brigade premises to see that the conditions of the workers are up to standard. It is not necessary for him to sit on the board of directors.

Hon. C. W. D. Barker: Do you not think his knowledge might be of assistance to the board?

Hon. L. A. LOGAN: His duty is to make sure that the conditions of the workers are satisfactory. As regards the member representing the voluntary fire brigades, that is an entirely different matter. The voluntary brigade work is an unpaid service, and its interest is directed to the general policy towards the country areas in which it works. It is a strange procedure to appoint employees to boards of management in Western Australia. I do not think it is a good policy, and I intend to vote against this clause in Committee.

HON. L. C. DIVER (Central) [6.13]: The comparison that has been made between the appointment of an employees' representative on the W.A. Fire Brigades Board and the appointment of a representative of the voluntary fire brigades has no force when the reasons behind the appointment of the representative of the voluntary fire brigades are known. In country areas, the fire-fighting service has always been voluntary. The brigades render a service not only to insurance companies, by decreasing the fire risk in country districts, but also to the community in general, and it is realised that they should be given representation on the board. Because of that, we are asked by this Bill to extend representation to the employees of the regular fire brigades. I see no validity in that argument, and therefore I support the second reading, with the reservation that I shall vote against the clause in Committee.

Sitting suspended from 6.15 to 7.30 p.m.

HON. H. S. W. PARKER (Suburban) [7.30]: I oppose the Bill. My main reason for doing so is that the existing board has got on very well for a great number of years. It is constituted in an excellent way, and the members take a keen and active interest in its affairs. It is suggested that the firemen should be represented on the board, and the Bill is designed to give them that direct representation.

I do not think a representative of the employees should have a place on a board and be in a position to criticise the management. Surely if the fire brigade personnel had to be represented the chief officer should be that representative. But he is not a member of the board, which consists of, amongst others, two persons appointed by the Government. One is a civil servant and another is an officer of a union, and a very fine man indeed. He is an excellent member of the board, and it was one of the pleasures of my term of office as Minister to reappoint him to that position. He, being an officer of a union, has all the necessary knowledge to look after the interests of the men so far as the management is concerned. I have the highest regard for him.

It is said that because the voluntary fire brigades are represented, the servants of the board should have representation. The voluntary fire brigade members are not servants of the board, and the person who represents them is really a liaison officer and a useful man. He is selected by the captains of the voluntary fire brigades. I cannot agree that it is necessary that one of the members of the board should be elected by the Fire Brigade Employees Industrial Union.

That union does not pay anything towards the funds of the board. It might be said that the voluntary fire brigades pay nothing; but they contribute a good deal by way of service, and all the other bodies represented contribute to the funds. The two Government representatives look after the Government's interests and the Government pays a proportion of the board's expenses.

HON. C. H. SIMPSON (Midland) [7.37]: I had no intention of speaking to the Bill, because I was mindful of the admonition of the Leader of the House to members to speak briefly or not at all in order to expedite the flow of business. However, I could not help being struck, when looking at the Bill, by the fact that practically all it contains is the provision for employee representation on the board. The rest of the Bill consists of machinery to enable that to be brought about.

The Chief Secretary: There are two other items.

Hon. C. H. SIMPSON: They are very small ones. They do not matter very much —so little that I am inclined to vote against the Bill. We have reason to believe it is one of the planks of the Labour Party to introduce employee representation into these organisations. The Labour Party in all sincerity believes that that is a good thing; but from my experience of the way it works, I should say it is not. In the railways, from time to time, small boards, or committees, have been appointed to see that certain recommendations were carried out governing the performance of certain recommendations by the Arbitration Court.

I remember one in particular that concerned the functioning of the Garratt engines which were involved in the 1946 railway strike, the question being whether they should be used or not. I remember that Mr. Wallwork, who was chairman of the committee dealing with that matter, presided over the deliberations during the first twelve months, and expressed the opinion that all the recommendations had been carried into effect and therefore the committee's work was finished. However, the unions pressed for a continuation of the tribunal although they were aware that the department had, for quite good reasons, decided to retire those engines from service. The Garratt engines were not acceptable in certain parts of the railway system; but, strangely enough, on the Norseman-Esperance line the engines were in demand and the drivers were quite happy about them.

The unions came to me in the first year I was Minister and asked for a continuation of the tribunal. The chairman was a busy man, and he advanced the claim that there was no justification for the board's continuance. He therefore resigned to concentrate on duties elsewhere. The point I am getting at is that, as a new Minister, I was impressed by the representations made to me, and agreed to continue the board for another year. We could not agree as to who should be chairman, and finally I had to ask Mr. Wallwork personally if he would supervise for one more year. At the end of that period I disbanded the board, and it did not function any further.

During that time I found that the employees' representative was, for the time being, in a position of authority. He received a special allowance when released from his own work to carry out his board duty, and as a member of the board was able to give instructions to the commission. Knowing the individual pretty well, it seemed to me that that was his object, and he loved being in a position of authority in which he could dictate to people who were normally his bosses. I do not think that is a good thing.

Reference has been made to certain practices in England, but the position there and in America is quite different from that which obtains here. Over there, nearly always there is a big self-contained industrial unit. The owners are the directors, and have the direction of affairs in their hands all the time. They decide, in the interests of harmony, to allow certain employees' representatives to be brought in and the system works very well. But there are no politics in it. The employees are selected, possibly from a panel of names, but usually at the discretion of the owners of the works, and that is different from the political system of representation over here.

I think to attempt to place employee representatives on a board—where, for the time being, they are in a position to instruct and direct the management—is, in principle, wrong. From experience, I have found it does not work out. I am opposed to the Bill because there is nothing in it except the proposal to appoint an employee representative to the Fire Brigades Board.

HON. F. R. H. LAVERY (West) [7.43]: I whole-heartedly support the Bill. Members opposing it have sought to impress upon us that if there were a representative of the workers on the board he would have an advantage that he would be able to go out to his fellow-members and discuss the business of the board with them. That is what has been implied.

I would point out that the representative of the voluntary fire brigades—one of the most honoured voluntary services in this State—not only sits on the board as a representative of those brigades, but has a vote on all industrial business. Would any member suggest that Mr. Carlisle—I think that is his name—would be so mean that he would go out from the board meetings and tell members of the volunteer brigades what had been taking place? Of course he would not!

Hon. H. S. W. Parker: Of course he would! He is their representative.

Hon. F. R. H. LAVERY: He has a vote on the board, and it is no use members trying to cloud the issue on that score.

Hon. H. S. W. Parker: He is a free agent.

Hon. F. R. H. LAVERY: It has been the wish of the Labour movement throughout Australia to improve the lot of the workers, and one of the ways in which Labour has thought worker-employer relations could be improved is the one suggested in this Bill.

The Rheem Company, a division of the B.H.P., has an employee-representative on its board which attends to all the inside working of the company. The board looks to the workers, and their representative on the board, to do what they can to improve the output of the company. It is not a crime on the part of the Labour Party to try to get employee representation on boards for the purpose of keeping industrial peace, if for no other purpose. The present representative on the board, about whom there has been such a lot of talk, cannot be charged with discussing outside, matters that came up at board meetings. Any elected representative, who had the respect of his fellow workers, would act in the same way; I would myself if I had the opportunity.

THE CHIEF SECRETARY (Hon. G. Fraser—West—in reply) [7.47]: I can see that the Bill will get the same treatment as a similar one did earlier in the even-

ing. I regret that very much, because here we are making a move to have better relationships between the fire brigade employees and the board. What better representative on the board could there be than one of the men working in the industry? They know all about the running of the fire brigades. The business of the board is to manage the affairs of the fire brigades, and a workers' representative on the board would be in a position to discuss freely the methods that could be adopted for improving the service. Today we have on the board men from insurance companies, local governing bodies, and government departments. They know nothing about the matter except what they have learnt since they have been on the board.

Hon. H. S. W. Parker: Do you not think your representative, who has been there for about 15 years, knows something about it?

The CHIEF SECRETARY: He knows only what he has learnt since he has been there. These representatives can be changed from time to time. In addition to those there at present, we want to put on someone else who understands fully the working of the board. Should not the aim today be to improve the relationships between those employed and those employing them? This is a move to do that.

We have agitated year after year to get improvements. We were told in the early days, as we are at present, that many of the things that are now accomplished facts, were not workable. Members would not go back to the old system if they had the opportunity to do so. When I wanted to go into local government I heard people say, "We must keep the Labour men out of municipal councils, and off elected boards." Since we have been able to penetrate this sphere, have we not improved the running of these organisations?

Hon. Sir Charles Latham: It has not improved very much in Sydney.

The CHIEF SECRETARY: The hon. member knows as much about Sydney as he does about the Fire Brigades Board. He knows what he has read in the paper.

Hon. Sir Charles Latham: I was over there just recently.

The CHIEF SECRETARY: The hon. member may have been, but he must remember that he can believe only one quarter of what he hears and one half of what he sees. It is quite easy to make loose accusations, but somewhat difficult to prove them. Everything in Sydney may be all right, for all we know. Wherever Labour representatives have been appointed to boards, they have improved them, and the same would happen here. I have not heard one reason why the treatment of volunteer men should be different from that meted out to the permanent men. The only reason advanced is that one is a volunteer, and the other a paid man; but they are both working for the board. I think there is more justification for the permanent employee than for the volunteer man to be represented on the board.

The other phases in the Bill were dismissed lightly by Mr. Simpson. The Act contains power to create a fire district, but none to discharge it; so in the Bill we seek this power, because Wiluna, for instance, is no longer required to be under the W.A. Fire Brigades Board. At the present time, the fees paid to the whole of the board amount to £850 a year. There has been no rise for some years.

Hon. H. S. W. Parker: About three or four years ago the amount was increased.

The CHIEF SECRETARY: There have been some remarkable increases in costs since then. The Bill seeks to increase the present amount. We may want to alter the figure. I appeal to members to give this a trial.

Hon. Sir Charles Latham: I shall vote for your Bill.

The CHIEF SECRETARY: Yes; but not for the phase I want. I feel sure that if members give it a trial, they will say —after 12 months' experience of the altered conditions—"You put up a good story last year, and we are glad you did. We will continue to support that phase."

Question put and passed.

Bill read a second time.

In Committee.

Hon. Sir Charles Latham in the Chair; the Chief Secretary in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Section 7 amended:

Hon. H. K. WATSON: I shall vote against the clause for the reasons I advanced in my second reading speech.

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

Ayes	....	....	....	10
Noes	....	....	....	11
Majority against			....	1

Ayes.

Hon. C. W. D. Barker	Hon. F. R. H. Lavery
Hon. G. Bennetts	Hon. A. L. Loton
Hon. E. M. Davies	Hon. H. C. Strickland
Hon. G. Fraser	Hon. J. McI. Thomson
Hon. W. R. Hall	Hon. R. J. Boylen
	(Teller.)

Noes.

Hon. L. Craig	Hon. J. Murray
Hon. Sir Frank Gibson	Hon. H. S. W. Parker
Hon. A. F. Griffith	Hon. C. H. Simpson
Hon. C. H. Henning	Hon. H. K. Watson
Hon. A. R. Jones	Hon. H. Hearn
Hon. L. A. Logan	*(Teller.)*

Clause thus negatived.

Clause 4—Section 8A added:

Hon. H. S. W. PARKER: This clause is consequential on the one that we have just struck out.

The Chief Secretary: Yes; and so are the next two.

The CHAIRMAN: It will have to be decided by the vote of the Committee.

Clause put and negatived.

Clauses 5 and 6—disagreed to.

Clause 7—Section 17 amended:

The CHIEF SECRETARY: Under the Bill we proposed to increase the fees from £850 to £1,250, to cover the extra member and to provide increased fees for those members already on the board. However, the committee has decided against the additional member.

Hon. H. K. Watson: What was the proposed amount to be drawn by each member?

The CHIEF SECRETARY: There is no definite amount. There is so much for the chairman, and the rest is divided.

Hon. H. K. Watson: Between ten.

The CHIEF SECRETARY: Yes; but it cannot be worked out on that basis, because the chairman gets more than the ordinary members. I think it would be a fair thing if we now made it £1,150 instead of £1,250 in which case it would be necessary to delete the word "twelve" and insert in lieu the word "eleven". That would be an increase of £300. I move an amendment—

> That in line 3 the word "twelve" be struck out and the word "eleven" inserted in lieu.

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

Clause 8—disagreed to.

Title—agreed to.

Bill reported with amendments and the report adopted.

Third Reading.

Bill read a third time and returned to the Assembly with amendments.

BILL—WAR SERVICE LAND SETTLEMENT SCHEME.

Second Reading.

Debate resumed from the 11th December.

THE MINISTER FOR THE NORTH-WEST (Hon. H. C. Strickland—North—in reply) [8.5]: The debate on this measure seems to have centred around the impression that the averaging system, under which projects are at the moment being valued, would be extended throughout the State or over areas too widespread to allow an economic cost for each particular farm. Members have said that this system is not acceptable to the settlers. I want to stress this point and make it quite plain: The conditions which were distributed with the Bill are laid down by the Commonwealth Government, and they are the conditions under which it will grant money for the scheme. Consequently we must adhere to those conditions.

Hon. A. L. Loton: As from the 10th July, 1952.

The MINISTER FOR THE NORTH-WEST: These are dated the 30th day of July, 1953, and are signed by W. S. Kent Hughes, Minister of State for the Interior; he administers the Commonwealth Act. Section A of the conditions reads—

> Conditions to be complied with by State.
>
> In order to qualify for the grant of financial assistance as set out in this statement, the State will operate a scheme of war service land settlement in accordance with the following provisions:—

And then all those conditions are set out. We cannot get away from those provisions unless the Commonwealth Government is agreeable to any alteration, because those are the conditions under which it will grant the necessary finance.

When speaking to the Bill, Mr. Loton opposed it almost entirely on the ground that it departs from his interpretation of the original intention of the scheme, and, in particular, on the method of arriving at the financial valuation of properties. In supporting this contention, however, I would like to correct an impression which may have been created that the general principles embraced in the present conditions of settlement differ very materially from the original scheme. "That properties be fully developed before allotment" was the original intention, but that was found impossible in practice.

Members will recall the clamour by applicants in 1947 and 1948 to be placed on farms which were partly developed, and which, with high prices would enable settlers to establish themselves pending completion of settlement. To a large extent, it is the granting of leases before properties are fully developed which causes certain complaints to be made when the final valuation is ultimately assessed. However, these early lessees have done remarkably well, and that would not have been possible if the strict intention of the agreement had been adhered to. They would not have been in possession of their properties, because those properties would not have been fully developed. Some would have been—the lucky ones who got homestead blocks which were in production and were going concerns—but the great majority would not have got on to their leases at all.

Referring to the agreement between the Prime Minister and the Premier, this arrangement was entered into by the Prime Minister and the then Premier, Sir Ross McLarty, in 1952, in order to safeguard the Commonwealth against attack through being a partner in the acquisition of land.

Mr. Loton said he doubted whether any member in the House had seen those conditions. They were laid on the Table of the House by the then Minister for Lands, Hon. L. Thorn, and were available for any member to read. If members look up the 1951 "Hansard" they will see where those papers were tabled and, from memory, the number was 160 odd. Those papers were available to be perused some weeks before Parliament rose, and they indicate that the arrangement was almost identical with the original 1945 agreement.

Mention was made of allottee designates. Owing to the lack of labour in 1948 an arrangement was devised, after consultation with many ex-servicemen, whereby applicants assisted in the development of properties to a stage where they could be granted under lease conditions. During the developmental period, the length of which varied according to the development to be done, these allottee designates or employees worked at award rates on the understanding that in due course, and subject to normal service, they would be granted the lease of the particular properties.

During his speech, Mr. Loton suggested that designates or caretakers should be granted a motor-vehicle, not only for their private use, but also to be used for the transport of superphosphate, machinery parts, etc. There is no legal provision for an allottee designate in the scheme. He is really a privileged employee; and where equipment for development is required—such as for ploughing, cultivation and cartage—it has to be provided from the developmental funds for that project. An effort is made to provide reasonable living accommodation during the developmental period and no charge is made for it.

In another place, the Minister for Lands has already explained that he had arranged for an appeal board to which allottee caretakers or designates may appeal in cases where the Land Settlement Board considers that a lease of the property should not be granted. There are very few such cases. I have been told that quite a number of allottee designates, after having been there for a certain period, find they do not like farming life after all, or the prospect of waiting perhaps some years to get into production and obtain an income and, as a result, have left the farms to seek other employment; perhaps others have been lucky enough to buy farms.

The averaging for final valuations was the principal objection raised by Mr. Loton. But he supported it by a statement which conveyed the wrong impression of the procedure. He said they are now going from the other holdings to try to spread the cost over the whole of land settlement in this State; that they have gone into the whole of the project to try to spread the cost.

Hon. A. L. Loton: The administration costs amount to very little.

Hon. H. L. Roche: How much would you think they would be?

The MINISTER FOR THE NORTH-WEST: I am advised that it is a matter of only a few pounds per farm. The difficulty in spreading administrative costs of a very small sum over the farm would be the staff and machinery to apportion it. It would take quite an amount of bookkeeping to segregate a farm for a portion of its administrative costs.

Hon. H. L. Roche: Would it surprise you to know that it is £600 to £800 in some cases?

The MINISTER FOR THE NORTH-WEST: I would be very surprised. I am advised it is only a few pounds.

Hon. H. L. Roche: The general administrative charge to the farmers.

The MINISTER FOR THE NORTH-WEST: I was advised that it was of such small value that it mattered little. That information has been obtained from the Minister controlling the scheme. However, to say the spreading of costs was over the whole State, is entirely erroneous—unless, of course, the hon. member is speaking particularly of administration costs; then he might be correct. If that were so, it would have been impossible to issue any final valuations at all. As a matter of fact, 189 final valuations have been sent out, a considerable proportion of which have been issued to men to whom it has been impossible to give a lease instrument because of legal difficulties.

The averaging process involves comparatively small groups of properties, according to their location and stage of development. Groups may vary from half a dozen properties to as many as 25, as in the case of the Tootra estate near Miling. The hon. member has perused the file, which indicates the objections raised by the Minister for Lands to the averaging method. The quotation from letters signed by the Chairman of the Land Settlement Board indicates that this system of valuation is required by the Commonwealth. The Commonwealth has also pointed out that the conditions, which include the method of valuation, have been accepted by the other agent States, and the Commonwealth is not prepared to grant special conditions to Western Australia. Mr. Logan and Mr. Loton inquired whether conditions under which the Commonwealth would finance land settlement should not be incorporated in the Bill.

The objection to this is that the conditions can be varied and may at times, with advantage to the State, be amended. That would be impossible if the conditions were included as a schedule to the Bill. That aspect has been covered in Clause 5, in which the conditions are mentioned, and also the liability of the Minister to bring

before the House any amendments within six sitting days next following the receipt of these amended conditions. As the Commonwealth will not run the risk of an agreement between States, this seems to be the most practical safeguard that Parliament will know what is taking place.

In his speech Mr. Loton referred to the disapproval of the Solicitor General of arrangements between the Commonwealth and the State rather than formal statutory agreements. This view was endorsed by the Minister, Mr. Thorn, in 1952, and he went so far as to request the other agent States to protest against the method of financing and continuing the settlement scheme. It was impossible, however, to obtain the support of other States who had already signified their acceptance of the conditions. The hon. member might have completed the quotation from the Solicitor General, in which he said that, under the circumstances, the State would have to accept the conditions.

There is some apparent misunderstanding regarding the option value for freehold purchases of properties. The Commonwealth has agreed that where the final valuation of the property has been assessed by the method laid down by the Commonwealth, which involves the averaging of developmental costs on certain groups of properties, then provided this final valuation complies with the clause in the conditions relating to economic aspects, this final valuation will also be the option value. As a further concession the Commonwealth has also agreed that where the option value, as determined on the leasehold final valuation, is in excess of the market value determined at the time of the final valuation, then this market value would be the option price.

There is a further safeguard also that in the event of there being an economic retrogression which would affect the price of commodities, within 10 years of the lease being granted, so that the value of the property would not comply with the economic consideration, then the Commonwealth would be prepared to review the final valuation in the light of these circumstances on any particular farm.

Reference was made by Mr. Loton to the number of applicants, totalling 87, who have left their properties since the inception of the scheme. He stated that those applicants had "walked off their properties" presumably because they had "abandoned hope," to quote his own words. Those people include not only some applicants who did not occupy at all the properties which were allotted to them but also some who died; others who vacated on account of sickness; some who either purchased or obtained other properties; and others who left for domestic reasons. These total 46, or rather more than half of the men listed as having vacated farms. This represents approximately 5 per cent. of allotments.

A letter from the chairman of the Land Settlement Board to the Commonwealth Director was quoted by Mr. Loton. This was a discussion upon the method for assessing whether farms being finally valued complied with the clause relating to a settler with no capital meeting the commitments raised against him in the final valuation. The discussion has not been finally determined but does not affect the final valuations that have been determined so far. The Commonwealth and the State wish to arrive at a uniform and acceptable method for ensuring that the principles of this clause are applied in the event of the final valuation being near, or apparently in excess of, the economic value of the farm. The letter does not in any way imply, nor can it be construed—as mentioned by Mr. Loton—that "the Commonwealth desires to inflict certain conditions on settlers in this State." Whatever is determined as a result of the discussion on this aspect will be in the interests of the settlers, who would be also on a similar basis to settlers in the other two agent States.

Several members have expressed the fear that the present Bill, or the Commonwealth conditions under which the War Service Land Settlement Scheme has been operating since 1952, will be retrospective to the holders of leases for whom final valuations have not yet been determined. Whilst the Bill would have a retrospective effect in respect of those to whom a lease has not been issued since 1952, it will not affect the holders of leases or those lessees who received a formal notification of lease having been granted under the provisions of the Land Act, 1933-1950, and the War Service Land Settlement Agreement Act, 1945.

Hon. A. L. Loton: Can you tell me the number of notifications during 1952?

The MINISTER FOR THE NORTH-WEST: I am sorry, but I am afraid my notes do not refer to them.

Hon. A. L. Loton: That is the year we want.

The MINISTER FOR THE NORTH-WEST: They would not be able to get them unless the Bill is passed. There are, however, over 100 lessees who have enjoyed the privileges of lease conditions, which involve advances for the purchase of stock and plant, and working expenses, together with a living-allowance grant during the first year under the conditions imposed by the Commonwealth. The lease which would be issued in due course—if this Bill be approved by Parliament—would provide for the final valuation being assessed upon the average basis.

It should be remembered, however, that this method has been used in assessing the 189 farms which have been completed, and the valuation so arrived at has been accepted by lessees except for eight appeals. In all those instances—in the wheat and sheep areas—this final valuation,

which is considerably less than the market value, is offered as the option price for freehold. The settler, therefore, is informed of his option price at the same time as he receives his final valuation.

Concerning valuations, I have some figures here which should interest members. These are final valuations, submitted to the Commonwealth for approval on the 14th December, 1953; just a few days ago. The final valuation of one farm is £8,232. The Taxation Department's value on this same farm is £11,774; a difference of £3,540. That is the difference between the Taxation Department's valuation and the price at which the property is being offered to the settler, provided the Commonwealth agrees. Other instances are as follows:—

Final Valuation for Lease and Freehold.	Market Valuation.
£	£
7,594	10,558
9,581	14,742
10,563	16,911
10,350	18,650

Hon. L. C. Diver: What areas would they be?

The MINISTER FOR THE NORTH-WEST: I have particulars of the locations, but if "Hansard" requires this document in order to check the figures, I shall ask that the group or lot numbers be not given.

Hon. A. R. Jones: The difference between those valuations might represent improvements done by the men themselves.

The MINISTER FOR THE NORTH-WEST: I cannot answer that question definitely, but if a settler had made improvements on his farm at his own expense, it is reasonable to believe that they would not be included in the value at which the property was being offered to him.

Hon. A. R. Jones: But they would be included in the valuation of the Taxation Department.

The MINISTER FOR THE NORTH-WEST: Quite likely; but the Taxation Department assessment is on the current market value. We know that the nominal market value is not the real market value. If a farm were submitted by tender or auction, it might bring 50 per cent. more. Quite a number of groups are shown in the figures before me and the variations are consistent, except in one instance. Here is a property valued by the Taxation Department at £11,461 and the price submitted by the scheme is exactly the same. This would be due to the property being unimproved, except for the enclosing fences, when taken over, and the valuation by the Taxation Department has been taken from the cost of the farm according to the scheme.

Fears were expressed by Sir Charles Latham that the 1949 settlers might also be brought under the 1951 agreement and under the averaging system. I stress the fact that this is not the intention; neither is it in accordance with the wording in the Bill. According to the provisions of the Interpretation Act, anything done under this measure will not affect what was done previously. That is stated in the Bill in order to make the position quite clear.

Apparently Mr. Baxter was not clear as to the means whereby the lessee could build up an equity in the freehold of his property by instalments during the years when revenue was buoyant. The Commonwealth is not prepared to take instalments towards freehold, and submits that power does not exist for this; but a lessee may purchase the freehold of his property by one payment of the price for land and non-structures, that is, the land and its improvements. The mortgage upon structures—which include buildings, fences and water supply—would remain and could be paid off by the usual instalments over 30 years.

The State, under the arrangement in the Bill, is prepared to accept instalments from lessees, but the lessee must continue to pay the full rental to the Commonwealth. In order to compensate him for this, the State Treasury is prepared to pay the lessee the same interest, that is 2½ per cent., as he is paying the Commonwealth in rent upon the sums represented by the instalments. Mr. Baxter asked me to explain what justification there was for accrued interest being paid on grant money.

The hon. member evidently misread the Bill. He was under the impression that, although a man might pay 90 per cent. of his assessed value into the Treasury, he would still be paying accrued interest on it. The Bill distinctly states that on his making payment of an amount on account of the purchase price, interest on the amount so paid by him shall cease to accrue. I cannot understand how the hon. member misread that provision.

Regarding the lease instruments that have been issued, I have some figures as follows:—

Lease instruments issued to December, 1950	243	
Finally valued		131
Approval notices only to lease at December, 1950	217	
Finally valued		51
Approval notices after 1st January, 1952	103	
Finally valued		7
Total settlers under lease conditions of any form	563	
Final valuations issued		189

Owing to the Commonwealth-State agreement, the settlement has proceeded and ex-servicemen have been granted properties under lease conditions and even final valuation without actually holding

a lease. The present measure will enable all leases to be issued, and does not affect the method of final valuation either for leasehold or freehold.

That is as much information as I can give concerning various aspects of the scheme raised by members here. I am sure that unless the measure be passed in its present form, this State will not be able to continue the scheme, at any rate, until such time as we are prepared to accept a measure to enable the Minister legally to spend the money he receives from the Commonwealth. It does not matter what the final valuation may be or what costs are imposed on the final valuation, the farm has to be valued at the economic cost at the time. I submit that the figures I have given and the comparisons I have drawn indicate that the scheme is quite a good one, and that the settlers who are carrying on under it are receiving a very good deal.

Question put and passed.

Bill read a second time.

In Committee.

Hon. W. R. Hall in the Chair; the Minister for the North-West in charge of the Bill.

Clauses 1 to 5—agreed to.

Clause 6—Granting of tenures:

Hon. A. L. LOTON: I move an amendment—

> That at the end of the clause a proviso be added as follows:—
>
> Provided that nothing contained in this Act or in any regulations made pursuant to authority granted by this Act shall in any way alter, prejudice or affect or permit the alteration of the terms or conditions of any perpetual lease heretofore granted or the terms or conditions upon which the Minister has heretofore approved of the granting of any perpetual lease or has otherwise agreed to grant leasehold rights to any applicant within the meaning of the repealed Acts or render any such applicant liable to pay rental or purchase money for land and/or non-structural improvements and/or structural improvements in excess of that rental or purchase money which he would have been liable to pay if this Act or any such regulation had not been passed or made.

The purpose of this amendment is to protect those settlers who have been allotted their blocks, and it will prevent the new conditions as set out in the statement signed by Mr. W. S. Kent Hughes, Minister of State for the Interior, and dated the 30th July, 1953, being made retrospective to those settlers who have been allotted their blocks. By interjection I tried to obtain from the Minister the number of properties notified to settlers during 1952 and 1953, but he was unable to give it.

If this measure is agreed to in its present form, it will allow additional costs to be placed on settlers who are awaiting notification and the issuing of leases. Act No. 61 of 1947 contained provisions authorising the Governor to make regulations. The Act of 1951 was passed to resolve doubts in connection with the agreement contained in the 1945 Act and to ratify things done under the previous legislation. It contains specific provision that Sections 15, 16, and 17 of the Interpretation Act should apply in respect of the repealed Acts. The Minister for the North-West referred to the Interpretation Act, and no doubt had in mind those sections, although he did not specify them.

That Act also authorised the Minister, on behalf of the State, to make agreements with the Commonwealth, pursuant to Section 103 of the Re-establishment Act, 1945-52, passed by the Commonwealth. The 1947 Act clearly set out the terms of agreement, which could not be altered without the consent of Parliament. Unfortunately, that has been cast overboard with the idea of allowing the Government to make regulations whenever it pleases and leave the settlers in a state of uncertainty that is causing trouble today. Section 6 of the 1951 Act authorised the Government to grant tenures upon terms and conditions not inconsistent with the provisions of the agreement. Under this power, the terms and conditions of tenures granted in one month may be different from those granted in the previous month if in the meantime the Minister makes some fresh agreement with the Commonwealth, which he could do without the consent of Parliament. Surely the Minister does not agree that he should make an agreement with one party and, if it suits, break it and leave the other party holding the baby!

Subsection (2) of Section 6 of the 1951 Act gave the lessee the right to purchase the fee simple of his land subject to the approval of the Commonwealth, and on certain other conditions, after ten years from the commencement of his lease, on payment of such purchase price for the fee simple as is fixed by the Minister in accordance with the provisions set out in Section 6. Section 8 of the 1951 Act validates all things done in pursuance or purported pursuance of the provisions of the repealed Act, and the present Bill contains similar provisions.

The legislation makes it clear that lessees who have received their leases are not obliged to pay increased amounts except in the case of further non-structural improvements on their land after the commencement of the term of their leases; nor are they bound to pay for further structural improvements, except at the purchase price assessed by the Minister in accordance with the 1945 agreement. All

through the legislation, the 1945 agreement is the basis of the scheme, and its conditions were those laid down, and they should be abided by today, because the Government should not break its agreement and leave the settler minding the baby.

In making valuations, responsible officers are required to confine their attention to the land and improvements of the settler, and are not entitled to take into consideration the cost of a project consisting of more than one holding, as distinct from the land and improvements of the settler concerned. The Minister pointed out that there were certain objections to not spreading the cost, but under the 1945 agreement the word "holding" was distinctly defined. Mr. Kent Hughes, in a statement on the 30th June, 1953, laid down certain conditions for the granting of financial assistance to Western Australia and said that if the State did not accept them, it would not be entitled to receive such assistance.

Hon. G. Bennetts: Does that mean that no more farms can be allocated?

Hon. A. L. LOTON: The conditions laid down cannot, of course, be made to apply to advances made by the Commonwealth before it passed the 1952 Act. The 1945 Act again specifically provided that the terms and conditions upon which the Government granted tenures would not be inconsistent with the provisions of the 1945 agreement. I think that is sufficient to justify the amendment.

The MINISTER FOR THE NORTH-WEST: I must oppose the amendment, as it would interfere with the carrying on of the scheme. I wonder what would happen to these people if the price of their commodities dropped and there was a recession. Would the hon. member want them to be held to the valuations offered in the years covered in the amendment? Would the Commonwealth or State not be allowed to reduce the price of the farms to the obtaining market value? In any case, the amendment is contrary to the conditions upon which the Commonwealth grants this money.

Hon. L. Craig: Contrary to the original agreement?

The MINISTER FOR THE NORTH-WEST: The original agreement is very little different; and, as regards the valuations provision, I think it means the same thing.

Hon. H. L. Roche: If you read the two, you will notice the difference.

The MINISTER FOR THE NORTH-WEST: The department advises me that they are practically the same. I am prepared to accept the amendment on condition that an amendment of mine is agreed to. I move—

> That the amendment be amended by inserting after the word "that" in line 1 of the proopsed proviso the words "subject to Section 5 of this Act."

That would allow the scheme to continue and would make it legal for the Minister to continue spending this money.

Hon. A. L. Loton: Will the Minister explain what his amendment will do?

The MINISTER FOR THE NORTH-WEST: It means that the Minister will be able to give effect to the scheme.

Hon. H. L. ROCHE: It is rather difficult, at a moment's notice, to decide the effect of the Minister's amendment on the amendment. If we accept it, we will be back to where we were before; but if that is not the intention, we should be given a little more time to study the implications of the Minister's amendment.

The MINISTER FOR THE NORTH-WEST: I do not see why we should report progress to ascertain what the amendment means. It simply means that the Minister will be able to accept the moneys and spend them in accordance with the agreement made between the Commonwealth and the State. By his amendment, Mr. Loton wants to bind the settler to the valuation that is placed on his property; and, in the event of a recession or fall in prices, no reduction can be made in that valuation. Members know that the session will be closing very shortly; and, in view of the impending Royal visit, it will be very difficult to enter into any negotiations with the Commonwealth, and a year could elapse before another Bill could be presented to this House that would enable us to carry on with the scheme.

Hon. A. L. LOTON: I oppose the amendment to my amendment because, if the Committee agreed to it, it would simply mean that the statement of conditions would apply. By putting my amendment on the notice paper I gave the Minister due notice of it. The Minister has now endeavoured to place an entirely different construction on it, and also on the amendment to the previous clause.

Hon. C. H. HENNING: The Minister has stated that we should allow the scheme to proceed. I cannot see that Mr. Loton's amendment will prevent that. It merely seeks to avoid any backward step being taken in regard to the administration of the scheme. The whole question is: Is this proposal to be retrospective or not? If the amendment on the amendment moved by the Minister is agreed to, it can become retrospective.

The MINISTER FOR THE NORTH-WEST: This is a note I have received in regard to the amendment moved by the hon. member—

> The amendment submitted by the hon. member—whilst it refers to the leases issued prior to December, 1951,

and also the holders of the formal notification of the grant of the lease issued under the Land Act—would not affect the conditions imposed by the Commonwealth.

The latter portion of the amendment which refers to any lessees would not only prevent a lease being granted to these lessees who occupied their farms under the conditions now in force but would also jeopardise the further occupation of farms on a leasehold basis until the total developmental work had been completed, when the settler would be offered the property at a figure equivalent to its final valuation. This, as members know, was the original intention of the scheme but has not been found workable in any State and would materially slow up occupation.

The inclusion of the latter portion of the amendment, therefore, would not benefit the earlier lessees, which seems to be the concern of hon. members, and—as it would be contrary to the present conditions under which the scheme is being financed by the Commonwealth—may seriously jeopardise the granting of leases to a number of recent lessees, or the granting of farms on leasehold conditions to later applicants. I submit that there is no intention of making the costs retrospective.

It must be remembered that on the 30th July there would be some developmental work still in progress on several farms which would be affected by the hon. member's amendment; and how could we stop that on a certain date? It would not be practicable. I submit that my amendment on the amendment should be accepted.

Hon. H. L. ROCHE: The objections raised by the Minister relate to administration only. There is nothing to stop the Commonwealth from participating in the scheme. The amendment moved by Mr. Loton is to prevent any retrospective application of this legislation. There are settlers who have had preliminary leases; and unless this amendment is agreed to, they are liable to have their capitalisation figures revised under the averaging principle which is applied under the administration.

Hon. L. Craig: Have they received an assessment of their final costs?

The Minister for the North-West: Yes; a number of them have.

Hon. H. L. ROCHE: Yes; but very few. When the averaging principle was applied, the administrators of the scheme were forced to revert to the original figures. Those few settlers who had received their final settlement are all right; but there are many, more than the 100 to whom the Minister referred, who are on a provisional lease, and who have not received the final assessment of their properties. Until the properties on a so-called project are completed and allocated, many settlers will not know what their final valuations are. The Minister's amendment will not overcome those problems, and the position will revert to what it was before.

The MINISTER FOR THE NORTH-WEST: The conditions are laid down by the Commonwealth.

Hon. H. L. Roche: No; they are laid down by the State, and the Commonwealth accepts them.

The MINISTER FOR THE NORTH-WEST: I do not think that is right.

Hon. H. L. Roche: I think you will find it is if you will look at the file.

The MINISTER FOR THE NORTH-WEST: The States have conferred with the Commonwealth, but the conditions are laid down by the Commonwealth authorities. The States have tried to get away from the averaging system. The present Minister for Lands tried to get away from it when he moved for the appointment of a select committee to inquire into war service land settlement last year. Farms have to become part and parcel of a project in order that costs may be kept down.

Hon. A. L. Loton: That is done so that the costs may be spread.

The MINISTER FOR THE NORTH-WEST: The question of spreading costs affects only the construction of a dam, for example. The spreading of those costs has caused a delay in making the final valuation, as has been mentioned by Mr. Roche. There might be a dam in one farm, and several dams on another farm 70 miles away. What happens is that the whole cost of the dams is included in one project, and is averaged. If one farm has a dam the average cost of a dam will be debited against it. My information is that the amendment is acceptable only with my added amendment.

Hon. H. L. ROCHE: To confirm my remarks on the averaging proposal, there is a letter from the Prime Minister dated the 29th November, which states:—

> I refer to my letter of the 16th March, 1951, concerning the continuance of Commonwealth-State cooperation in the field of War Service Land Settlement and the variations of my proposals which were subsequently suggested.
>
> My colleague, the Minister for the Interior, advises me that at a conference he held on the 29th October, 1951, with the Ministers for Lands for South Australia and Western Australia and representatives from Tasmania, complete agreement was reached on the basis for continuation of the scheme.
>
> It was also agreed that the benefits of the scheme should be extended to eligible ex-servicemen of the Korea/Malaya campaigns, and that in de-

termining eligibility the definitions shown in attachment "B" should be substituted for those comparable definitions applicable to ex-servicemen of the 1939/45 war.

I am attaching an amended memorandum (attachment "A") which has been prepared in accordance with the decisions reached at the conference and if it is acceptable to you I suggest that this letter and the attachments and your reply should constitute and evidence the arrangement between our two Governments for the provision of financial assistance by the Commonwealth under Section 96 of the Constitution in connection with the conduct by your Government of a scheme of war service land settlement.

It was explained to the conference that whilst a time limit would not be written into Clause 13 of the memorandum, the Commonwealth would not be prepared to grant the assistance provided therein after expiration of ten years from the first allotment of a holding under the scheme.

I have been through the file, but there is not one reference to the averaging principle. In later correspondence from the Prime Minister to Western Australia, there is a suggestion of this averaging system. A little while ago the select committee that has not been implemented is The chairman of that committee was the Minister for Lands. The report dealt rather severely with this averaging principle. It says:—

Also included in this document is provision for the grouping of a number of farms together for the purpose of averaging over all of them the total cost of acquisition and development of the groups. Nowhere in the War Service Land Settlement Agreement, 1945, can authority be found for such a policy. Every reference in the Act to a settler or a holding for the purpose of costing or valuing or writing off is in the singular, and there can be no doubt that the intention of the Act is to treat each holding as a separate unit and on that basis be given the economic test as required by the Act.

That was the opinion of the present Minister when he was a private member. Whatever the scheme has cost, and whatever mistakes might have been made, it is the provision relating to retrospectivity that we are trying to overcome. We are endeavouring to prevent men from being saddled with more than their capital commitments. The man who is saddled from now on goes in with his eyes wide open. It is fundamentally wrong to put men on farms and then, after two years, to debit them with another £6,000 because of the excessive cost on other properties of which they know nothing.

The MINISTER FOR THE NORTH-WEST: Members know very well that the only recommendation of the select committee that has not been implemented is the valuation system. I have already said that the previous Minister for Agriculture approached the Commonwealth Government and tried to get a better system.

Hon. L. Craig: The present Minister has also tried.

The MINISTER FOR THE NORTH-WEST: That is so. We cannot budge the Commonwealth Government. That is the Government which should be attacked, and not the State Government. By not complying with the Commonwealth's conditions, the State will not receive any financial assistance.

Hon. H. L. Roche: This money has already been made available and spent.

The MINISTER FOR THE NORTH-WEST: There is a suggestion that the hold-up of these valuations has been the issuing of conditions. That was not the case. The reason was that somebody contested the authority of the Commonwealth to grant money under certain Acts. The High Court granted the appeal, and the Commonwealth had to pass a new Act to grant moneys. It then issued the conditions, and asked the State Government to accept them.

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

Ayes	7
Noes	17
Majority against	10

Ayes.

Hon. C. W. D. Barker	Hon. F. R. H. Lavery
Hon. G. Bennetts	Hon. H. C. Strickland
Hon. E. M. Davies	Hon. R. J. Boylen
Hon. G. Fraser	*(Teller.)*

Noes.

Hon. L. Craig	Hon. A. L. Loton
Hon. L. C. Diver	Hon. J. Murray
Hon. Sir Frank Gibson	Hon. H. S. W. Parker
Hon. H. Hearn	Hon. H. L. Roche
Hon. C. H. Henning	Hon. C. H. Simpson
Hon. J. G. Hislop	Hon. J. McI. Thomson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. Sir Chas. Latham	Hon. A. F. Griffith
Hon. L. A. Logan	*(Teller.)*

Amendment on amendment thus negatived.

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

Ayes	17
Noes	7
Majority for	10

Ayes.

Hon. L. Craig	Hon. A. L. Loton
Hon. L. C. Diver	Hon. J. Murray
Hon. Sir Frank Gibson	Hon. H. S. W. Parker
Hon. H. Hearn	Hon. H. L. Roche
Hon. C. H. Henning	Hon. C. H. Simpson
Hon. J. G. Hislop	Hon. J. McI. Thomson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. Sir Chas. Latham	
Hon. L. A. Logan	*(Teller.)*

Noes.

Hon. G. Bennetts	Hon. F. R. H. Lavery
Hon. R. J. Boylen	Hon. H. C. Strickland
Hon. E. M. Davies	Hon. C. W. D. Barker
Hon. G. Fraser	*(Teller.)*

Amendment thus passed; the clause, as amended, agreed to.

Clauses 7 and 8—agreed to.

Clause 9—Validation:

Hon. A. L. LOTON: It will be necessary to make a consequential amendment to this clause. I move an amendment—

That the following words be inserted at the beginning of the clause:—"Subject to the proviso to Section 6 of this Act"

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

Clause 10—Regulations:

Hon. A. L. LOTON: I move an amendment—

That the following words be inserted at the beginning of the clause:—"Subject to the proviso to Section 6 of this Act"

The MINISTER FOR THE NORTH-WEST: I do not see the need for this. It is covered in the clause and the words are superfluous.

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

Schedule, Title—agreed to.

Bill reported with amendments and the report adopted.

Third Reading.

Bill read a third time and returned to the Assembly with amendments.

BILL—RENTS AND TENANCIES EMERGENCY PROVISIONS ACT AMENDMENT.

Assembly's Message.

Message from the Assembly notifying that it had disagreed to the amendments made by the Council now considered.

In Committee.

Hon. W. R. Hall in the Chair; the Chief Secretary in charge of the Bill.

No. 1. Clause 2—Delete.

The CHAIRMAN: The Assembly's reason for disagreeing to this amendment is as follows:—

Exorbitant rents of caravans are unjustified and exist mainly because of insufficient housing.

The CHIEF SECRETARY: I do not intend to debate these amendments as they have already been discussed very fully. I content myself with moving—

That the amendment be not insisted on.

Hon. H. K. WATSON: I would ask the Committee to vote against the motion. Like the Chief Secretary, I do not propose to debate these amendments again. It is clear that it is the desire of another place that these points should be ironed out at a conference. I trust that the Committee will not agree to the motion.

Question put and negatived; the Council's amendment insisted on.

No. 2. Clause 3, page 2—Add after the figure "(1)" in line 18 the following:—

and by substituting therefor the following paragraph:—

(d) premises (being a dwelling-house or a self-contained flat and not being a room or rooms leased with or without the use of a kitchen or bathroom) leased for the purpose of residence.

The CHAIRMAN: The Assembly's reason for disagreeing is—

The primary object of the Act was to check unreasonable rental charges and to control evictions in emergency circumstances. Such circumstances continue to exist. The amendment, if agreed to, would cause chaos and distress to many people by removing houses and self-contained flats from the compass of the Act.

The CHIEF SECRETARY: I move—

That the amendment be not insisted on.

Question put and negatived; the Council's amendment insisted on.

No. 3. Clause 4, page 2—Delete all words after the word "amended" in line 20 and substitute the following:—

by repealing subsection (3) and substituting therefor the following subsection:—

(3) In determining the amount of the rent, the inspector or the Court, as the case may be, shall take into consideration—

(a) the annual rates and insurance premiums paid in respect of the premises;

(b) the estimated annual cost of repairs, maintenance and renewals of the premises and fixtures thereon;

(c) the estimated amount of annual depreciation in the value of the premises and the estimated time per annum during which the premises may be vacant;

(d) the capital value of the premises as at the date of the application and, having regard to the nature and locality of the premises and the purposes for which the premises are leased or are to be

leased, what is a fair net annual return (being not less than three per centum per annum and not more than eight per centum per annum) on such capital value;

(e) any services provided by the lessor or lessee in connection with the lease;

(f) any obligation on the part of the lessee to effect improvements, alterations or repairs to premises at his own expense;

(g) any amount charged as a bonus, fine, premium or other like sum;

(h) the relationship of the rent of the whole of the premises;

(i) such other factors as the inspector or the Court may consider relevant.

Provided that during the term of any lease of premises which has been or may be entered into for a fixed term exceeding twelve months, the rent shall not be altered during the period of that fixed term.

The CHAIRMAN: The Assembly's reason for disagreeing is—

The clause intends that the inspector might be able to determine fair rents of his own motion, whereas the amendment seeks to make it possible for rents to be substantially increased. This would defeat the purposes of the Act.

The CHIEF SECRETARY: I move—

That the amendment be not insisted on.

Question put and negatived; the Council's amendment insisted on.

No. 4. Clause 5—Delete.

The CHAIRMAN: The Assembly's reason for disagreeing is—

Protection from eviction for a limited period, viz., 90 days is desired for tenants taking occupation since the 31st December, 1950, but not for premises in the nature of caravans and holiday premises. (Tenants in occupation before the 31st December, 1950, are entitled to six months' protection and unsatisfactory tenants to 28 days' protection.)

The CHIEF SECRETARY: I move—

That the amendment be not insisted on.

Question put and negatived; the Council's amendment insisted on.

No. 5. Clause 6—Delete.

The CHAIRMAN: The Assembly's reason for disagreeing is—

The existing provision permits an owner to obtain possession of premises if he requires the premises for occupation by himself or by his family. The clause seeks to restrain the owner who obtains possession from agreeing to dispose of the premises within 12 months.

The CHIEF SECRETARY: I move—

That the amendment be not insisted on.

Question put and negatived; the Council's amendment insisted on.

No. 6. Clause 7—Delete paragraph (a).

The CHAIRMAN: The Assembly's reason for disagreeing is—

The clause is complementary to the requirement affected by amendment No. 4.

The CHIEF SECRETARY: I move—

That the amendment be not insisted on.

Question put and negatived; the Council's amendment insisted on.

No. 7. Clause 7—Delete paragraph (b).

The CHAIRMAN: The Assembly's reason for disagreeing is—

This is consequential to the preceding amendment.

The CHIEF SECRETARY: I move—

That the amendment be not insisted on.

Question put and negatived; the Council's amendment insisted on.

No. 8. Clause 9—Delete.

The CHAIRMAN: The Assembly's reason for disagreeing is—

Protection is necessary for the family of deceased ex-servicemen.

The CHIEF SECRETARY: I move—

That the amendment be not insisted on.

Question put and negatived; the Council's amendment insisted on.

No. 9. Clause 10—Delete.

The CHAIRMAN: The Assembly's reason for disagreeing is—

The clause is necessary in order that the inspector might be able to police the charging of exorbitant rentals.

The CHIEF SECRETARY: I move—

That the amendment be not insisted on.

Question put and negatived: the Council's amendment insisted on.

No. 10. New Clause—Insert a new clause after Clause 3 to stand as Clause 4 as follows:—

4. Paragraph (a) of subsection (2) of section eleven of the principal Act is amended by deleting subparagraphs

(i), (ii) and (iii) and by inserting the following words after the word "exceed" in line five:—

> a rent producing or calculated to produce an annual amount equivalent to a gross return of six per centum per annum on the capital value of the premises as at the thirty-first day of December, one thousand nine hundred and fifty-three and in addition increased outgoings, if any.

The CHAIRMAN: The Assembly's reason for disagreeing is—

> This amendment would, with amendment No. 2, contribute to inflationary trends and cause much hardship on the community.

The CHIEF SECRETARY: I move—

> That the amendment be not insisted on.

Question put and negatived; the Council's amendment insisted on.

Resolutions reported, the report adopted and a message accordingly returned to the Assembly.

BILL—JUDGES' SALARIES AND PENSIONS ACT AMENDMENT.

Received from the Assembly and read a first time.

BILL—INDUSTRIAL DEVELOPMENT (RESUMPTION OF LAND) ACT AMENDMENT (No. 2).

Second Reading.

Debate resumed from an earlier stage of the sitting.

HON. C. H. SIMPSON (Midland) [9.57]: I asked for the adjournment of the debate to a later stage of the sitting in order that I might have a look at what the Bill means. I am quite satisfied that in our present state of development there is a need for resumptions, and that there is merit in adding two more competent persons to the committee. The proposal would include one representative of the Health Department and one of the local authorities. If our town-planning development proceeds, obviously these additional members will be an advantage.

One point occurs to me—namely: Would the representative of the local authorities be a representative for the time being of the particular local authority concerned in the area where the resumption was taking place, or would he be appointed on behalf of local authorities generally? I do not think it matters very much whether the representative is appointed on one basis or the other, although I suggest there is merit in appointing a local man. This provision, however, does not detract from the Bill. I support the measure.

Question put and passed.

Bill read a second time.

In Committee.

Hon. C. H. Simpson in the Chair; the Chief Secretary in charge of the Bill.

Clause 1—agreed to.

Clause 2—Section 4 amended:

The CHIEF SECRETARY: With regard to the query raised on the second reading, while I have not any definite information, I am fairly certain that this refers to the permanent appointment of a person and not an appointment which changes according to the locality in which the board is sitting.

Clause put and passed.

Clause 3, Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

Bill read a third time and *passed*.

Sitting suspended from 10.2 to 10.30 p.m.

BILL—TRADE DESCRIPTIONS AND FALSE ADVERTISEMENTS ACT AMENDMENT (No. 1).

Second Reading.

Debate resumed from the previous day.

HON. H. K. WATSON (Metropolitan) [10.30]: In the short time I have had to glance through the Bill, I have been unable to appreciate all its implications. For the benefit of the woolgrowing industry, it is proposed to place a pretty heavy burden on the manufacturing industry and on the retail trade. This measure has caused considerable concern to members of the Chamber of Manufactures and members of the Chamber of Commerce.

As I understand the Bill, the substance of it is that all textiles must be labelled with a pretty intricate, complicated and detailed description of the various elements of fibre of which they are composed. It is true that the principal item with which the Bill is concerned relates to textiles of wool or those alleged to contain wool. The Bill provides the following:—

> The trade description applied to textile products which contain ninety-five per centum or more by weight of wool shall include the words, "Pure Wool."

Further, it provides—

> The trade description applied to textile products which contain less than ninety-five per centum by weight of wool shall not include the words, "Pure Wool."

Another provision states—

> The trade description applied to textile products which contain less than ninety-five per centum but not

less than five per centum by weight of wool shall include a statement specifying—

(a) the percentage by weight of wool which is contained in the product; and

(b) the other fibres contained in the products in order of dominance by weight.

That is a margin between 5 per cent. and 95 per cent. It appears to me that those provisions are being forced on to the commercial community of this State as part of a scheme to force them on the whole of the commercial community of Australia, and they are very far-reaching. I understand that in England a suggestion was made in 1952 that similar provisions should be enacted there, but that the President of the Board of Trade announced that the British Government was not prepared to introduce such a mass of orders and regulations. In England a manufacturer is not compelled to label his goods if the article contains less than 50 per cent. of wool, provided it does not purport to be wool. In South Africa there is a similar provision, but there the exemption is 20 per cent.

I should have thought that, if this measure were designed to protect an ignorant public—and most legislation with which we deal nowadays seems based on the assumption that the public is ignorant and needs protecting, a view that I do not share—two broad descriptions would have been sufficient. Firstly, if the article contained more than 95 per cent. of wool, it could be described as pure wool; and, secondly, if it did not contain 95 per cent. of wool, then it could be described as being composed of wool and other fibre. Instead of that, the manufacturer or retailer, whoever might be handling the product, would be responsible under this measure to see that it bore a label specifying the various fibres of which it was manufactured and the order of dominance giving the percentage of fibre present.

Hon. J. G. Hislop: Would not that lead to an increase in the price of the article?

Hon. H. K. WATSON: The Minister, when moving the second reading, conceded that it would lead to an increase in the price of the article, and that brings me to another point. I read in the newspaper last night a statement by the Minister for Prices that he expected prices to rise early in the New Year. The ground on which he based his expectation was the decision of this House not to continue price-control. If this Bill becomes law, however, I believe that prices will rise in the New Year, not by reason of the cessation of price-control, but by reason of the increased cost which this legislation will impose upon practically every article of apparel in daily use.

Hon. H. L. Roche: What will be the cost?

Hon. H. K. WATSON: I am not in a position to say, but it has been suggested that these requirements would entail the preparation throughout Australia annually of some 200,000,000 labels, involving an outlay of £2,500,000.

Hon. H. L. Roche: Labels or stamps?

Hon. H. K. WATSON: That is the estimated cost arrived at by the Chamber of Commerce and the Chamber of Manufactures after investigating the matter. Simply for the purpose of protecting the woolgrowing industry, it seems to be a lot of misdirected energy.

I believe that the average housewife, when buying a shirt or singlet for her husband or her youngster, is not greatly influenced by a label stating whether it contains 95 or 75 per cent. of wool. She seems to have the art of determining whether the article is wearable or non-wearable according to the price and for a period of years, and I think she becomes accustomed to buying on a plan rather than on a tag giving an elaborate description of the contents of the garment.

The measure will apply to all textiles. Consider calico bags used by flourmillers for overseas export flour. Conceivably a textile of that nature would have to be stamped, even though the purchaser would know exactly what he was buying and would be quite content to buy it without any label.

I understand that this legislation will not be proclaimed unless and until measures of a comparable nature have been enacted by all the other States; but I trust that if we pass this Bill and the other States take similar action, the provisions will be applied with a certain amount of intelligence. Otherwise I cannot see that the £80,000 we had hoped to save by abolishing price-fixing will be saved. I can see the whole of the staff of the prices branch, as well as many more employees, being engaged to police this particular legislation. I should have liked time to go more fully into all the implications and give the House a more reasoned and comprehensive review of the possibilities under the measure, but it seems to be going to extreme lengths for an ultimate result the value of which I question very much indeed.

HON. H. L. ROCHE (South) [10.43]: In supporting the second reading of the Bill, I remind members that the principle it contains is exactly the same as that embodied in the measure passed the other night for the protection of the furniture trade. The idea behind that Bill was to protect the manufacturer and the consumer.

I do not think members need to be misled into believing that this legislation would be peculiar to Western Australia. Similar Acts have been in operation in the United States of America since 1937. The difficulty that Mr. Watson has conjured up regarding the branding of textiles does not seem to have deterred Australian manufacturers from exporting to American markets. A few years ago quite a considerable trade in manufactured wool products was carried on between Australia and the United States of America. Under the Act of that country, every article that enters has to be branded.

Over 20 years have elapsed since the woolgrowers first attempted to have legislation passed in Australia to protect the name of wool and therefore protect the interests of the woolgrowers, and at the same time protect the public from the inferior articles that were being marketed. I think that original Act was passed as the result of representations by the Australian Wool Board and the Australian Wool Secretariat which was established by contributions from the woolgrowers of Australia, South Africa, and New Zealand originally, plus a substantial sum from the Governments concerned.

I think it is still the belief of the Australian Wool Board that some effective legislation of this kind is necessary for the protection of Australia's wool industry. I do not know that it is such an extraordinary demand to make on the manufacturer and retailer if it will afford some measure of protection to the wool industry, which is worth about £400,000,000 per year to Australia and its people. We all share in that wealth, whether we are woolgrowers or not.

Like Mr. Watson, I have not had the opportunity of bringing myself up-to-date on this question, not anticipating the opposition to this measure which apparently has developed suddenly. The original legislation was agreed to with the idea of having a similar Act passed by all the States, and a customs regulation promulgated to apply to all imported textile products. It is only lately that agreement was reached with the Commonwealth as to the form in which that regulation should be promulgated, and it was not until recently that one or two of the States were prepared to bring their legislation into line with this.

I hope the Minister will be able to explain a little more fully what has happened, but I think it is that the six States are now in agreement as to the form of legislation, and that the Commonwealth has already promulgated the customs regulation which the States and the Commonwealth have agreed will provide for the imported materials. In the circumstances, I do not think this House is justified in declining to pass the Bill or in seriously amending it; nor do I think that the rather extraordinary figures given by Mr. Watson need influence anyone very much in regard to the cost of policing the regulations, as I think that will be part and parcel of the work of the shops and factories people in this State.

If we are to amend this measure radically, or refuse to pass it, we will destroy for many years to come—it has taken many years of negotiation—any prospect of getting Australia-wide legislation to cover the branding of textiles and designed solely in the interests of the woolgrower and the consumer. The Wool Board wants to safeguard the position so that the purchaser of a textile will know whether he is getting wool and what is the wool content of the article.

HON. L. CRAIG (South-West) [10.50]: This measure is of vital interest to Australia, as it deals with our most important industry. What Mr. Watson said about the difficulties associated with the measure is quite right. It will cause a good deal of trouble, expense and worry to manufacturers in determining the wool content and branding and labelling the various bolts of material that they make; but it is worth it when we consider that the wool industry provides the life-blood of the Commonwealth today, and will probably continue to do so for many years to come. We must see that that industry is preserved.

Wool as a fibre for wearing apparel stands alone, and it is to the advantage of the opponents of wool to write it down and make it less important, so that other fibres may loom larger in the minds of the people. The fewer safeguards provided, the more danger through the practice of branding inferior materials, containing 5 or 10 per cent. of wool, as wool, because in the end people will come to think that wool is not so good, and that they might just as well buy any of the synthetics.

If we are to maintain the high position that wool holds in the world today, we must do everything possible to ensure that materials marked wool are wool, no matter what the cost. It could easily happen that the larger manufacturers of inferior materials—there are many of them—could put a very small amount of wool into a fabric, brand it wool, and thus undermine this great industry.

While agreeing with what Mr. Watson said, and not knowing all the implications of the Bill, I think that whatever trouble it may cause, or whatever expense is associated with it, it is worth going on with. As Mr. Roche said, it has taken years of negotiation to get all the States to agree on the principle contained in the Bill, and to pass the necessary legislation so that any material exported from Aus-

tralia will have on it the necessary brands to indicate that if it is marked pure wool, everyone will know it is the finest material obtainable in the world. If we do not pass this measure, inferior materials will be able to be marketed as wool, and that, I repeat, could undermine the industry. I support the second reading.

HON. SIR CHARLES LATHAM (Central) [10.53]: Like most other members, I am a bit hazy as to what the effect of the Bill will be. The manufacturers of woollen materials will be the most concerned. We know that synthetic materials now being manufactured and placed on the market can be made to look like wool or anything else. Perhaps the Minister could tell us whether the original Act was proclaimed.

The schedule does not provide very much, except penalties for offences, and provision for inspectors, and for the broadcasting or publishing of the qualities of materials not true to label. It does not cover wool only, but many other things, such as copper, glass, and so on, and it has general application. The schedule says "clothing and materials for clothing, made wholly or mainly of wool, bedding, blankets, flannels, flour, furniture, motor bodies, including cabs, trays, platforms and coaches of every description as used on motor vehicles for private, passenger, or any commercial purpose."

Hon. L. Craig: Did you say "flour"?

Hon. Sir CHARLES LATHAM: I am not responsible for the wording of this schedule, and I would point out that it has not been repealed. In 1944 there was another amendment to the Act, and I am not sure whether it was proclaimed. Usually it is shown in the index if a statute is brought into operation by proclamation, but that does not appear in this case. In the 1944 legislation, the schedule states "the following goods where any such goods do not come within the definition of 'textile products' as set out in this Act", and then follows a list identical with that in the 1936 Act.

I would not like to be a retailer if I were made responsible for ascertaining the make-up of every material I sold. Usually blankets and so on are branded on the selvedge, showing that they are pure wool, or what the wool content might be. A person might, in good faith, buy a lot of such material and subsequently, by some means, find out that it did not come up to the standard shown by the brand, and that would be most unfair.

The measure before us deals with reprocessed or re-used wool and woollen goods; and from something I read, I understand that it is difficult to determine the difference between reprocessed or re-used wool and the pure wool that has not been previously used, and those are problems that must be solved. We should do everything possible to maintain the value of our wool for clothing and other domestic purposes, but we do not want to make ourselves ridiculous when we have to export. I do not think Australia exports a great many manufactured woollen goods, as most of our wool is sent overseas in its raw state.

I believe that the market for our manufactured woollen goods overseas would be very small, as our manufacturing costs are much higher than those in other parts of the world. That would have general application to Italy, Great Britain, and so on, as well as to France and the Continent, where the hours worked are much longer than the hours here, and the labour is cheaper. If we work only 40 hours, our machines cannot possibly turn out as much in that time as theirs do in 48 hours. Therefore the garments that are manufactured from wool would be very limited. If we do export manufactured woollen articles, we should ensure that they are branded and are of a quality that is worthy of the brand.

The only firm that is likely to manufacture woollen articles in Western Australia is the Albany woollen mills. Those mills convert the wool into spools from which the articles are manufactured. I do not know what other fibres the Albany woollen mills would use.

Hon. L. C. Diver: It is possible that they do use other fibres.

Hon. Sir CHARLES LATHAM: There is a very high-quality fine wool and a very low-quality coarse wool. The article that is manufactured from the wool taken direct from the sheep would be classed as a full-wool article. Some of the knitted articles referred to by Mr. Craig might contain quite a quantity of reprocessed or re-used wool which has been obtained from blankets, etc. I think it would take quite an army of inspectors to check the manufacture of those articles. This legislation will affect the Western Australian people more than those in the other States of the Commonwealth.

We will be in the hands of overseas importers and the importers in other parts of Australia. They will be the persons liable for the quality of the article, because I cannot see how a retailer in Perth can satisfy an inspector that there is a certain percentage of wool in any article that he may be retailing. In all probability that is why the 1936 statute has not been put into operation. Another reason is the quantity of materials imported from the Eastern States and other parts of the world. There are some very high-grade materials of fine texture that are used for the manufacture of ladies' garments, and also other articles. In France, articles are manufactured of wool, and they are almost identical with silk. I bought some in 1935, and I have

never seen any other article that was so finely woven. They had a soft, woolly feeling, and they looked like silk.

As far as I can understand this legislation, it will affect the manufacturers in Western Australia much more than the retailers. We should be able to discover whether they are using reprocessed or reused wool for the manufacture of any textiles. The penalties in the Bill are so severe that it would be unprofitable for a firm to use such materials in a high-grade article; and also, they would be in danger of losing their reputation.

When this legislation is passed, I hope that we will be careful for a start. We have to educate either the people who are importing the manufactured article, or the local manufacturer. They will know, from the publicity that is given to the legislation, when the statute will be proclaimed. The Minister can probably tell me whether this Act has already been proclaimed, and whether any steps have been taken to put it into operation. I propose to support the Bill, but I would not like us to rush in and prosecute all concerned in the trade without their being informed how they should act in accordance with the legislation.

HON. L. C. DIVER (Central) [11.8]: I support the Bill. I realise that there will be many difficulties associated with policing the quality of the materials that are used for the manufacture of different articles. Sir Charles said that the various materials used in manufacture could, no doubt, be detected.

Hon. Sir Charles Latham: Yes; experts might detect them.

Hon. L. C. DIVER: The point I was about to make is that there are so few experts. The blending and weaving of various materials has become so technical that there are few people in the Commonwealth who are competent enough to detect the basic materials that are used in the manufacture of any woollen article.

The fact that similar legislation will be passed in each State makes it obvious that it will be the manufacturers who will take the responsibility for any breach when contracts of sale are made between them and the retailers. Mr. Watson said that the cost of putting this legislation into effect would be considerable and would have to be shouldered by the business people in Western Australia, but I do not think it will. When this legislation becomes law, the machines will be set so that the brand will be stamped on the article as it is going through the manufacturing process, and I do not think that such an operation would entail much cost.

However, I think it will cost a lot to police this measure, because the men who are appointed as inspectors will be so few in number, and will have to be so highly qualified, that their services may prove to be fairly expensive. Mr. Watson made some interjection about crayfish tails.

Hon. Sir Charles Latham: He referred to the cloth that covers the crayfish tails.

Hon. L. C. DIVER: Well, his reference to that is a little far-fetched. Sir Charles pointed out that even flour is mentioned in the legislation. I can understand that, because all flour bags require to be stamped or labelled, and that is only right. I trust that the House will agree to the measure.

THE CHIEF SECRETARY (Hon. G. Fraser—West—in reply) [11.12]: Members have covered most of the points that I wanted to deal with in my reply. However, I wish to emphasise that the Bill has been introduced after a great deal of negotiation between the various States. This is the first time that we have arrived at a definite agreement between all States and, also, the legislation is in accordance with statutory Rule No. 54 of the Commonwealth import regulations. If any one State did not agree to this legislation, automatically it would not be put into effect in this State. That is one of the safeguards that was agreed to. This legislation has been requested by the representatives of woolgrowers, the Farmers' Union, and many women's organisations. Members have to judge whether the Bill has enough merit to justify its passing. The fact that all States have agreed to introduce this legislation, should be sufficient to satisfy members that all aspects of the Bill have been considered. Therefore, I hope that members will agree to the measure as printed.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment and the report adopted.

Bill read a third time and *passed*.

BILL—BOXING DAY HOLIDAY.

Received from the Assembly and read a first time.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to amendment No. 1 made by the Council and had disagreed to Nos. 2 to 34.

In Committee.

Hon. C. H. Simpson in the Chair; the Chief Secretary in charge of the Bill.

No. 2. Clause 2—Delete.

No. 3. Clause 3—Delete.

No. 4. Clause 4—Delete.

No. 5. Clause 5—Delete.

No. 6. Clause 6, page 4—Delete the passage commencing with the words "by substituting" in line 32 and ending with the word "pounds" in line 37 and substitute the following paragraphs:—

(a) by substituting for the words "amounts indicated in the second column thereof" in lines 6 and 7 of paragraph (a) the words "the appropriate amount indicated in that Schedule";

(b) by substituting for the words "one thousand seven hundred and fifty pounds" in line 14 the words "two thousand pounds or where the amount indicated in the third column of such Schedule in respect of that injury exceeds two thousand pounds then the amount so indicated";

(c) by substituting for the words "amount set out in the second column of" in line 2 of sub-paragraph (ii) of paragraph (e) the words "appropriate amount set out in the said table";

(d) by substituting for the words "one thousand seven hundred and fifty pounds" in lines 5 and 6 of paragraph (f) the words "two thousand pounds in respect of any personal injury resulting from the one accident or where the amount indicated in the third column of such Schedule payable in respect of any injury resulting from the one accident exceeds two thousand pounds then such indicated amount";

(e) by substituting for the words "one thousand seven hundred and fifty pounds" in lines 10 and 11 of paragraph (g) the words "two thousand pounds or where the worker has suffered an injury compensable under the table and the amount indicated in the third column of the table in respect of such injury exceeds two thousand pounds then such indicated amount".

No. 7. Clause 7—Delete this clause and substitute the following:—

7. Subsection (14) of section eight of the principal Act is amended—

(a) by substituting for the words "one thousand seven hundred and fifty pounds" in lines 12 and 13 the words "two thousand pounds or where such other disease results in an injury compensable under the Second Schedule to the Act and the amount indicated in the third column of such Schedule in respect of such injury exceeds two thousand pounds then such indicated amount";

(b) by substituting for the words "Any worker who subsequent to the coming into operation of the Workers' Compensation Act Amendment Act, 1948, receives the full amount of one thousand two hundred and fifty pounds or who, prior to the coming into operation of such Act, received the full amount of seven hundred and fifty pounds in respect of such period or periods of incapacity" in lines 23 to 26 inclusive the words "A worker who has received the full amount of compensation—

(a) of seven hundred and fifty pounds prior to the coming into operation of the Workers' Compensation Act Amendment Act, 1948;

(b) of one thousand two hundred and fifty pounds prior to the coming into operation of the Workers' Compensation Act Amendment Act, 1951;

(c) of one thousand seven hundred and fifty pounds prior to the coming into operation of the Workers' Compensation Act Amendment Act, 1953; or

(d) after the coming into operation of the Workers' Compensation Act Amendment Act, 1953, of the sum of two thousand pounds in respect of such period or periods of incapacity or, in the case of a worker whose disease has resulted in an injury also entitling him to compensation under the Second Schedule of the Act, of the appropriate maximum amount in respect of such period or periods of incapacity and such injury.

No. 8. Clause 8, page 6—Delete the words "eight hundred" in line 35.

No. 9. Clause 8, page 6—Add after the word "pounds" in line 36, the words "or where the worker in respect of the accident causing such permanent partial incapacity is also entitled to compensation under the Second Schedule for an injury mentioned therein and the amount indicated in the third column of such Schedule in respect of such injury exceeds two thousand pounds then such indicated amount."

No. 10. Clause 9—Delete.

No. 11. Clause 10—Delete.

No. 12. Clause 11, page 9—Delete subparagraph (ii) in lines 13 to 17.

No. 13. Clause 11, page 10—Delete all words after the word "determination" in line 3 down to and including the word "accordingly" in line 35.

No. 14. Clause 12, page 10—Delete the words "two thousand four hundred" in lines 40 and 41, and substitute the words "one thousand seven hundred and fifty."

No. 15. Clause 12, page 11—Delete the word "seventy-five" in line 3 and substitute the word "sixty."

No. 16. Clause 12, page 11—Delete paragraph (c).

No. 17. Clause 12, page 11—Delete the word "eight" in line 21 and substitute the word "six."

No. 18. Clause 12, page 11—Delete the word "seventy-five" in line 24 and substitute the word "sixty."

No. 19. Clause 12, page 11—Delete paragraph (i).

No. 20. Clause 12, page 11—Delete paragraph (j).

No. 21. Clause 13—Delete paragraph (a).

No. 22. Clause 13—Delete paragraph (b).

No. 23. Clause 13—Delete paragraph (c).

No. 24. Clause 13—Delete paragraph (d) and substitute the following:—

Substituting for the words "one thousand seven hundred and fifty" in lines thirty-seven and thirty-eight the words "two thousand."

No. 25. Clause 14—Delete paragraph (a).

No. 26. Clause 14, page 13—Delete the words "five pounds" in lines 29 and 30 and substitute the words "three pounds twelve shillings."

No. 27. Clause 14—Delete paragraph (c).

No. 28. Clause 14, page 13—Delete the words "one pound" in line 41 and substitute the words "fifteen shillings and six pence."

No. 29. Clause 14, page 13—Delete the words "six pounds" in line 44 and substitute the words "four pounds sixteen shillings."

No. 30. Clause 15, page 14—Delete the words "one pound" in line 4 and substitute the words "fifteen shillings and sixpence."

No. 31. Clause 15, page 14—Delete the words "six pounds" in line 7 and substitute the words "four pounds sixteen shillings."

No. 32. Clause 16, page 14—Delete the words "eight hundred" in line 12.

No. 33. Clause 16, page 14—Add after the word "pounds" in line 12, the words "or where the incapacity, liability for which is sought to be redeemed, was caused by an accident also resulting in an injury in respect of which the worker is entitled to compensation under the Second Schedule and the amount indicated in the third column of such Schedule in respect of such injury exceeds two thousand pounds then such indicated amount."

No. 34. Clause 17, page 14—Delete all words after the word "is" in line 13 and substitute the following:—"repealed and re-enacted as follows:—

In this table the basic index percentage of 100 is £2,000 and is used as the basis for the computation of the amount specified in the third column of this table.

SECOND SCHEDULE.

TABLE.

Nature of Injury.	Percentage.	(Amount)
		£
1. Total loss of the sight of both eyes	112½	2,250
2. Total loss of the sight of an only eye	112½	2,250
3. Total loss of the sight of one eye	50	1,000
4. Loss of binocular vision	50	1,000
5. Partial to total loss of sight of one or both eyes :— (All eye assessments to be assessed on the corrected visual defects)		

Schedule of Assessments for Uncorrected but Correctable Visual Defects.

	One Eye 6/6 or 6/9.	One Eye 6/12.
The Other Eye.	6/9, 6/12, 6/18, 6/24 } Nil 6/36—from 10% 6/60—from 20%	6/6 or 6/9, 6/12 } Nil 6/18—from negligible to 10% 6/24—from 10% 6/36—from 20% 6/60—from 30%

	One Eye 6/18.	One Eye 6/24.
The Other Eye.	6/6 or 6/9—Nil 6/12—negligible to 10% 6/18—from 10% 6/24—from 20% 6/36—from 30% 6/60—from 40%	6/6 or 6/9 } from negligible to 10% 6/12—from 10% 6/18—from 20% 6/24—from 30% 6/36—from 40% 6/60—from 50%

	One Eye 6/36.	One Eye 6/60.
The Other Eye.	6/6 or 6/9—from 10% 6/12—from 20% 6/18—from 30% 6/24—from 40% 6/36—from 50% 6/60—from 60%	6/6 or 6/9—from 20% 6/12—from 30% 6/18—from 40% 6/24—from 50% 6/36—from 60% 6/60—from 70%

One Eye (3/60) Less than 6/60.		One Eye Blind.	
The Other Eye.	6/6 or 6/9—from 30% 6/12—from 40% 6/18—from 50% 6/24—from 60% 6/36—from 70% 6/60—from 80%	The Other Eye.	6/9—55% 6/12—from 60% 6/18—from 70% 6/24—from 80% 6/36—from 90% 6/60—from 100% 6/60—from 100% to Blind

Loss of fields of vision :—

Loss of all but central vision within 5% circle (bilateral)	90 per cent.
Loss of all but central vision within 5% circle (unilateral)	45 per cent.
Loss of central vision but fields full (bilateral)—Patient has no useful vision—"Blind"	95 per cent.
Loss of central vision but fields full (unilateral)—Patient has no useful vision	90 per cent. of one eye.

In partial loss the fields are considered to be divided into three arbitrary concentric zones of 30 deg., 60 deg., and 90 deg.

Relative importance of loss of outer zone	20 per cent.
Relative importance of loss of middle zone	30 per cent.
Relative importance of loss of inner zone excluding macular vision	50 per cent.
Unilateral Aphakia with vision correctable to 6/6 and with 6/6 vision in other eye and full fields	70 per cent. minimum.

Nature of Injury.	Percentage.	(Amount).
		£
6. Total loss of hearing	60	1,200
7. Loss of hearing to be based on percentage of total loss of hearing, and shall be based on audiometric testing and assessed on the basis that the relative values of the four octaves from 256 to 4,096 cycles comprise the entire speech range and are :— 256 to 515: 15%; 512 to 1,024: 30%; 1,024 to 2,048: 35%; 2,048 to 4,096: 20%		

Assessment Table.

Frequency (dvs) = 512	1024	2048	4096
Decibels loss	Percentage Loss.		
10	·2	·3	·4	·1
15	·8	·9	1·3	·3
20	1·1	2·1	2·9	·9
25	1·8	3·6	4·9	1·7
30	2·6	5·4	7·3	2·7
35	3·7	7·7	9·8	3·8
40	4·9	10·2	12·9	5·0
45	6·3	13·0	17·3	6·4
50	7·9	15·7	22·4	8·0
55	9·6	19·0	25·7	9·7
60	11·3	21·5	28·0	11·2
65	12·8	23·5	30·2	12·5
70	13·8	25·5	32·2	13·5
75	14·6	27·2	34·0	14·2
80	14·8	28·8	35·8	14·6
85	14·9	29·8	37·5	14·8
90	15·0	29·9	39·2	14·9
95	....	30·0	40·0	15·0
100	....	....	....	....

The hearing loss of an individual as a result of audiometer tests is measured by providing that the percentage of loss to be assigned to each frequency is the value shown in the table for that frequency.

In calculating the percentage loss for the two ears combined the value of the better ear is rated at seven times the value of the poorer ear. The actual value of the poorer is added and the sum when divided by 8 gives the combined percentage loss for both ears.

Nature of Injury.	Percentage.	(Amount)
		£
8. Loss of both hands	112½	2,250
9. Loss of both feet	100	2,000
10. Loss of a hand and a foot	100	2,000
11. Total and incurable loss of mental powers involving inability to work	125	2,500
12. Total and incurable paralysis of the limbs or of mental powers	125	2,500
13. Total loss of the right arm or of the greater part of the right arm	80	1,600
14. Total loss of the left arm or of the greater part of the left arm	75	1,500
15. Total loss of the right hand or of five fingers of the right hand, or of the lower part of the right arm	70	1,400
16. Total loss of the same for the left hand and arm	70	1,400
17. Total loss of a leg	70	1,400
18. Total loss of a leg with sufficient remaining to attach artificial limb	65	1,300
19. Total loss of a foot or the lower part of the leg	62½	1,250
20. Total loss of the thumb of the right hand	35	700
21. Total loss of the thumb of the left hand	30	600
22. Total loss of a forefinger	5	100
23. Total loss of middle finger	5	100
24. Total loss of index and middle finger	20	400
25. Total loss of a joint of the thumb	20	400
26. Total loss of middle and ring finger	12	240
27. Total loss of the first joint of the forefinger of either hand	3	60
28. Total loss of the little or ring finger of the hand	3% each 10% both	60 200
29. Total loss of any other finger joint	1	20
30. Total loss of the great toe of either foot	20	400
31. Total loss of a joint of the great toe of either foot	5	100"

The CHAIRMAN: The Assembly's reasons for disagreeing are—

Workers who were injured prior to the passing of this measure would be excluded from the benefits of the new provisions.

Workers who are injured whilst travelling from their place of residence to place of employment and vice versa would be prevented from successfully claiming compensation.

The maximum amount of compensation agreed to by the Assembly has been so drastically reduced that it is not comparable with damages allowed by the Supreme Court to injured parties where persons are guilty of negligence in connection with traffic accidents.

With respect to the reference to eye injuries in the schedule a worker will require to have a very high percentage of disability in the other eye

to enable him to receive anything like the compensation to which he would be entitled under the present method of assessing. The only person who is sure of receiving an increase under the schedule is the person who loses the total sight of one eye. Those cases are few compared with the numerous cases of minor injuries.

The CHIEF SECRETARY: I move—

That amendments Nos. 2 to 34 inclusive be not insisted on.

Question put and negatived; the Council's amendments insisted on.

Resolutions reported, the report adopted and a message accordingly returned to the Assembly.

[*The Deputy President took the Chair.*]

BILL—RENTS AND TENANCIES EMERGENCY PROVISIONS ACT AMENDMENT.

Assembly's Request for Conference.

Message from the Assembly received and read, requesting a conference on the amendments insisted on by the Council, and notifying that at such conference the Assembly would be represented by three managers.

The CHIEF SECRETARY: I move—

That the Assembly's request for a conference be agreed to.

Question put and passed.

As to Time of Conference.

The CHIEF SECRETARY: I move—

That the managers for the Council be Hon. H. K. Watson, Hon. L. C. Diver and the mover, and that the conference be held in the Chief Secretary's room at 10 a.m. tomorrow.

Hon. J. G. HISLOP: May we have a little more information in order that we can approach this subject with easier minds? I have no intention of suggesting that the business of the House be taken out of the hands of the Chief Secretary, because nobody has been more considerate to the House than the Chief Secretary has been during this session. But I would like to know whether we are to continue to sit through the night and then members are to be expected to be intelligent at a conference at 10 o'clock in the morning; or whether it is the intention of the Chief Secretary that members, whose brains must be nearly addled by now, shall have a reasonable period of sleep so that they can go into conference with minds attuned to the problems in front of them.

The CHIEF SECRETARY: The hon. member has set me a poser. It is a sort of Hobson's choice with me. Members want to finish this week, but we still have over 20 items on the notice paper, and unless we sit until a reasonably early hour in the morning there is no possibility of getting through this week. I have no choice in the matter. At the commencement of today's sitting I asked for the co-operation of members by way of short debates. I am sorry to say that on several occasions I have not received the co-operation I thought I would have, and quite a number of the speeches have been lengthy on subjects which I did not think needed so much discussion. Consequently I have no option but to go on as long as possible with the idea of finishing this week.

Hon. J. G. HISLOP: I am sorry to do so, but I must raise a protest. I do not believe this is the correct method of handling the State's business. We have a notice paper with about 20 more items on it, and some very important measures have yet to be discussed. I suggest that while the conference can still take place tomorrow morning, this House could meet at 2.30 p.m. and continue until such time as the business is finished. At the same time the House should conclude this sitting at a reasonably early hour, because I do not think members can be intelligent if they stay up most of the night and then go into a conference at 10 a.m., after having been already in long sessions on two previous nights. I am sorry to be the one raising the objection, but I do not believe this is the correct method of running the State's business.

Hon. Sir CHARLES LATHAM: On a point of order, Mr. Deputy President, should not this matter be discussed in Committee? Dr. Hislop has spoken twice and I consider that the point should be discussed in Committee so that members can have an opportunity of participating in the same way as Dr. Hislop. All messages should be taken in Committee.

The DEPUTY PRESIDENT: Not all.

Question put and passed and a message accordingly returned to the Assembly.

BILL—ABORIGINES WELFARE.

Second Reading—Defeated.

Debate resumed from the previous day.

THE MINISTER FOR THE NORTH-WEST (Hon. H. C. Strickland—North—in reply) [11.37]: The debate on this Bill has been very wide and interesting. It is pleasing to see that some members on this occasion have taken quite a realistic view of the position prevailing today. This is my fourth session, and this is the third occasion during the period I have been here on which legislation dealing with natives has come before the House. Never before, however, has the subject caused so much debate. There is not the slightest doubt that members are becoming much more interested in the subject. I attribute

that to the position prevailing today, which we cannot hope to improve as long as we allow the existing legislation to continue.

We have reached the stage where the natives are being divided into two groups, something which was never foreseen and which would have been arrested in its early stage had there been a realisation that it would occur. The two sections into which the natives have been divided are the mixed-bloods and the aborigines.

Exception has been taken to the proposed change of name from "natives" to "aborigines." There are several reasons why the change is suggested. The chief one is that these people are aborigines, and they do not like the term "natives" and prefer to be referred to as aborigines. If the proposal is supported, our legislation will be uniform with that in other States, where these people are referred to as aborigines and the legislation as aborigines legislation. In no State is there a reference to natives legislation.

We are all natives of somewhere. I am a native of Western Australia, but I am not an aboriginal native. When we change the name of the legislation we will have a specific title. It will refer to the people to whom we want it to refer, and there will be no doubt about the matter. There is another reason for our desiring to change the name. We want to exclude from the legislation the mixed-bloods, who I am sure everybody hopes will eventually be able to break away from the law as it stands, provided they are capable of doing so. That is our ultimate aim.

It would not be very nice for these people to be referred to in another 10 or 20 years as natives. It has been said that they will always be referred to as natives, but that is not so, because eventually the colour will be bred out. All members know that the white predominates eventually. There will then be no reason for anybody to suspect that the descendants of these people are of aboriginal blood, if they are not continually referred to as natives.

The purpose of this legislation is to help to improve the psychology of the people to whom I have referred. Large numbers of them, through frustration and their mode of life—not always due to any fault of theirs—have become a little self-conscious and have developed a complex. There is no doubt about that. I think that the changing of the name will be of great assistance. If we move the line that separates them, I am positive it will have a wonderful reaction.

Members should know that out of the 6,800 of the mixed blood population, 3,155, which is almost 50 per cent., are children, and they are the ones—plus the grown-ups who are capable of living a decent life and keeping within the law as citizens—that we have to consider. Without a doubt, they form the biggest proportion of the mixed-blood section. Members do not want to view this matter from the full-blood angle, because the Bill does not do a great deal for the full-bloods. It would be unjust to expect most of them to live up to the responsibilities of an ordinary citizen. As I mentioned when introducing the Bill, they will have to proceed the slow way, via the Natives (Citizenship Rights) Act, until many more of them are educated and experienced.

We are asking the House to lift some restrictions off the black man—these restrictions being permits for employment and those in freedom of movement within the State and within districts. He will not be any better off in respect to the drink question. He will not be able to go into a hotel and secure a drink, because the provisions of the Act will remain exactly as they are now.

Many of these people, through their association with the whites, are taking a much more intelligent view of life. I was recently on a cattle station and was amazed at the general improvement in the dress and appearance of the younger people. When I first saw them in the same area of Fitzroy Crossing in 1920, the only ones who were clad were those working around the stations, and they wore a dungaree coat and trousers. As soon as they got out of sight of the white people, they would throw off their clothes and would not put them on until they came back within the precincts of the station.

There is no doubt that 33 years ago clothes, to some of these people, were a hindrance. But now they buy those with the brightest colours, the biggest slouch hats, spurs, and suchlike. They have gained this idea from looking at magazines, and seeing moving pictures. Most stations show small-sized movies to the natives, so that they are becoming educated in a visual sense.

Now the education of the children has commenced by way of primary schooling, but it will be some years before this section of the aboriginal community will make anything like the headway that the castes have made. So I ask the House to view this matter in two sections. I am not presenting the Bill and saying, "Accept it as it is," but, "Here it is. There are 76 clauses in it that members can tackle. They can be deleted or amended in any way that the House thinks best." The principal amendment is the definition of "native" which separates the full-bloods from the castes and makes provision for those who are incapable of living as citizens to be placed under the Act and be in exactly the same position as the full-bloods.

We must make a start somewhere with this problem so that, instead of snowballing and multiplying this community by the thousand, we will take a firm grip of the situation and drive some of them out of that community. Those who are unfit to be classed as aborigines should be ex-

cluded from the provisions of the Act. Because one person in a family which is living in squalid conditions is incapable of attaining the privileges of a citizen, the whole family should not be excluded, or perhaps broken up. These things must be viewed in the light of the actual conditions prevailing.

During the last three or four years, the department has gone into this matter in a workmanlike manner, until it has tabulated almost every native living within the bounds of civilisation. It can be said that it has the pedigree of practically every mixed-blood. The welfare officers and the protectors who operate in subdistricts and areas where the inspectors are not always able to visit have done a good job in compiling what I might term a register of the habits and living conditions of the mixed-bloods.

There is not the slightest doubt in my mind that no confusion will be created by the altered definition. Mr. Parker wondered where all the magistrates would come from to deal with the applications of those who would be kept under the Act, so to speak, and those who would be released. Of course, those who would be released would not have to go before a magistrate, but only those required to be kept under the care of the department. That would not be done overnight, or even tomorrow or the next day, but when conditions were favourable and the machinery had been set up to accept these people; because the Act is to be proclaimed. Until it is proclaimed, the old provisions will remain in force. This is one of the reasons why completely new legislation was not brought down. A complete and sudden change-over is impossible. It would result, as some members have said, in chaos.

The question was asked by Mr. Parker, "Will the Minister tell me how a newly-born half-caste is going to make an application to the Minister?" The hon. member was drawing a red herring across the trail. When a learned man is in opposition to some proposal, he prepares a case, and that is what Mr. Parker did. The object of his case was to leave things as they were.

Hon. H. S. W. Parker: No; on the contrary, to improve things, but not in this way.

The MINISTER FOR THE NORTH-WEST: The hon. member was not prepared to accept the Bill, and he did not suggest any other way.

Hon. H. S. W. Parker: I did. I made a number of suggestions.

The MINISTER FOR THE NORTH-WEST: I would say that by posing a question such as this there was not very much —I will not say intelligence because I know the hon. gentleman is quite intelligent—but not much strategy. The answer to the hon. member's question is that a newly-born half-caste child, if born of anyone excluded from the Act, would not have to make an application; and if it was born of a family coming under the Act, its parents would make the application. There is nothing in the question.

Hon. H. S. W. Parker: The child is excluded from the Act.

The MINISTER FOR THE NORTH-WEST: If the child is excluded, so are the parents.

Hon. H. S. W. Parker: No. The child may have a full-blood mother.

The MINISTER FOR THE NORTH-WEST: The parents could apply. The child could have a full-blood mother and a white father.

Hon. H. S. W. Parker: The father has no right if the child is illegitimate. It is an ill-conceived Bill.

The MINISTER FOR THE NORTH-WEST: I do not know much about law and the hon. member could easily tangle me up in that regard.

Hon. H. S. W. Parker: I do not want to do that.

The MINISTER FOR THE NORTH-WEST: I am sure the hon. member could advise us how we could overcome that by amending the Bill.

Hon. H. S. W. Parker: That is not possible, and that is what I told you.

The MINISTER FOR THE NORTH-WEST: There are 76 clauses in the Bill, and not for one moment would I believe that we could not amend the definition. I think all these things could be ironed out and overcome without any trouble; in fact, I am certain they could. Dr. Hislop was a little averse to removing the health provisions from the Act. On having another look at it I am inclined to agree with him on that point, because it would be necessary, especially for the full-bloods, whom we propose to keep under the Act; but no inconvenience would be caused them, and I think the Act could be amended in some way to overcome it. The provision gives power to the commissioner to authorise any person to conduct an examination. That is hardly in line with the requirements of present-day standards, and I think it could be confined to a medical officer, a nurse, or a hospital attendant, but not just "any person." That is a little too broad.

There are other clauses with which members do not agree, and we would be prepared to meet them on many points. Mr. Craig described the situation perfectly. He made a most impressive speech on the position which faces this State today, and it is of no use my repeating what he said on the subject. Members can read his speech. We must face up to this problem, and I am hoping that the House will not reject the Bill out of

hand. I am hopeful that members will not request a select committee or a Royal Commission to investigate this problem.

Hon. C. H. Simpson: Why not?

The MINISTER FOR THE NORTH-WEST: Because, as I have already stated, with very few exceptions, every native within the bounds of civilisation would be recorded in the documents at the Department of Native Affairs.

Hon. C. H. Simpson: We want to work out an Act, and unfortunately this one is not adequate.

The MINISTER FOR THE NORTH-WEST: All the information required on this subject can be found in speeches that have been made in both Houses. I have not read those made in another place, but I have read all those made in this Chamber, and I do not think any more information could be gleaned through the appointment of a Royal Commission or a select committee. Over the years there have been many Royal Commissions and select committees, and what has been the result? This problem still faces us today. Nothing has been done to better the situation, and if nothing is done in the future, the position will be ominous in 20 years' time. As regards Royal Commissions, one was held in 1904-1905 on the conditions of natives, the commissioner being Dr. W. E. Roth. In 1934-1935, 30 years later, a Royal Commission was held on the treatment of aborigines, the commissioner being Mr. H. D. Moseley; and in 1947-1948, a survey of natives was made by Mr. F. E. A. Bateman.

Hon. C. H. Simpson: Both very good reports.

The MINISTER FOR THE NORTH-WEST: They are packed with information.

Hon. H. S. W. Parker: And now you want a Bill so that all those facts can be put into legal form.

The MINISTER FOR THE NORTH-WEST: Surely the hon. member does not expect us to sit down and not take any notice of those reports!

Hon. H. S. W. Parker: On the contrary.

The MINISTER FOR THE NORTH-WEST: We must bring the measure before Parliament so that we can do something.

Hon. H. S. W. Parker: Bring it before Parliament in correct form; not a hotch-potch thing like this.

The MINISTER FOR THE NORTH-WEST: So far this session, over 100 Bills have been introduced into this Chamber; and, according to members, less than 10 per cent. of them were correctly drafted. Those Bills have all required some alteration or amendment, and this measure should receive the same consideration. It would be a huge waste of money to appoint a select committee the members of which would have to travel throughout the State taking more evidence, duplicating the work that has already been done, and duplicating the information now held at the Native Affairs Department. So I think we should dismiss that question and proceed with the Bill. If it requires pruning, let us prune it by all means, but for Heaven's sake let us make some progress with these people, and do something for them, and set them on the right track! Why should we let them continue to go round with a chip on their shoulder and a grudge against the white people because they think, as one member said, that everybody's hand is against them?

Now we come to the question of publicity which has been given to this problem. Many people claim that is responsible for the present-day attitude of the natives. There is nothing that can do more good for a minority or a group of persons, such as these mixed castes, than good, clean, honest publicity. Some of the publicity to which members have taken exception is not good, honest, clean publicity but rather—I could call it—sensationalism. We heard Mr. Roche reading a paragraph from a paper and describing actions supposed to have been taken in Western Australia by pastoralists in their efforts to subdue the natives. That sort of publicity is absolutely untrue; it is real sensationalism.

Hon. C. W. D. Barker: Too silly for words!

The MINISTER FOR THE NORTH-WEST: I have spent a lot of time in the North-West and I have been on many stations. I have knocked around a lot with men who have lived with blacks, and I meet them all in my travels. As yet, I have never heard it suggested that such actions as Mr. Roche described take place. I certainly do not believe it and I would lay the blame for that type of publicity at the feet of the sensationalists who wrote the article. I think some inquiry should be made into those sorts of allegations, and we should ask the people who wrote those articles from where they got their information and ideas. They were shameful allegations to level against any of the pastoralists in our North-West.

Hon. G. Bennetts: I think the blackfellows themselves carry out certain operations.

The MINISTER FOR THE NORTH-WEST: The hon. member has no need to think that. It is their tribal custom.

Hon. L. Craig: And has been for thousands of years.

The MINISTER FOR THE NORTH-WEST: That sort of thing is practised at Turkey Creek every year. That is why I say that to bring the full-bloods under a measure and place them on the same level as the caste people is absolutely impracticable and impossible; it would not work. We realise that, and we are not running around and saying that they ought to be this, and they ought to be that. We

want to arrest the rapidly increasing number of caste people. We must do it if we do not wish to create a racial problem in this State.

Exception has been taken to the commissioner's engaging in certain publicity, and some members have said that he is taking too much liberty in that respect. I have read a lot of articles written by different people on this subject, and I certainly do not agree with them all. But there are parts of them with which I do agree. I do not blame the commissioner for indulging in a certain amount of publicity, which in my opinion it is very hard for him to avoid. He is requested to attend gatherings of people interested in this question, and he is asked to address them on these matters. He is a man who has had practically a lifetime of experience amongst the natives. He was in Papua for 20 years with natives there; and Papua, of course, is Australian territory, and the Papuans come under our jurisdiction. But in Papua all half-castes are normal citizens.

I do not agree wholly with Mr. Simpson when he admonishes the commissioner for perhaps indulging in a certain amount of Press publicity. If he has to address gatherings then there is bound to be some representative of the Press or somebody else there who is likely to report that the commissioner said or did this or that. There may be other aspects. I would not be prepared to say there have not been occasions when it was perhaps not very sound for him to have written in a particular strain in reply to correspondence.

Hon. C. W. D. Barker: One of his biggest jobs is to educate the public.

The MINISTER FOR THE NORTH-WEST: He is charged with the promotion of native welfare under the Act. That must be done from the correct angle; and one of the worst obstacles is, of course, public opinion. Accordingly, there had to be a change in public opinion, and a changed attitude towards the native, and I think that would be the line the commissioner would have taken when he set off to do welfare work. As I have explained, much publicity would evolve from that, but I am not going to say he has not been guilty of mistakes by entering into Press controversies, and perhaps saying things with which the Minister of the day, whoever he might be, might not agree. I do not think that any public servant should make statements without first referring the matter to his Minister, particularly if they are of a political nature. I agree entirely that that should be so. I was a little astonished to hear Mr. Simpson read a confidential report to the House and to hear him say that he had the authority of the Public Service Commissioner to do so.

Hon. C. H. Simpson: I had both that and the authority of my leader.

The MINISTER FOR THE NORTH-WEST: I am a little doubtful whether even the hon. member's leader was entitled to go so far, because the letter the hon. member read to us is dated the 19th February, 1953, if I heard the hon. member correctly. Of course, we know that the previous Government was defeated at that time. The 19th February was a Thursday. The Public Service Commissioner dated the letter on a Thursday, and the present Government took office on the following Monday, so members will see it is cutting things a little fine. The part that does astonish me is how it was kept so quiet.

Hon. C. H. Simpson: I explained that at the time.

The MINISTER FOR THE NORTH-WEST: Why was it not put in the Press, if it was the business of the Press to see whether or not this person was a native or perhaps some officer in the Native Affairs Department? Why let it die? If this legislation had not been brought down, nobody would have heard of it.

Hon. C. H. Simpson: I think that is obvious. There was no excitement at that time. We believed that the advice of the Public Service Commissioner would be taken, and we let it go at that.

The MINISTER FOR THE NORTH-WEST: I would be very much surprised if the present Minister controlling the department knew of its existence.

Hon. C. H. Simpson: The essential thing is that the public has a right to know the truth.

The MINISTER FOR THE NORTH-WEST: I agree with the hon. member entirely; but if he was so anxious to find out who these people were—with the object, of course, of discrediting the claim that the articles had been written by a native—why hold on to it till now? Why not put it in the paper at the time, when the publicity was fresh in people's minds?

Hon. C. H. Simpson: Not at the time; I think it had died down.

The MINISTER FOR THE NORTH-WEST: I think that is the action I would have taken. Because I was defeated by my electors, I do not think I would have been defeated in that purpose, particularly if it was my purpose at the time. I would certainly have completed the job, and there is no doubt about that. I am not at all sorry that the hon. member read the letter to us. I was very pleased to hear the contents of it, because I did have my suspicions; I do know one or two natives that could write in those terms. On the other hand, I know that one particular native does not write that sort of stuff; he is a school-teacher.

Hon. C. H. Simpson: I do not question that! But if he has, let him come before the public and proclaim himself, and we will respect him for it.

The MINISTER FOR THE NORTH-WEST: He is before the public all the time; he is teaching the public's children. He is all right. Those people are classed as natives. Very often we hear people say, "That fellow is a native; he is an abo.". But we do not hear them picking out Malayans, or Chinamen, because we know whether a man is a Malayan or a Chinaman.

Hon. H. S. W. Parker: They are very proud of the fact.

The MINISTER FOR THE NORTH-WEST: These people are not proud of being called natives.

Hon. H. S. W. Parker: Oh yes they are!

The MINISTER FOR THE NORTH-WEST: I know different to that, and the hon. member should get an opinion on it. I do not wish to labour this much further, or to go through the good and bad points of the legislation we have introduced; but I would ask the House to consider the Bill very seriously, and to remember that it can be amended in practically any way that is required.

Hon. Sir Charles Latham: I thought you were going to say in any way we liked.

The MINISTER FOR THE NORTH-WEST: The hon. member, of course, shall not be denied that right; he shall certainly be able to amend it, whichever way the Chamber likes.

Hon. Sir Charles Latham: I thought you were going to be generous.

The MINISTER FOR THE NORTH-WEST: That is generous. I am certain that, given the opportunity, this legislation will work.

Hon. Sir Charles Latham: There is nothing in it that is not already in the Act.

The MINISTER FOR THE NORTH-WEST: Then there is no harm in accepting it; we will have the new name, and the new definition, and everything will be all right. I am not asking the hon. member to accept it in its entirety. But let us make a start with this problem; let us get into Committee on it, and decide the best provisions that we think should be in the Bill.

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

Ayes	....	7
Noes	....	15
Majority against	....	8

Ayes.

Hon. C. W. D. Barker	Hon. F. R. H. Lavery
Hon. G. Bennetts	Hon. H. C. Strickland
Hon. E. M. Davies	Hon. R. J. Boylen
Hon. G. Fraser	*(Teller.)*

Noes.

Hon. L. C. Diver	Hon. J. Murray
Hon. H. Hearn	Hon. H. S. W. Parker
Hon. C. H. Henning	Hon. H. L. Roche
Hon. J. G. Hislop	Hon. C. H. Simpson
Hon. A. R. Jones	Hon. J. McI. Thomson
Hon. Sir Chas. Latham	Hon. H. K. Watson
Hon. L. A. Logan	Hon. A. F. Griffith
Hon. A. L. Loton	*(Teller.)*

Pairs.

Ayes.	Noes.
Hon. Sir Frank Gibson	Hon. J. Cunningham
Hon. E. M. Heenan	Hon. N. E. Baxter
Hon. L. Craig	Hon. F. R. Welsh

Question thus negatived.

Bill defeated.

BILL—FIREARMS AND GUNS ACT AMENDMENT.

Assembly's Message.

Message from the Assembly notifying that it had agreed to amendment No. 2 made by the Council and had disagreed to Nos. 1, 3, 4 and 5.

In Committee.

Hon. C. H. Simpson in the Chair; the Chief Secretary in charge of the Bill.

No. 1. Clause 2, page 2—Insert after the word "testing" in line 10, the word "it."

The CHAIRMAN: The Assembly's reason for disagreeing is—

> The insertion of the word "it" is not considered necessary. The clause as now printed is correct drafting.

No. 3. Clause 6, page 3—Delete the words "or six months' imprisonment with hard labour" in lines 26 and 27.

The CHAIRMAN: The Assembly's reason for disagreeing is—

> The provision for a six months' imprisonment penalty is desirable in the case of criminals carrying an unlicensed firearm, and would only be imposed in such cases or where the firearm was used for an illegal purpose. The fine is no penalty for wealthy criminals. It is not conceivable that a magistrate would impose the penalty of imprisonment in a straight out case of a person of good repute carrying an unlicensed firearm.

No. 4. Clause 6, page 3—Delete the words "or twelve months' imprisonment with hard labour" in lines 35 and 36.

The CHAIRMAN: The Assembly's reason for disagreeing is—

> The same objections are raised to the deletion of the 12 months' penalty in lines 35 and 36.

No. 5. New clause: Add a clause to stand as clause 9 as follows:—

> 9. This Act shall remain in force until the thirty-first day of December, one thousand nine hundred and fifty-four and no longer.

The CHAIRMAN: The Assembly's reason for disagreeing is—

> The present Act is generally giving satisfaction and it is considered to be unnecessary to have a provision made for its repeal after the 31st December, 1954. An amending Bill

could be introduced next session to effect any amendment considered necessary, such as some of the recommendations made by the select committee.

The CHIEF SECRETARY: I move—

That the foregoing amendments be not insisted on.

My information is that at least 90 per cent. of the Act, which has been in operation for a good many years, has worked satisfactorily and that there is no need to end it in 12 months' time. All that is needed is to make some minor amendments, which could be introduced next session.

Hon. Sir CHARLES LATHAM: If the Act has operated so successfully, why the necessity for introducing the amendments contained in this Bill? The select committee secured quite enough evidence to justify the decisions arrived at and the report is adequate warrant for our insisting upon the amendments.

The CHIEF SECRETARY: If we insist upon the amendments, I feel sure that the measure will not be proceeded with.

Hon. Sir Charles Latham: I am prepared to move, if the Chief Secretary likes, that we proceed no further with the Bill.

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

Ayes	6
Noes	16
Majority against	10

Ayes.

Hon. C. W. D. Barker	Hon. G. Fraser
Hon. G. Bennetts	Hon. H. C. Strickland
Hon. E. M. Davies	Hon. R. J. Boylen
	(Teller.)

Noes.

Hon. L. Craig	Hon. F. R. H. Lavery
Hon. L. C. Diver	Hon. L. A. Logan
Hon. Sir Frank Gibson	Hon. A. L. Loton
Hon. H. Hearn	Hon. J. Murray
Hon. C. H. Henning	Hon. H. S. W. Parker
Hon. J. G. Hislop	Hon. J. McI. Thomson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. Sir Chas. Latham	Hon. A. F. Griffith
	(Teller.)

Question thus negatived; the Council's amendments insisted on.

Resolution reported, the report adopted and a message accordingly returned to the Assembly.

BILL—AGRICULTURE PROTECTION BOARD ACT AMENDMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to the amendment made by the Council.

BILL—WESTERN AUSTRALIAN MARINE ACT AMENDMENT.

Returned from the Assembly without amendment.

BILL—STATE HOUSING ACT AMENDMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it had disagreed to the amendment made by the Council.

In Committee.

Hon. Sir Charles Latham in the Chair; the Chief Secretary in charge of the Bill.

The CHAIRMAN: The Council's amendment is as follows:—

Clause 2—Delete the word "nine" in line 18 and substitute the word "eight."

The CHAIRMAN: The Assembly's reason for disagreeing is—

The acquisition of land for housing purposes will always be necessary. A reduction from an unlimited period to two years (as was granted on the previous occasion the matter was before Parliament) was agreed to as a compromise following requests for an opportunity to review action taken. Uncertainty will be created by the shorter period of one year only, which could easily result in greater areas being resumed than otherwise, in view of the prospect of an early termination of other authority to acquire land.

The CHIEF SECRETARY: The amendment was to bring the term from two years to one year. I move—

That the amendment be not insisted on.

Hon. A. F. GRIFFITH: I think we should insist on the amendment. The State Housing Commission has a terrific area of land at present—some 40,000 blocks—in its possession; and if at the end of one year it finds there is necessity to ask for an extension, it can do so.

Hon. L. CRAIG: I do not think we should insist on the amendment, because there is a danger that the Housing Commission might acquire, for safety purposes, land which would otherwise be excluded. As the metropolitan area is at the beginning of a process of town planning, it is necessary that a couple of years be given so that planning may be completed in order that the Government may know what land it is necessary to acquire for various purposes.

Hon. A. F. GRIFFITH: The Act provides specifically for the resumption of land for State housing purposes. We have dealt with Bills this evening to provide for resumptions for other reasons. I repeat that the Housing Commission has enough land to cover its programme for the next 10 years.

The CHIEF SECRETARY: Another place has compromised a number of times in our favour, but so far we have not compromised on a single amendment. I ask the Committee to do so on this occasion.

Question put and passed; the Council's amendment not insisted on.

Resolution reported, the report adopted, and a message accordingly returned to the Assembly.

BILL—TOWN PLANNING AND DEVELOPMENT ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [12.55 a.m.] in moving the second reading said: This Bill seeks to amend the Town Planning and Development Act in certain phases and to make it more workable administratively. No amendments have been made to the Act since 1947, and a substantial proportion of the measure dates from 1928.

The principal Act charges the Minister for Works, or whichever Minister for the time being controls town planning, with being responsible for the administration of the Act. The Crown Law Department has advised that this definition is redundant in view of provisions in the Interpretation Act. That is in accordance with Crown Law advice on all legislation.

The Bill seeks to reduce the term of appointment of members of the Town Planning Board from three to two years. That is considered most advisable. The regional planning scheme will come into operation towards the end of the two-year term, and it is certain that further specific legislation will be needed to implement the scheme. It is possible that this may require a different type of administrative arrangement.

Provision is made in the Bill to indemnify the board members, in the event of any action being brought against them in the exercise of their powers, provided such exercise is done in good faith. The fact that this is not now in the principal Act is an omission which should be rectified.

The powers and functions of the board remain substantially the same, but all subdivisions of land now require to receive board approval, including those over half an acre in size. Provision is made for leases of land of over ten years' duration to receive board approval. At present, it is possible to evade the subdivisional requirements by a lease of land with options of renewal, or by subdivision without a survey of land of over half an acre in area.

The Bill seeks to allow the board to place a time limit of 12 months on approvals. At present, there are in existence approvals dating back to 1932 on which not even a survey of the land has yet been made. Provision is made in the Bill for a penalty of fifty pounds for infringement of any town planning scheme; at present, any penalty for such a breach has been included in the scheme itself and has been omitted on occasions.

Alterations are sought to the compensation provisions to exclude compensation in respect of the laying down of a zone of development. This has proved one of the difficulties in the New South Wales legislation, and is already provided for in the Victorian legislation. Compensation is also excluded in respect of car parking, loading, and unloading provisions, where a number of vehicles are attracted, such as in the case of a large factory in an industrial area, or in the case of a large office building with a number of workers, and also in the case of laying down a reasonable building line, although compensation would, of course, arise when any land was taken, or where a building line rendered a lot unusable.

Finally, and most important, are alterations to the First and Second Schedules which deal with matters which can be included in planning schemes and by-laws. At present, they are rather rigid and inflexible, and are unable to deal with the special circumstances which so often arise. For example, it is possible to lay down only one type of industrial zone at present, whereas it is obviously desirable, for instance, to separate the lighter industries from the heavier and to make different provisions for their siting. Resubdivisions of land by means of a scheme are also rendered more practicable, and road and density provisions rendered more flexible. I move—

That the Bill be now read a second time.

On motion by Hon. H. Hearn, debate adjourned.

BILL—TOWN PLANNING AND DEVELOPMENT (METROPOLITAN REGION INTERIM DEVELOPMENT POWERS).

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [12.58 a.m.] in moving the second reading said: As its title indicates, this Bill is of an "interim" or short term nature. It is designed to apply to the period which will elapse prior to the coming into effect of the metropolitan region planning scheme. The Bill should be read in conjunction with the Town Planning and Development Act in which the making of an overall regional planning scheme is not envisaged. I think most members will agree that such a scheme is necessary to the Perth and Fremantle region.

The metropolitan region includes nine municipal districts and 19 road districts —a total of 28 local authorities, including the whole of the metropolitan and Kwinana areas and extending to Wanneroo, Swan, Mundaring, Darling Range, Armadale-Kelmscott, Serpentine-Jarrahdale and Rockingham. At present, within this large area, only seven local authori-

ties have planning schemes for their complete area, although others have partial schemes and by-laws. The effect of this Bill would be to place all those authorities on the same basis in so far as control of development is concerned.

It is proposed that the measure will expire at the end of 1955, although it is hoped to break the back of the scheme in 1954. The preparation of the scheme is onerous, and the Bill provides that it shall be submitted to the Minister for Town Planning by the Town Planning Commissioner. The scheme will be prepared in the regional planning office with the advice and direction of Professor Gordon Stephenson, the town planning consultant appointed by the Government for the purpose. As members will have read in the Press, Professor Stephenson is returning to Perth early next month and will stay for six months, instead of three months then and three months in 1955 as originally proposed.

The Bill proposes that, after submission to the Minister, the scheme must be approved by Parliament before it comes into operation. Every local authority in the region and all departments affected and other bodies, persons or organisations likely to be affected, must be consulted by the commissioner and their views fully considered prior to the completion of the scheme.

It is clear that during the period of 12 to 18 months while the scheme is being prepared, much development could take place without any form of control other than that exercisable by building by-laws. Some of this could seriously prejudice proposals being formulated in the regional planning scheme before the proposals could be implemented, and perhaps make them impossible to bring about.

Members will realise that major proposals of this nature, such as the line of a new arterial road, the location and size of new industrial areas, and the proper location of new housing areas are not decided in a day, but are produced as a result of extensive investigations and a patient analysis of the results of the investigations, together with close consultation with all persons or bodies concerned.

It is obviously wrong that such proposals as part of a regional scheme should be upset because certain development is allowed to take place without regard being had to the intentions of the regional scheme. At present, there are large parts of the region where development can take place without any form of control other than that exercisable under the building by-laws or the health by-laws. Those authorities with existing town-planning schemes or by-laws are more fortunate, but even then their control is limited.

The Bill, therefore, seeks to give each local authority in the region power to consider applications for "development" from a planning point of view, whether they have a planning scheme of their own or not. The term "development" includes all types of building, engineering and mining works and changes of use of land and buildings, other than those existing at the time of coming into operation of this Act. This would put local authorities in the position of being able to prepare a planning scheme themselves as part of the regional planning scheme, and make decisions with that end in view.

It is obvious that there must be a close liaison between the local authorities and the regional planning office during the interim period. It will be possible, as the planning scheme takes shape, to free certain types of development, or development in certain areas from the requirements of this Act, and it is the intention to free as much as possible and as soon as possible, without prejudicing the regional scheme. This can be done at any time by means of an "interim development order" made by the Minister.

In order that the regional planning office can keep in close touch with major developments and particularly those likely to have the most prejudicial effect on the regional scheme, certain types of development or development in certain areas can be required to be referred to the regional planning office by the local authority, for consideration in relation to the plan and to see whether they conflict with the proposals. These will mainly be developments of a special character, such as industries, shopping centres, commercial uses or noxious trades.

This can be done by means of an "interim development order" made by the Minister on the recommendation of the regional planning office. The object will be to keep such references to a minimum. If the local authority, on its own account or on the advice of the regional planning office, refuses an application or approves it subject to conditions, there is a right of appeal to the Minister in charge of town planning. Government departments and local authorities are also required to consult with the regional planning office in connection with their own works within the region.

Power is given in the Bill to resume land for purposes connected with the regional plan, where necessary, and local authorities are also given similar powers of resumption and borrowing to that contained in the present Town Planning Act, whether they have a planning scheme of their own or not. Members will understand that it will not be possible to complete a major planning scheme of this nature without sufficient funds. The Government

has already committed itself in this respect by engaging one of the best consultant planners possible and has engaged further qualified staff.

However, other items of expenditure are inevitable in obtaining the very full information necessary for this purpose, and also for payment of any compensation which may arise under this Act, payments in connection with resumption of land for planning purposes and payments in respect of cases of hardship. It is, therefore, proposed to levy a rate in the region to cover the major part of this expenditure. This only amounts to 1d. in the £ on net annual value and ¼d. on unimproved capital value per annum. These rates are of equal incidence and will produce approximately £23,000. This will be placed in a metropolitan region planning fund under the control of the Minister.

Other provisions of the Act enable a local authority—with ministerial approval —or the Minister, to revoke a decision made under this Act, where he is satisfied that it is right to do so, and provided that the development is not commenced. This may involve payment of compensation. A local authority may still make a town planning scheme of its own under the Town Planning and Development Act, but it is no longer possible in the region to make town planning by-laws and any existing by-laws take on the status of town-planning schemes.

In the event of a breach of this measure, a maximum penalty of £50 may be imposed, and a local authority has also a right to take action itself to remove development as it has in the present Town Planning Act. In conclusion, I would point out that interim development legislation of this nature is not new. It is a most necessary adjunct to the preparation of a planning scheme, and in various similar forms has been used in other capital cities in Australia and overseas. I move—

That the Bill be now read a second time.

On motion by Hon. H. Hearn, debate adjourned.

BILL—LICENSING ACT AMENDMENT (No. 1).

Received from the Assembly and read a first time.

BILL—LOAN, £17,850,000.

In Committee.

Hon. E. M. Davies in the Chair; the Chief Secretary in charge of the Bill.

Clauses 1 to 6—agreed to.

First Schedule:

The CHIEF SECRETARY: Certain inquiries were made by several members during the debate on the second reading, and I postponed the Committee stage in order that I might obtain the information necessary to enable me to reply to them. Unfortunately, however, that information has not come to hand, and I wish to apologise to those members who raised the queries.

Hon. A. L. Loton: We will accept your apology.

First Schedule put and passed.

Second and Third Schedules, Preamble, Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [1.12 a.m.]: I move—

That the Bill be now read a third time.

HON. SIR CHARLES LATHAM (Central) [1.13 a.m.]: This is the first time, since I have been a member of Parliament, that the Loan Bill has been passed in this House without the Loan Estimates having been debated in another place. That is a most extraordinary way for the Legislative Assembly to conduct its business. It is a most unusual procedure to adopt and it is quite wrong.

THE CHIEF SECRETARY (Hon. G. Fraser—West—in reply) [1.14 a.m.]: I am sorry that some other member did not seek the adjournment of the debate so that an opportunity might be given to those in another place to complete the discussion on the Loan Estimates.

Question put and passed.

Bill read a third time and *passed.*

BILL—GOVERNMENT EMPLOYEES (PROMOTIONS APPEAL BOARD) ACT AMENDMENT (No. 2).

Second Reading.

Debate resumed from the 15th December.

HON. C. H. SIMPSON (Midland) [1.15 a.m.]: This Bill seeks to bring under the provisions of the Government Employees (Promotions Appeal Board) Act the permanent firemen. That is quite in order. They have the same rights of inclusion as permanent employees who now come under the provisions of the Act.

The second portion of the Bill alters the seniority provision of the teachers of the Education Department. I also agree

with that. A year ago the ordinary method of promotion were altered to give seniority on certain grounds, and to give consideration to salary and length of service rather than merit. Owing to varying conditions in the service, such as teachers of correspondence courses, teachers of visual education and other sections of the department's activities, some of the teachers felt it was rather difficult to assess seniority where the question of salary and merit could not be properly assessed, because some were denied the opportunity of taking jobs and advancing in the service.

So last year they laid down that seniority should be based on salary and, where the salaries were equal, then length of service should be the determining factor. Under this amendment, they have gone completely back to the other method of promotion which makes merit the primary consideration. I entirely agree with that, and have much pleasure in supporting the measure.

A Bill was before this House recently relating to tramway men. We eliminated a provision which would have denied the tribunal the opportunity of considering previous service; that is, the qualifications of the applicant on the score of merit. This was returned to us by the Assembly which disagreed to our amendment and insisted on the original provisions; yet in the Bill before us the same sort of thing is embodied to which it took exception in the tramway Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment and the report adopted.

Bill read a third time and *passed*.

BILL—GOVERNMENT EMPLOYEES (PROMOTIONS APPEAL BOARD) ACT AMENDMENT (No. 1).

Assembly's Message.

Message from the Assembly received and read notifying that it had disagreed to the amendment made by the Council.

In Committee.

Hon. Sir Charles Latham in the Chair; the Chief Secretary in charge of the Bill.

Clause 3—Delete.

The CHAIRMAN: The Assembly's reasons for disagreeing are—

1. That the amendment is necessary in order to preserve the intention of the original Act.

2. The method now adopted by many departments is considered to be unfair.

3. The request for the amendment is almost universal among unions in all Government departments.

The CHIEF SECRETARY: I move—

That the amendment be not insisted on.

Hon. C. H. SIMPSON: I hope the Committee will insist on the amendment. The Tramway Union did not have the right of appeal, so a Bill was passed which brought tramwaymen under the provisions of the promotions appeal board Act. That was a distinct step forward. In addition, the Bill presented to us laid down that certain of the conditions that the tribunal was not to consider included service in an acting capacity; that is to say, the tribunal was not allowed to have all the evidence before it to determine the merits of one applicant against another.

Not only was that unfair in itself, but it would have amended the provisions of the Act to cover every member in the services who comes within the scope of the promotions appeal board Act. This is surprising in face of the reasons set down in regard to another Bill amended by this House, with which amendment the Assembly disagreed. In another Bill we have just dealt with—the promotions appeal board Act amendment Bill (No. 2)—the right of merit and entitlement is restored and recognised. I hope the Chief Secretary's motion will not be accepted.

Hon. H. HEARN: I hope the Committee will insist on this amendment. We went into this position very thoroughly. As Mr. Simpson said, it involved lengthy debate before a vote was taken.

Question put and negatived; the Council's amendment insisted on.

Resolution reported, the report adopted and a message accordingly returned to the Assembly.

BILL—BULK HANDLING ACT AMENDMENT (No. 1).

In Committee.

Hon. Sir Charles Latham in the Chair; the Minister for the North-West in charge of the Bill.

Clause 1—agreed to.

Clause 2—Long title amended:

The MINISTER FOR THE NORTH-WEST: The Committee stage was deferred in order to enable a Crown Law ruling to be obtained as to whether oat and barley producers contributing voluntarily to the co-operative bulk handling scheme would have a vote. I have secured that ruling, which is as follows:—

Section 27F provides that Section 26A of the principal Act will apply as though barley and oats delivered

were wheat. Section 26A (5) provides that where a grower is credited with tolls exceeding £1 he shall be entitled to a £1 share in the company. It doesn't matter whether the tolls are in respect to wheat, barley or oats.

In effect, this means that oat and barley growers will be on the same basis as wheatgrowers. But, as Sir Charles Latham pointed out, there are not a great number of oat and barley producers as compared with wheatgrowers. I secured some figures in this connection, dealing with the deliveries to Co-operative Bulk Handling Ltd. of the respective grains in 1952-53 and the number of growers. Those figures are as follows: —

Grain.		Bushels.	Growers.
Wheat	....	31,695,251	10,000
Oats	....	3,177,684	2,700
Barley	....	1,081,651	750

Some of the wheatgrowers would also be oat producers. Those figures illustrate that the voting power of the oat and barley producers in comparison with the wheatgrowers is not very great.

Hon. A. L. LOTON: I thank the Minister for supplying that information. On the figures given, the oat and barley growers are in a higher ratio than the wheatgrowers. The Minister has not stated how C.B.H. looks on this matter since he has had that ruling. The best thing to do would appear to be to pass the legislation and, if it is not satisfactory, to amend it next year.

Clause put and passed.

Clause 3, Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

Bill read a third time and *passed.*

BILL—ROAD CLOSURE.

Second Reading.

Debate resumed from an earlier stage of the sitting.

The MINISTER FOR THE NORTH-WEST: I rise to a point of explanation. After I had moved the second reading of this Bill, Dr. Hislop asked that the debate be adjourned until a later stage so that he could have a look through some of the plans. I do not know whether the hon. member has done so.

Hon. Sir Charles Latham: Dr. Hislop had a look at the plans and agreed that they were all right.

Question put and passed.

Bill read a second time.

In Committee.

Hon. E. M. Davies in the Chair; the Minister for the North-West in charge of the Bill.

Clauses 1 to 8—agreed to.

Clause 9—Closure of portion of Woodstock-st., Mt. Hawthorn:

Hon. J. G. HISLOP: I asked the permission of the Minister to have a look at the plan dealing with this closure, and I find that it is quite in order. The closure arises from land having been resumed on the opposite side of Woodstock-st. Later, land comprising the intervening portion of Woodstock-st. was resumed, and this runs between two portions of the school at Mt. Hawthorn, and the closure of that portion is now sought.

The only comment I would like to make on the matter is that this school must continue to grow and, if there is any further land that could be resumed in the area, resumption should take place now. We have a tendency in this State to start off our schools in areas that are too small; then we have to resume land, and we find that we have large schools with no playing grounds. I have been struck with the fact that a Government school like the Claremont High School has nothing but a gravelled area in which the children can play. But as one goes along Stirling Highway one sees enormous playing areas for children attending private schools. That illustrates the need for some provision being made for sufficient areas of land to be set aside for schools in the future.

Clause put and passed.

Clauses 10 to 16, Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

Bill read a third time and *passed.*

BILL—PARLIAMENTARY SUPERANNUATION ACT AMENDMENT.

In Committee.

Hon. W. R. Hall in the Chair; the Chief Secretary in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Section 11 amended:

The CHIEF SECRETARY: One or two members require some information in connection with this clause, and I have that information now. Mr. Loton asked how many persons would be affected by the proposed additional payments. The answer is that at present, seven persons, that is, ex-members or widows of deceased members, will immediately receive the proposed increase in benefits. In addition, there are 11 ex-members and widows who are at present exhausting the lump sum benefit paid in respect of the amount to which the ex-member was entitled from the repealed Members of Parliament Fund, and they will receive the increase when they actually commence to draw pensions.

The hon. member also asked whether the Government's contribution to the fund was of the nature of a book entry or whether the increases would be paid from members' contributions.

The position is that the amount payable by the State is a direct payment from the Consolidated Revenue Fund to the Parliamentary Superannuation Fund and involves the amount provided in the Act, viz., £4,160 per annum. From accumulated funds made up of members' contributions and the State contribution all benefits due to ex-members or their dependants are made.

In reply to Mr. Craig's suggestion, I can report that the question of lump sum payments in lieu of weekly pension instalments has been considered; but in view of the lack of time in the present session to promote a concrete proposal on those lines, the Premier has advised that further improvements to the scheme generally will be considered next year.

Hon. A. L. Loton: Is the amount from the Treasury paid into the fund?

The CHIEF SECRETARY: Yes.

Clause put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

Bill read a third time and *passed.*

BILL—LICENSING ACT AMENDMENT (No. 2).

Returned from the Assembly without amendment.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Assembly's Request for Conference.

Message from the Assembly received and read requesting a conference on the amendments insisted on by the Council, and notifying that at such conference the Assembly would be represented by three managers.

The CHIEF SECRETARY: I move—

> That the Assembly's request for a conference be agreed to, that the managers for the Council be Hon. H. Hearn, Hon. L. A. Logan and the Minister for the North-West, and that the conference be held in the room of the Chairman of Committees, Legislative Assembly, at 10 a.m. today.

Question put and passed, and a message accordingly returned to the Assembly.

Sitting suspended from 1.55 a.m. to 11.20 p.m., (Friday).

Friday, 18th December, 1953.

CONTENTS.

The PRESIDENT resumed the Chair at 11.20 p.m.

BILL—RENTS AND TENANCIES EMERGENCY PROVISIONS ACT AMENDMENT.

Conference Managers' Report.

The CHIEF SECRETARY: I beg to report that the conference managers met in conference on the Bill and reached the following agreement:—

> No. 1. Deletion of Clause 2 agreed to.
>
> Substitute a new clause to stand as Clause 2 as follows:—
>
> > 2. Section 11 of the principal Act is amended (a) by adding after the word, "term" in line 2 of subsection (1) the words "subject to the provisions of Section