The MINISTER FOR TRANSPORT: Either that or the matter comes to Parliament.

Clause put and passed.

Clause 13, Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

Bill read a third time and transmitted to the Council.

ADJOURNMENT—SPECIAL.

THE PREMIER (Hon. A. R. G. Hawke—Northam): I move—

That the House at its rising adjourn till 11 a.m. today.

Question put and passed.

House adjourned at 12.38 a.m. (Wednesday).

Legislative Council

Wednesday, 19th December, 1956.

CONTENTS.

The PRESIDENT took the Chair at 2.15 p.m., and read prayers.

LEAVE OF ABSENCE.

On motion by Hon. J. Murray, leave of absence for six consecutive sittings granted to Hon. A. F. Griffith (Suburban) on the ground of private business.

MOTION—LAND TAX AND VERMIN RATE.

Report on Working of Laws.

HON. H. K. WATSON (Metropolitan) [2.17]: I move—

That in the opinion of this House, there should be presented to Parliament as soon as possible in the next session a report by the State Commissioner of Taxation on the working of the laws relating to land tax and vermin rate from the 1st July, 1948, to the 30th June, 1956.

The motion speaks for itself and requires little exposition on my part. As I explained earlier in the week, it was customary from 1907 to 1943 for the Commissioner of Taxation to present an annual report to Parliament on the working of the land tax law. The explanation for the report not having been tabled in this House since the 21st September, 1943, when the 34th annual report was submitted, was that with the pegging of land values during the war the necessity for an annual report disappeared.

Whatever merit that explanation might have had in respect of the period 1939 to 1948, it is no valid excuse for the succeeding year, particularly as there is a wealth of information in the hands of the commissioner relating to statistics on land tax and vermin rate, which information should be placed before this House.

It will be observed that I have not called for an immediate report. It can be prepared at leisure. I submit that the report should be prepared along the same lines as those which have been tabled in this House for 30 years, to be supplemented by statistics supplied by the local office, in a like manner to the statistics which were prepared by the local office for the purpose of Federal land tax. If anyone cares to read the report of the Federal Commissioner of Taxation it will be seen that in respect of Western Australia, particulars are available as to the classification of the land assessed by the industry of the taxpayers and the location of that land.

For example, in respect of Western Australia, it shows the area of country land; the area of city land; the unimproved value, as assessed, of capital city land, urban land and country land; and also the net tax assessed in respect of each class. It still further subdivides the various assessments into the industries—primary production, mining, manufacturing, building, transport, wholesale and retail trading, banking, insurance and so on.

The information is there and is—or ought to be—readily available in the hands of the Taxation Department; and in view of the very serious fluctuations and variations which have occurred in respect of land tax valuations since 1948, I feel that when the House meets again it is entitled

to have a report from the commissioner on the working of the laws in relation to land tax.

I have also included in the motion a reference to vermin rates because some properties—having regard to the fact that many agricultural properties have for many years been exempt from land tax—have been liable to vermin rates which, in turn, have been based on unimproved values; and if we had the report on the working of that Act, we would have some idea of the extent to which country valuations have fluctuated during the period.

On motion by the Chief Secretary, debate adjourned till a later stage of the sitting.

(Continued on page 3610.)

BILL—GOVERNMENT EMPLOYEES (PROMOTIONS APPEAL BOARD) ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [2.26] in moving the second reading said: This Bill is brought down as a result of discussions with and representations from the Trades Union Industrial Council and the State School Teachers' Union. Section 5 (1) of the parent Act states:—

> where the terms and conditions of employment appertaining to such vacancy or new office are or will be regulated by the provisions of an award or industrial agreement in force under the Industrial Arbitration Act, 1912-1941, only those employee applicants who, when they make application for appointment to or employment in such vacancy or new office, are members of an industrial union which is a party to such an award or industrial agreement shall have the right of appeal under this section unless the Governor declares upon special grounds that this paragraph does not apply in respect of the vacancy or the new office.

The Bill provides that if no application is received from an employee applicant referred to in paragraph (b) for appointment to or employment in the vacancy or new office the right of appeal may be exercised by any applicant who was employed in the department in which the vacancy occurs or the new office is created.

Take as an illustration the Tramway Officers' Union and Tramway Employees' Union. If there is a vacancy for any post over which the Tramway Officers' Union has industrial jurisdiction, and a person who is a member of the Tramways Employees' Union applies for the position, it is not competent for him to appeal against the appointment of a tramways officer.

The purpose of the amendment is that in such a case, where no application is received from a tramway officer, and a wages employee is appointed to the salaried position, the unsuccessful applicants, who are wages employees, shall have the right of appeal. The Government considers the field of appeals should be extended wherever it is deemed reasonable and practicable. It is considered this amendment will make for harmonious working, and will assure to unsuccessful applicants, in certain cases, that they will have the right of appeal to an independent tribunal.

The other two proposals in the Bill refer exclusively to the teaching profession and have been introduced after discussions with the School Teachers' Union. They are in accord with the provision which sets out the exclusions in regard to the position which are appealable, and in connection with which an extension of the definition of seniority has been asked for by the union, and agreed to by the department.

When the parent Act was introduced in 1945, it was based on the principle that those positions which are generally regarded as high executive positions, should be excluded from its operations. The positions in respect of which there shall be no appeal have been enumerated in the Bill rather than those positions which would carry the right of appeal.

In the Bill there is mention of the vice-principals of the Teachers' Training Colleges at Graylands and Claremont. These are the only two teachers' training colleges in operation today; but if, as it is hoped will eventually be the case, one were established at Crawley, the question would arise as to whether the vice-principals there would be subject to the appeal board. However, the colleges at Claremont and Graylands are the only two that are in operation and that are likely to be for some time.

The School Teachers' Union was invited to produce, if it could, some practicable scheme whereby the scope of appeals could be widened without creating disorder and chaos in the Education Department. If the union can do this, consideration will be given to the representations that it makes. The union, however, realises that this represents the best that can be expected. It does not desire to depart from what is generally regarded as the justiciable salary, but rather the setting up of particular positions in the teaching profession in regard to which no appeal can be lodged, thus stabilising the positions in regard to which appeals can be lodged. 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 3538.)

BILL—RESERVES.

Second Reading.

THE MINISTER FOR RAILWAYS (Hon. H. C. Strickland—North) [2.30] in moving the second reading said: The reserves dealt with in this Bill are as follows:—

Reserve No. A. 8485 at Busselton: Class "A" Reserve No. 8485 at Busselton facing Geographe Bay is set apart for the purpose of camping, park and recreation and is vested in the Busselton Road Board in trust for those purposes. The board agreed to make portion of the reserve available as a site for the sea scouts' building and to provide suitable road access. The proposed reserve for the sea scouts has been surveyed as Busselton Lot 340, of 30 9/10th perches, and the proposed road has been surveyed and will involve excision of 1 acre and 15 6/10th perches from the reserve, making the total excision 1 acre, 1 rood 6½ perches.

Class "A" Reserve, No. 12919, at Hamelin Bay: The reserve was originally set apart as a rifle range, but in 1933, the Commonwealth of Australia discontinued their use of this reserve. In 1948, the purpose of the reserve was changed to "camping" and it was placed under the control of the National Parks Board of Western Australia. The Commonwealth authorities now desire to re-establish the rifle range and the National Parks Board has no power to release the reserve for this purpose. It is proposed to cancel the reserve with the intention of declaring a new reserve for the purpose of a rifle range, to permit the desired lease being granted.

Reserve No. 1667 at Dalkeith: Negotiations have been carried out between the Chief Secretary's Department and the Municipality of Nedlands regarding the future development of a reserve for public gardens and parks on land at present forming portion of the Sunset Home for aged men at Dalkeith. The portion referred to is isolated from the main portion of the reserve which is occupied by the home and is not likely to be required for extension purposes. The Municipality of Nedlands is prepared to accept a vesting order for the proposed new reserve and will undertake its development as public gardens and park. It is intended that the new reserve will be classified as of Class "A."

Reserve No. 11343 at Perillup: This refers to a school site which is required for the Denbarker area and a suitable site has been located within "A" class reserve No. 11343, at Perillup, which is at present set apart for the purpose of a stopping place. A road has been constructed down the eastern side of the reserve and it is desired that a public road two chains wide be provided to include the existing formation. These proposals involve an excision of a total of 26 acres, being 10 acres for the school site and 16 acres for the road. As the reserve has an area of 321 acres, there will be a balance of 295 acres, which will be ample for the purpose of the reserve.

Reserve No. A12391 at Subiaco: This comprises Perth suburban Lot No. 473 of 1 rood 12½ perches and is situated at Hay-st., Subiaco, adjacent to the Princess Margaret Hospital for Children. It was created by the operation of Act No. 27 of 1909, classified as of Class "A" and dedicated for the purpose of a church site for the Seventh Day Adventists. A substantial stone church was erected on the site which has been in use for many years, but is now considered too small and badly placed for the purpose. The improvements have been sold to the Princess Margaret Hospital for Children (Inc.) for a consideration of £8,550 and the Western Australian Conference of Seventh Day Adventists (Inc.) has surrendered to Her Majesty the 999 years' lease over the land. It is necessary to cancel the Class "A" reserve so that the land can be reserved for hospital purposes and granted to the Princess Margaret Hospital for Children in trust for those purposes.

Reserve No. 9249 at Claremont: In 1904, Swan Location 2032 was excised from Class "A" Reserve 4228 and dedicated for the purpose of water supply as Reserve No. 9249. The reserve is no longer required for the purpose of water supply with the exception of a small area now surveyed as Swan Location 5850, and it is desired to reserve the balance of the land for the original purpose of recreation. The Municipality of Claremont is desirous of including this reserve in the Lake Claremont reclamation and beautification scheme.

Reserve No. 11785 at Leonora: In 1909, the land comprised in this reserve, Leonora Lot No. 847, was leased to certain trustees of the Gwalia branch of the Federated Miners' Union for a term of 999 years in trust for the purpose of a hall site for the union. A hall was erected on this lot by the union, and the Australian Workers' Union, Western Australian Branch, which has absorbed the Federated Miners' Union, desires to sell the hall. The original trustees are deceased and a surrender of the lease cannot be effected. On cancellation of the reserve and lease, it is intended to call applications for the leasing of the lot for a term of 99 years subject to payment for improvements, and to remit the value of the improvements so received to the Australian Workers' Union, Western Australian Branch.

Reserve No. A4991 at Bunbury: The Public Works Department has advised that portion of Class "A" Reserve No. 4991 at Bunbury, situated northward of the prolongation westward of the northern alignment of Rose-st., will be required for future public works. The Municipality of Bunbury desires to relinquish its control of this portion of the reserve. When the

excision of the area from Reserve No. A4991 has been completed, it is intended to reserve the land for Government requirements.

Class "A" Reserves 13012, 23123 and 23124 at Perth: These reserves are dealt with in the next three clauses. It is proposed to utilise Perth Lots 478, 757 and 758 for the establishment of vehicle parks close to the city block and to place such parks under the control of the City of Perth. To give effect to this action, it is necessary to excise Perth Lot 478 from Class "A" Reserve No. 13012 and to change the purpose of Class "A" Reserve No. 23123 to vehicle park and gardens. It is also necessary to change the purpose of Class "A" Reserve No. 23124 which is at present vested in the National Parks Board of Western Australia, but such change will not be effected until a date to be fixed by proclamation. The proposals are in harmony with the Stephenson-Hepburn plan for the metropolitan area.

Reserve No. 8002 at Claremont: The Municipality of Claremont has requested authority to sell the northern portion of the Claremont Oval reserve in order to devote the proceeds to improvements on the oval. The portion of the reserve desired to be sold is not needed for any oval extensions. The usual plans accompany these notes and the Leader of the Opposition has been provided with a copy. My copy is available to any member who may be interested in it. I move—

That the Bill be now read a second time.

HON. C. H. SIMPSON (Midland) [2.40]: I have no desire to delay the passage of this measure but feel that it should be held over for a little while to give members an opportunity to examine the various areas affected by it. This is the usual Bill brought down at this stage of the session and it is generally treated as a matter of form; but I think the Minister will agree that members should be given time to inspect it, in case there are some areas in regard to which they desire further information. With those reservations I support the Bill.

On motion by the Chief Secretary, debate adjourned till a later stage of the sitting.

BILL—LAND AND INCOME TAX ASSESSMENT ACT AMENDMENT.

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 9 amended:

Hon. H. K. WATSON: I move an amendment—

That paragraph (a), in line 30, page 2, be struck out.

(Continued on page 3519.)

The provision in Section 9 of the Act has, ever since the commencement of the legislation, granted a 50 per cent. rebate in tax if the land is improved. I cannot see any reason why that rebate should be waived now.

The CHIEF SECRETARY: I hope the Committee will not agree to the amendment. The Bill seeks to bring about a new method of assessing land tax. What will actually happen is that a special rate will be fixed for improved land and a surcharge of 1d. will be added to the tax on unimproved land. To adopt that principle the section in the Act relating to the rebate is unnecessary and should therefore be deleted.

Hon. H. K. WATSON: The position is not as simple as the Chief Secretary makes out. The manner in which we deal with the taxing Bill will depend largely on the contents of the assessment legislation as it leaves the Committee. It is neither fair nor reasonable to assume that the taxing measure will remain as it is if this amendment is carried. The provision contained in the two Bills is supposed to do away with the 50 per cent. rebate on improved land and in future the tax on unimproved land will be at a fixed rate shown in the taxing measure with an extra charge of 1d. to be made on unimproved land.

There is no necessity to depart from the principle established. We can still increase the tax, but we can also observe the principle that the rate can be struck on unimproved land and whatever rate is in the taxing measure shall be one-half to represent the rate in respect of improved land. The method proposed in the taxing measure is not only complicated but also is unfair because it removes much of the incentive to improve land and to obtain a reward for the improvement of land.

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

Ayes	11
Noes	12
Majority against	1

Ayes.

Hon. N. E. Baxter	Hon. C. H. Simpson
Hon. J. G. Hislop	Hon. J. M. Thomson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. G. C. MacKinnon	Hon. F. D. Willmott
Hon. R. C. Mattiske	Hon. J. Cunningham
Hon. J. Murray	*(Teller.)*

Noes.

Hon. G. Bennetts	Hon. F. R. H. Lavery
Hon. L. C. Diver	Hon. H. C. Strickland
Hon. G. Fraser	Hon. J. D. Teahan
Hon. R. F. Hutchison	Hon. W. F. Willesee
Hon. G. E. Jeffery	Hon. F. J. S. Wise
Hon. Sir Chas. Latham	Hon. E. M. Davies
	(Teller.)

Pairs.

Ayes.	Noes.
Hon. A. F. Griffith	Hon. J. J. Garrigan
Hon. L. A. Logan	Hon. E. M. Heenan

Amendment thus negatived.

Hon. H. K. WATSON: I move an amendment—

That paragraph (c) in line 4, page 3, be struck out.

The provisions in the existing Act are designed to give a farmer, who has effected improvements on one block but has made no improvements on another, the opportunity to average out his rate of tax, but the Bill is designed to deny him that benefit.

The CHIEF SECRETARY: I have no objection to this amendment.

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

Clause 6—Section 10, amended:

Hon. H. K. WATSON: I move an amendment—

That before the word "and" in line 9, page 3, the following paragraphs be inserted:—

(b) by inserting after the word "to" in line 13 of paragraph (c) of Subsection (1) the following words "or held in trust for the benefit of."

(c) by omitting the words "and occupied or held only for the purposes of such body" in lines 14 and 15 of paragraph (c) of Subsection (1).

I feel that the adviser of the department and the Minister's advisers in connection with this matter in bringing down such a drastic Bill could well have considered the complete revision of the exemption section of Subsection (10). As it stands at the moment, the exemptions are very limited indeed and do not contain anything like the exemptions which were in the Commonwealth Act and which are in the New South Wales Act. Whilst in the past many religious, charitable and non-profit-making organisations have not been exempt from State land tax, they have been able to bear it because of its comparative lightness. I feel that, on account of the severity of the tax now being imposed, they should be granted complete exemption, as is the case under the New South Wales Act, and as they were for many years under the Federal Act.

Virtually no attempt has been made to remove what I consider anomalies, weaknesses and shortcomings in Section 10 of the Act. I have placed a couple of amendments on the notice paper to which I hope the Committee will agree, although they do not go as far as the Commonwealth Act did or as the New South Wales Act does. I ask the Committee to agree to the amendment, which includes any lands held in trust for a religious body. For all practical purposes it is the same as the parent Act, but there is a technical difference which this will overcome.

The CHIEF SECRETARY: Paragraph (b) is only an extension of the present Act, and I have no objection to that. Paragraph (c) proposes to exempt all lands held by religious bodies irrespective of their use. I am quite prepared to cooperate fully and agree to both paragraphs (b) and (c); but I do not want my attitude regarding (c) misrepresented, as I do not know what the hon. member might want to do later on in regard to the proviso which takes out of the taxable field land which is a source of private gain.

Hon. H. K. WATSON: I understand the Chief Secretary's attitude and that later on we will have a discussion on the proviso. The proviso will give effect to what the Treasurer says he intends to do —give relief to churches and non-profit organisations.

Amendment put and passed.

Hon. H. K. WATSON: I move an amendment—

That the following be inserted to stand as paragraph (d):—

by repealing the proviso to paragraph (c) of Subsection (1).

At the moment the Western Australian Act exempts lands the property of and belonging to a religious body, subject to the proviso that the exemption disappears if the land is a source of profit or gain to the users. In other words, any rent-producing property of a church is not exempt under the Act and has not been exempt; but as I have said, the land tax for which it has been liable has been comparatively small.

Under the Federal Land Tax Act and the New South Wales Land Tax Act all properties belonging to religious bodies are unconditionally exempt. There is no such proviso as this in either of those Acts. When we compare what a church property will pay today with what it will pay under State and Federal taxation, we find that the illustraion given by the Chief Secretary yesterday is not a correct one, because no rent-producing church property has ever been subject to Federal land tax. Now these rates are being brought up to the Federal rates, all church property should be exempt from land tax in Western Australia. That is only fair because the whole of their revenues are employed in religious and charitable work. This has been the basis of the exemption under the Federal and the New South Wales Acts, and I suggest that henceforth it should be the basis of exemption under the Western Australian Act.

The CHIEF SECRETARY: I hope the Committee will not agree to the amendment. By doing so, we would be making a departure and doing something that has never been done previously in the State.

Hon. H. K. Watson: You have made a lot of departures. You have just skittled the 50 per cent. rebate.

The CHIEF SECRETARY: That was going the opposite way to what the hon. member wants to go now. Because this has not been done, I do not say it should not be done; but to do it at present would be very serious from the point of view of the State. This will exempt property no matter what profits are made from it by religious bodies.

Hon. H. K. Watson: That has always been the position under the Federal land tax.

The CHIEF SECRETARY: Apart from that, it would allow people occupying premises owned by a church to have an advantage over people occupying property not owned by a church.

Hon. Sir Charles Latham: Are you talking of business premises?

The CHIEF SECRETARY: Yes.

Hon. H. K. Watson: That is nonsense.

The CHIEF SECRETARY: In the city of Perth, a picture theatre is conducted in a property owned by a church, and about 50 yards away another picture theatre is run in a property not owned by a church. I say the proprietors of the theatre occupying church property have an advantage over the others. I think the State is being generous by limiting the rate to 3d. in the £ for all church property.

Hon. Sir Charles Latham: Is that irrespective of value?

The CHIEF SECRETARY: Yes. I do not dispute that any profit derived from church property goes to a good purpose. Who will pay the tax? I guarantee it will not be the churches but the people renting their property. Whether members do or do not agree to the amendment, the churches in the long run will not be the losers. They will not pay the tax; their tenants will. It will not make any difference to the churches, whether the 3d. is included; but it will make a difference to the State.

Hon. H. K. WATSON: I submit that none of the points made by the Chief Secretary are valid. A church lets its property at what the market will bring. If it is exempt from land tax, that is a benefit to the owner, not to the tenant. If there are two picture theatres of the same standard alongside each other, one owned by a church and the other by a private individual, they would both command the same rent, and both landlords would obtain the same rent.

The Chief Secretary: Usually the leases provide that the tenants shall pay the rates and taxes.

Hon. H. K. WATSON: This brings me to another point. Let us take the picture theatre to which the Chief Secretary referred. It would be subject to a lease probably for another 10 years.

The Chief Secretary: Leases nearly always have a clause stating that the rates and taxes are the responsibility of the tenant.

Hon. H. K. WATSON: Not necessarily. Properties are let on a straight-out rental. Is the church to be penalised until such time as its lease expires and it can adjust the rent to meet this added burden?

The effect of the two measures is to double the taxes that have hitherto been paid by churches and non-profit organisations. I maintain that they should be exempt; and failing that, I think they should not have their taxes increased. Inasmuch as we are bringing into being the Federal rates and taxes, we could, in our exemption clause, well follow the Federal and New South Wales system and exempt not only churches but all non-profit-making organisations, such as the R.S.L., friendly societies, trades hall and similar institutions.

Amendment put and a division called for.

The CHAIRMAN: Before the tellers tell, I give my vote with the noes.

Division taken with the following result:—

Ayes	12
Noes	13
Majority against	1

Ayes.

Hon. J. Cunningham	Hon. J. Murray
Hon. L. C. Diver	Hon. C. H. Simpson
Hon. J. G. Hislop	Hon. J. M. Thomson
Hon. Sir Chas. Latham	Hon. H. K. Watson
Hon. G. MacKinnon	Hon. F. D. Willmott
Hon. R. C. Mattiske	Hon. A. R. Jones (*Teller.*)

Noes.

Hon. N. E. Baxter	Hon. H. L. Roche
Hon. G. Bennetts	Hon. H. C. Strickland
Hon. E. M. Davies	Hon. J. D. Teahan
Hon. G. Fraser	Hon. W. F. Willesee
Hon. W. R. Hall	Hon. F. J. S. Wise
Hon. R. F. Hutchison	Hon. F. R. H. Lavery
Hon. G. E. Jeffery	(*Teller.*)

Pairs.

Ayes.	Noes.
Hon. A. F. Griffith	Hon. J. J. Garrigan
Hon. L. A. Logan	Hon. E. M. Heenan

Amendment thus negatived.

Hon. G. C. MacKINNON: I move an amendment—

That the following be inserted on page 3 to stand as paragraph (b):—

by adding to paragraph (f) of Subsection (1) the following subparagraph:—

(iv) any widow of a member of the forces within the meaning of the Repatriation Act, 1920-1956 (Commonwealth Act) or of that Act as amended at any time, or by a widowed mother of an unmarried member.

Provided that this subparagraph shall not apply in respect of land held by the widow or widowed mother, the total value of which exceeds £5,000, so far as concerns the amount by which such value is in excess of £5,000.

In 1945 the Act was amended so that certain pensioners were exempted, but, by an oversight, the widow of a member of the forces and the widowed mother of an unmarried member of the forces were not included. The purpose of the amendment is to permit these people to receive the same consideration as the pensioners mentioned in the 1945 amendment. Members will note the proviso in my amendment. If a person is in affluent circumstances and is left a large estate, he should not have the exemptions that are granted to a person of lesser estate.

The CHIEF SECRETARY: As the hon. member has said, a similar benefit is inserted in the Act to cover others; and while we realise that a number of people who could well afford to pay will benefit, in the main we think the amendment is reasonable and we are prepared to accept it.

Amendment put and passed.

Hon. Sir CHARLES LATHAM: I move an amendment—

That the word "three" in line 11, page 3, be struck out and the word "two" inserted in lieu.

By an amendment to the Land and Income Tax Assessment Act, 1948, paragraph (g) was added which provided that certain improved agricultural and other lands where money was earned from the soil should be excluded from the operations of the Act. This Bill suspends that for a period of three years, and I want to make the period two years. I unwillingly agreed to the introduction of this tax, and I would like to see how it operates over two years. If it is necessary at the end of that period we can continue it.

Hon. H. K. WATSON: Both the Chief Secretary and I have amendments on the notice paper in regard to this clause, and the amendment of the Chief Secretary is preferable to the wording in the Bill at the moment. I have indicated my intention to move, when we are dealing with the taxing Act, a request that that Act shall be restricted for one year: that is, to the year beginning on the 1st July, 1956. I suggest that in amending the assessment Act we either put farm lands in or take them out; we do not put them in or take them out for a certain period.

The CHAIRMAN: I think it would be better if Sir Charles Latham withdrew his amendment temporarily so that we can straighten out the position.

The Chief Secretary: Sir Charles can move an amendment to my amendment.

Hon. Sir Charles Latham: That will do.

The CHAIRMAN: I shall ask Sir Charles Latham to withdraw his amendment.

Hon. Sir CHARLES LATHAM: I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

The CHAIRMAN: I will take Mr. Watson's amendment first.

Hon. H. K. WATSON: I move an amendment—

That paragraph (b) in lines 10 to 13, page 3, be struck out and the following inserted in lieu:—

(e) by repealing paragraph (g) of Subsection (1).

When this Bill was introduced originally it contained a provision, such as I am proposing, to repeal paragraph (g). Coincidental with the proposal to bring farm lands into the taxing field for land-tax purposes, it proposes to abolish for all time the vermin rate. And that proposal is continued in the Vermin Bill. If farm lands are henceforth to be exempt from a vermin rate, they will be liable to a land tax for two or three years, and then, in the future, will be exempt both from vermin rate and land tax. To me that seems illogical and hardly what was contemplated. I suggest it is a matter of drafting, mechanics and equity. The sensible thing to do is to repeal paragraph (g) of Subsection (1), as was originally intended, and to make the taxing Act simply an annual taxing Act.

Hon. N. E. BAXTER: I trust the Committee will not agree to this amendment. If paragraph (g) is deleted, then, on the proclamation of this Act, we will at no time be able to exempt agricultural land from land tax, because once a tax is imposed, or particularly where it is reimposed after a great number of years as in this case, it is difficult to do anything about it. If the subsection is merely suspended for a period of one, two or three years it must come before Parliament to be dealt with. I oppose the amendment.

Sitting suspended from 3.45 to 4.6 p.m.

The CHIEF SECRETARY: If the amendment is agreed to the position envisaged by the Bill will remain. As the amendment moved in another place has been agreed to by the Government, I cannot consent to alter the three-year period. I therefore oppose the amendment.

Hon. H. K. Watson: It is not for me to upset any arrangement between the Treasurer and the Leader of the Country Party.

The CHIEF SECRETARY: No arrangement was made between them. An amendment was moved by the Leader of the Country Party and a compromise was reached.

Amendment put and negatived.

The CHIEF SECRETARY: I move an amendment—

> That all words after the word "by" in line 10, page 3, down to and including the word "Act" in line 13 be struck out and the following inserted in lieu:—
>
> > adding after the word, "business" being the last word in paragraph (g) as enacted by Section 4 of Act No. 40 of 1948, the passage, ", but the exemption enacted by this paragraph is suspended for a period of three years commencing on the first day of July, One thousand nine hundred and fifty-six."

Hon. Sir CHARLES LATHAM: I move—

> That the amendment be amended by striking out the word "three" and inserting the word "two" in lieu.

The CHIEF SECRETARY: I hope the Committee will not agree to the amendment on the amendment, because the period of three years is reasonable. Actually there will be only two years of application of this provision in that period of three years.

Hon. Sir Charles Latham: Two years would be sufficient to try out this provision; and if it were found to be unfair, it should be discontinued.

The CHIEF SECRETARY: If the amendment on the amendment is agreed to there will, in actual fact, be one-and-a-half years in which this provision will operate.

Hon. Sir Charles Latham: Tax will be collected as from the 1st July, 1957.

The CHIEF SECRETARY: I do not consider that the period of two years is reasonable; therefore I must oppose the amendment on the amendment.

Hon. H. K. Watson: Why should it operate for three years?

The CHIEF SECRETARY: I told the hon. member previously that the Government preferred no period at all; but, as I often do myself, the Government agreed to an amendment from the Opposition.

Hon. H. K. Watson: Under this, churches and non-profit organisations would be taxed, yet the agricultural lands would go free of taxation.

The CHIEF SECRETARY: The only point is whether it should be two years or three years. In a spirit of compromise in another place, three years was accepted, and I think that it should be accepted here in the same spirit.

Hon. H. K. WATSON: This proposition is an insult to intelligence, honesty and fair dealing. We are taxing such organisations as churches, cricket associations, Trades Hall, the R.S.L. and other non-profit-making bodies and yet it is proposed to allow the farmers to go scot-free after three years. It is a shameful proposition.

Hon. N. E. BAXTER: I do not think Mr. Watson is quite right when he says that agricultural land will be tax-free after three years. That statement will not hold water. Although churches are being taxed, it is only in respect of income-earning property. This provision is not to exempt tax on farming land at all, but merely to suspend the operations of paragraph (g) for a period of three years. After that period Parliament can agree to suspend the exemption for another three or 20 years, or do as Mr. Watson wanted originally, and wipe out the whole of the subsection.

We wish to safeguard the interests of the producers to the extent that we require this to be made a two-year suspension of the exemption. The matter can be reviewed by Parliament in the interim and a reimposition made if that is thought necessary. If not, the original exemption would be continued.

Hon. Sir CHARLES LATHAM: We require the Treasurer to come to Parliament and ask for a further extension and for it to be within the power of Parliament to grant it or otherwise. We do not want him to be able to raise freights on super and impose this tax also. If we give him the powers sought, he will have two years to gather this tax; but if he imposes a tax on super, then, when this measure comes before us next time, I will not be able to support it.

Hon. G. C. MacKINNON: Apparently it has been the decision of this Committee that there shall be a land tax. That being so, let us make it a Western Australia-wide tax. I do not think that in my electorate there are a considerable number of people in the farming community who look for or expect preferential treatment. If we are to be loaded with this tax, I cannot see any reason why there should be a special dispensation for one section as envisaged by the amendment on the amendment. Why not grant the exemption to bookmakers? Why not grant the possibility of a survey to every other organisation?

Hon. Sir CHARLES LATHAM: We have nothing to thank the hon. member for. If some of us had not supported this measure, the farmers would have been the only taxpayers by way of increased railway freights on super. The hon. member knows that, but he is trying to make out that the farmers do not want this. He would not hesitate to impose an additional tax on them, but would not ask the city people to accept such a responsibility.

Hon. G. C. MacKinnon: I cannot see that the two questions are related.

Hon. Sir CHARLES LATHAM: The alternative to this tax would be double freight on super.

Hon. A. R. Jones: And everything else.

Hon. Sir CHARLES LATHAM: Yes.

Hon. G. C. MacKinnon: Nonsense!

Hon. Sir CHARLES LATHAM: It would mean increased freights on everyone using the railways for the cartage of goods. And the city folk do not do that. We wanted to do the fairest thing and said, "We will share"; and we are sharing through this land tax. My amendment is meant to be a safeguard.

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

Ayes	9
Noes	15
Majority against	6

Ayes.

Hon. N. E. Baxter	Hon. Sir Chas. Latham
Hon. G. Bennetts	Hon. H. L. Roche
Hon. J. Cunningham	Hon. J. M. Thomson
Hon. L. C. Diver	Hon. J. D. Teahan
Hon. A. R. Jones	*(Teller.)*

Noes.

Hon. E. M. Davies	Hon. C. H. Simpson
Hon. G. Fraser	Hon. H. C. Strickland
Hon. J. G. Hislop	Hon. H. K. Watson
Hon. R. F. Hutchison	Hon. W. F. Willesee
Hon. F. R. H. Lavery	Hon. F. D. Willmott
Hon. G. C. MacKinnon	Hon. F. J. S. Wise
Hon. R. C. Mattiske	Hon. G. E. Jeffery
Hon. J. Murray	*(Teller.)*

Amendment on amendment thus negatived.

Amendment put and passed.

Hon. H. K. WATSON: I move an amendment—

> That the following be inserted on page 3 to stand as paragraph (f):— by adding to Subsection (1) a paragraph as follows:—
>
> (h) all lands owned by any society, association or club not carried on for the purposes of profit or gain to the individual members thereof.

This has been practically copied from the New South Wales Act. Its purpose is to exempt all non-profit organisations from this tax.

The CHIEF SECRETARY: The same arguments apply to this as to a similar amendment. We feel that we are being as generous as possible by giving a reduced rate. The Government considers that is as far as it can go.

Hon. C. H. SIMPSON: I am afraid I cannot see the matter from the same angle as the Chief Secretary. The Government is assured of considerable revenue from this tax—a revenue probably much greater than has been indicated in the assessments, so surely it can afford to be generous to associations such as these! I have in mind the King's Park Tennis Club which pays a tremendous amount in amusement tax to the Federal authorities on any functions it stages. There are also the R.S.L. and many other non-profit and probably charitable organisations. It could be said that the churches could be classified under land used for church purposes only and land from which revenue is derived, but it must be remembered that the revenue derived from church lands is devoted to church and charitable work, so surely the Government could be generous!

Hon. G. C. MacKINNON: Will kindergartens and similar institutions come under paragraph (c) of Clause 10 or will they automatically pay the tax? I agree that throughout the country areas there are many small bodies which build modest halls and keep their fees as low as possible and give good service to their communities. Any further tax of this nature would upset their budgets and cause them hardship, particularly now when public subscriptions are not as free as formerly. I support the amendment.

Hon. N. E. BAXTER: Under the amendment all land occupied by a society, club or association for a particular specified purpose would be exempted. Such a body might have premises on a city block worth £50,000 which would be a profit-making venture and yet it could be exempted. Under the measure, so far, churches will have to pay tax on that portion of their property which is a profit-making venture and that should apply here also.

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

Ayes	9
Noes	15
Majority against	6

Ayes.

Hon. J. G. Hislop	Hon. J. M. Thomson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. R. C. Mattiske	Hon. F. D. Willmott
Hon. J. Murray	Hon. G. MacKinnon
Hon. C. H. Simpson	*(Teller.)*

Noes.

Hon. N. E. Baxter	Hon. Sir Chas. Latham
Hon. G. Bennetts	Hon. F. R. H. Lavery
Hon. J. Cunningham	Hon. H. C. Strickland
Hon. E. M. Davies	Hon. J. D. Teahan
Hon. L. C. Diver	Hon. W. F. Willesee
Hon. G. Fraser	Hon. F. J. S. Wise
Hon. R. F. Hutchison	Hon. H. L. Roche
Hon. G. E. Jeffery	*(Teller.)*

Pairs.

Ayes.	Noes.
Hon. A. F. Griffith	Hon. J. J. Garrigan
Hon. L. A. Logan	Hon. E. M. Heenan

Amendment thus negatived.

Clause, as amended, put and passed.

Clauses 7 to 28—agreed to.

New clause:

Hon. H. K. WATSON. I move an amendment—

That the following be inserted to stand as Clause 4:—

Section two of the principal Act is amended—

(a) by inserting after the definition "improved land" the following definition:—

"improved value" means the capital sum which the fee simple of the land, together with the improvements thereon or thereto, might be expected to realise if offered for sale on such reasonable terms and conditions as a bona fide seller would require.

(b) by inserting after the word "made" in line 6 of paragraph (a) of the definition of "unimproved value" the following proviso: provided that the unimproved value shall in no case be more than the sum that would be obtained by deducting the value of improvements from the improved value at the time as at which the value is required to be ascertained for the purposes of this Act."

This amendment, if agreed to, will enlarge the existing definition of "unimproved value." That definition brings in no scientific considerations to which the Chief Secretary referred yesterday. In addition to those which often turn out very curiously there should be a safeguard in the Act providing that the unimproved value would in no case be more than the sum remaining after the value of the improvements had been deducted from the total improved value. We should get away from the principle of theorising with values. There should be no room for playing around with the improved value. I have seen cases where, after obtaining the ostensible unimproved value, the improved valuations have been fixed at £10,000 and £20,000 above the improved value.

The CHIEF SECRETARY: It appears as if this new clause has been taken from the expired Commonwealth land tax legislation. We take the view that the present Act has operated for many years and it does not result in over-valuations being made. The department also considers that if this new clause were agreed to it could affect other sections in the Act and create administrative difficulties.

Hon. H. K. Watson: What are they?

The CHIEF SECRETARY: I have not been told what they are, but the department recommended that the Committee should not agree to this amendment.

Hon. H. K. WATSON: I will hazard a guess that the administrative difficulties that would be encountered would be in those instances where a sale of property took place and the unimproved value was taken after reselling that property on its improved value, following which the unimproved values of other properties in the district would be fixed on that basis. It would be found that their values would be higher than the assessment made on the basis I have suggested.

The CHIEF SECRETARY: I am not going to mention again the examples I gave yesterday, but they were typical of those experienced by the department. There will always be some odd case encountered which will prove the exception to the rule. Nevertheless, yesterday I quoted cases which showed that the department has not over-valued land, but in the majority of instances its officers have undervalued on what is the real unimproved value.

Hon. H. K. Watson: Well, why not accept the amendment?

Hon. C. H. SIMPSON: I want the Chief Secretary to tell us what the department does when an obvious anomaly arises and an injustice is done to an owner. Has he any right of appeal or is there any cut-and-dried method of arriving at at valuations? I know the present officials are very competent men; but I also know that when I was trying to buy a piece of land at the time when the valuations had to be submitted to the Sub-Treasury some of the values were ridiculous. There must be some proper method of arriving at valuations and the Chief Secretary might be able to tell us what the department's methods are and by what means its officers remedy the anomalies as they arise.

The CHIEF SECRETARY: If I could tell the hon. member how the departmental officers arrive at their valuations, I would not be a member of Parliament but a valuer. I am surprised at the hon. member quoting the valuation that was given by the Sub-Treasury. That was a war time convenience.

Hon. C. H. Simpson: It had some very far-reaching effects.

The CHIEF SECRETARY: That was a Commonwealth matter and had nothing to do with the State department. I would not attempt to explain the methods used by the Sub-Treasury in those days.

New clause put and a division taken with the following result:—

Ayes	10
Noes	14
Majority against	4

Ayes.

Hon. J. Cunningham	Hon. J. Murray
Hon. J. G. Hislop	Hon. C. H. Simpson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. G. MacKinnon	Hon. F. D. Willmott
Hon. R. C. Mattiske	Hon. N. E. Baxter *(Teller.)*

Noes.

Hon. G. Bennetts	Hon. H. L. Roche
Hon. L. C. Diver	Hon. H. C. Strickland
Hon. G. Fraser	Hon. J. D. Teahan
Hon. R. F. Hutchison	Hon. J. M. Thomson
Hon. G. E. Jeffery	Hon. W. F. Willesee
Hon. Sir Chas. Latham	Hon. F. J. S. Wise
Hon. F. R. H. Lavery	Hon. E. M. Davies *(Teller.)*

Pairs.

Ayes.	Noes.
Hon. A. F. Griffith	Hon. J. J. Garrigan
Hon. L. A. Logan	Hon. E. M. Heenan

New clause thus negatived.

New clause:

Hon. H. K. WATSON: I move—

That the following be inserted to stand as Clause 5:—

Section 3 of the principal Act is amended by adding after the word "Act" in line 4, the words "The Commissioner shall furnish to the Treasurer annually for presentation to the Parliament, a report on the working of this Act."

The CHIEF SECRETARY: The only objection that one can find to this new clause is the cost which will have to be borne by the Government. It is not serious enough to attempt to defeat it, so I propose to accept it.

New clause put and passed.

New clause:

Hon. H. K. WATSON: I move—

That the following be inserted to stand as Clause 7:—

Section 37 of the Principal Act is amended by adding after Subsection (2) the following subsection:—

(3) Where the value of any area or parcel of land was assessed under the Land and Income Tax Assessment Act, 1907-1948, or under the Vermin Act, 1918-1951, in respect of the year of assessment which ended on the 30th day of June, one thousand nine hundred and fifty-one, then for the purposes of assessments for the year of assessment ending on the 30th day of June, one thousand nine hundred and fifty-seven and for each year of assessment thereafter, and notwithstanding anything contained in this Act, the Commissioner shall not value or assess the value of such land at a value higher than the value at which such land was assessed in respect of the year of assessment which ended on the 30th day of June, one thousand nine hundred and fifty-one.

The reason for this amendment is that valuations should be pegged at the 1950 valuation—that is, the valuation at which they were assessed for vermin rate or land tax in 1950. The year 1950 was a boom year, and in the main unimproved valuations have not increased since then. But that has not stopped the Taxation Department increasing valuations. There is no guarantee that, with the heavy rates about to be imposed, valuations during the next five years will not be increased to the same extent. If a fixed position is presented to Parliament each year, we will know how much revenue is going to be produced.

The argument may be raised against this proposition that there are some lands which have been brought into existence since 1950. My answer to that is that they are not covered by the amendment. They would be valued by the valuers at the present value, whatever it may be, which I suggest would be no higher than the value of the same land as it would have been in 1950.

The CHIEF SECRETARY: I hope the Committee will not accept this amendment; because, if it does, many anomalies will be created. If this amendment were agreed to, local authorities would find themselves in the same difficulty as they did in the early postwar years when the assessment on new buildings was higher than that on buildings erected before the war. There were cases of two houses alongside each other, one with a £60 per annum value and the other £40. Because of this, local authorities had to have a new valuation made to place them on the same basis. I hope the Committee will not agree to the amendment.

Hon. G. C. MacKINNON: The comparison made by the Chief Secretary is not fair because there was a very marked increase in sale values and the valuation of land as compared with prewar years and the immediate postwar period. I think everyone is agreed that the 1951 value of land was probably the highest this State will ever see for a considerable time. As the Chief Secretary wants the Bill left, the actual amount collected in land tax will be anybody's guess, because we know how local municipal rates have increased because of valuations. It would be reasonable to suppose that the basis as outlined by Mr. Watson should be an acceptable one for collecting this tax.

New clause put and a division taken with the following result:—

Ayes	9
Noes	15
Majority against	6

Ayes.

Hon. N. E. Baxter	Hon. J. Murray
Hon. J. G. Hislop	Hon. C. H. Simpson
Hon. A. R. Jones	Hon. F. D. Willmott
Hon. G. MacKinnon	Hon. H. K. Watson
Hon. R. C. Mattiske	*(Teller.)*

Noes.

Hon. G. Bennetts	Hon. H. L. Roche
Hon. J. Cunningham	Hon. H. C. Strickland
Hon. E. M. Davies	Hon. J. D. Teahan
Hon. L. C. Diver	Hon. J. M. Thomson
Hon. R. F. Hutchison	Hon. W. F. Willesee
Hon. G. E. Jeffery	Hon. F. J. S. Wise
Hon. Sir Chas. Latham	Hon. G. Fraser
Hon. F. R. H. Lavery	*(Teller.)*

Pairs.

Ayes.	Noes.
Hon. A. F. Griffith	Hon. J. J. Garrigan
Hon. L. A. Logan	Hon. E. M. Heenan

New clause thus negatived.

New clause:

Hon. H. K. WATSON: I move an amendment—

That the following be inserted to stand as Clause 7:—

Section 47 of the Principal Act is amended by repealing Subsection (2).

This proposed new clause is to remove administrative difficulties and difficulties to taxpayers in relation to the lodging of objections. At the present time there are 42 days within which an objection to a taxation assessment can be lodged. In 99 cases out of 100 the taxpayer has paid his assessment before he lodges his objection, as he has 30 days within which it must be paid. Subsection (2) of Section 47 provides that the objection must be accompanied by payment of one-quarter of the tax assessed. That is a provision which has long since disappeared from taxing Acts. The payment is covered by other provisions in the Act.

The incidence of this clause creates stupidity such as this: A man receives assessment for his tax and within 42 days lodges an objection. He gets a notice back saying that because his objection was not accompanied by one-quarter of the tax the Commissioner of Taxation has grave doubts as to whether he will consider the objection, despite the fact that the tax is paid three weeks before. It should be brought into line with income tax procedure.

The CHIEF SECRETARY: I hope the Committee will not agree to the amendment. This provision has been in the Act for about 50 years and it has not imposed any great hardship. The department feels that its removal could result in a lot of frivolous objections.

Hon. C. H. Simpson: After a man has paid his tax?

The CHIEF SECRETARY: Yes. If this provision had imposed the hardship that Mr. Watson suggests, it would not have stayed on the statute book for 50 years.

Hon. C. H. SIMPSON: I am not concerned about the hardship so much as about the principle of this matter. This provision may have been placed on the statute book before it became necessary to pay the full tax prior to an appeal being made. To have to pay the tax in full and then another 25 per cent. before an appeal can be made, is ridiculous. I see no reason why this provision should not be repealed.

Hon. F. R. H. LAVERY: Would not this provision be in the Act to provide for the case of a person who, if he did not pay his tax, would have to pay a quarter of the amount of the assessment before he could appeal? I know of a case like that.

Hon. N. E. BAXTER: I am half inclined to agree to the amendment; yet prior to lodging an appeal to the Water Supply Department, it is necessary to pay half of the assessment. The same thing applies with local authorities. I believe that Subsection (2) of the Act is not worded in the best manner. It could be framed to provide that at least a quarter of the tax assessed had been paid or that that amount should accompany the objection.

Hon. H. K. WATSON: The provision in Section 49 of the Act and the one we are now discussing were included in the Act when both land and income tax were assessable under the measure of 1907. When, in 1937, this Chamber took income tax out of the Act and covered it by a new income tax Act, the provision regarding the lodgment of a quarter of the tax was not included in that Act. It was omitted for the reasons that I have put forward for its exclusion with respect to land tax. All my proposal does is to make the practice with respect to land tax the same as this Chamber 20 years ago decided it should be in respect to income tax.

New clause put and a division taken with the following result:—

Ayes	11
Noes	12
Majority against	1

Ayes.

Hon. N. E. Baxter	Hon. C. H. Simpson
Hon. J. Cunningham	Hon. J. M. Thomson
Hon. J. G. Hislop	Hon. H. K. Watson
Hon. A. R. Jones	Hon. F. D. Willmott
Hon. G. C. MacKinnon	Hon. J. Murray
Hon. R. C. Mattiske	*(Teller.)*

Noes.

Hon. G. Bennetts	Hon. F. R. H. Lavery
Hon. L. C. Diver	Hon. H. C. Strickland
Hon. G. Fraser	Hon. J. D. Teahan
Hon. R. F. Hutchison	Hon. W. F. Willesee
Hon. G. E. Jeffery	Hon. F. J. S. Wise
Hon. Sir Chas. Latham	Hon. E. M. Davies
	(Teller.)

Pairs.

Ayes.	Noes.
Hon. A. F. Griffith	Hon. J. J. Garrigan
Hon. L. A. Logan	Hon. E. M. Heenan

New clause thus negatived.

New clause:

Hon. H. K. WATSON: I move—

That the following be inserted to stand as Clause 7:—

Section 47 of the principal Act is amended by inserting after the word "must" in Subsection (2) the words "unless the tax has already been paid."

I suggest the Committee might go this far.

Point of Order.

The Chief Secretary: I have no objection to the new clause. But, although I do not like winning on t.k.o's., I think there is a limit to which we can go under our Standing Orders. I would like your ruling, Mr. Chairman, as to whether this is in order, because the previous amendment was to repeal Subsection (2) of Section 47; and as that was defeated, I do not see how we can accept this amendment.

Hon. C. H. Simpson: It gives them a chance for a second look.

Hon. H. K. Watson: We are dealing with the Bill and not with the Act.

The Chairman: I am of the opinion that the amendment is in order.

Hon. Sir Charles Latham: Have we not already dealt with it?

The Chairman: Yes.

Hon. Sir Charles Latham: Then how can we go back again?

The Chairman: The hon. member is moving to add a new clause that is slightly different. We are dealing with the Bill and not the Act.

Hon. Sir Charles Latham: To what part of the Bill does it apply?

Hon. H. K. Watson: It puts in a new clause.

The Chairman: I rule the amendment in order.

Committee Resumed.

The CHIEF SECRETARY: I shall not dispute your ruling, Sir, but the hon. member moved a similar amendment which also provided for a new clause, and which dealt with Subsection (2), and the Committee decided against it.

New clause put and passed.

Title—agreed to.

Bill reported with amendments.

BILL—CITY OF PERTH PARKING FACILITIES.

Received from the Assembly and read a first time.

BILL—LAND TAX 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 4 added:

Hon. H. K. WATSON: For many years in this State land tax was an annual tax and an Act was brought down each year. For the last few years it has not been an annual tax; and in view of the drastic alterations that are now taking place, I think we should revert to an annual tax and Parliament each year should decide what the tax shall be. Instead of the tax running on indefinitely I feel that it should be confined to the year of assessment, ending in this case on the 30th June, 1957. For those reasons I request that certain amendments be made. I move an amendment—

That the words "and for each year of assessment thereafter" in lines 13 and 14, page 2, be struck out.

The CHIEF SECRETARY: I hope the Committee will not agree to this amendment. If it is carried we will need a new Act every year. It would dislocate the smooth administration of the Act and the collection of such revenue, which is more important.

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

Ayes	8
Noes	16
Majority against	8

Ayes.

Hon. N. E. Baxter	Hon. C. H. Simpson
Hon. J. G. Hislop	Hon. H. K. Watson
Hon. G. MacKinnon	Hon. F. D. Willmott
Hon. R. C. Mattiske	Hon. J. Murray *(Teller.)*

Noes.

Hon. G. Bennetts	Hon. F. R. H. Lavery
Hon. J. Cunningham	Hon. H. L. Roche
Hon. L. C. Diver	Hon. H. C. Strickland
Hon. G. Fraser	Hon. J. D. Teahan
Hon. R. F. Hutchison	Hon. J. M. Thomson
Hon. G. E. Jeffery	Hon. W. F. Willesee
Hon. A. R. Jones	Hon. F. J. S. Wise
Hon. Sir Chas. Latham	Hon. E. M. Davies

Pairs.

Ayes.	Noes.
Hon. A. F. Griffith	Hon. J. J. Garrigan
Hon. L. A. Logan	Hon. E. M. Heenan

Amendment thus negatived.

Hon. H. K. WATSON: I do not propose to move the remaining two amendments to Clause 3 that I have on the notice paper because they are consequential on an amendment that was rejected by the Committee.

Clause put and passed.

Clause 4—agreed to.

Clause 5—Second Schedule added:

Hon. H. K. WATSON: I move an amendment—

That in the first column of the Second Schedule all the words and figures after the figure "£20,000" second occurring be struck out.

The idea of a sliding scale for land tax is unjust. Western Australia has always had a flat rate. A tax of 3d. on the unimproved value of land is an increase of 100 per cent; it doubles the existing land tax. In paying land tax, the taxpayers—be they churches, non-profit-making organisations or ordinary businessmen—should not pay more than the bookmakers whose turnover tax was increased by something less than 100 per cent.

The CHIEF SECRETARY: This is an extravagant request; and if it were agreed to, it would completely defeat the Government's intention of being able to raise extra finance. It would not be worth while passing the Bill if the amendment were agreed to. We would be denying this State the right which is possessed by every other State.

Hon. J. G. HISLOP: Surely 100 per cent. is a justifiable limit to which a tax should go. There must be some limit on taxation. Some city land has been valued recently at gathering heights and to ask the business community to pay their valuations plus their rate of tax on a graduated scale will mean a colossal increase to some business houses. Land owned by business houses is as much their tools of trade as is land possessed by farmers. Impositions must be of reasonable character. I support the amendment.

Hon. C. H. SIMPSON: One of the arguments brought forward which applies here was that the Government had entered a field of taxation which is one of the few remaining to local government authorities. Many farmers would come within this group—the middle group at least, if not the higher group. This Bill passed the second reading stage, not because of its inherent merits but because of the threat of increased railway freights that accompanied it. The amendment is reasonable.

I think we have admitted that people who have land to this value have, generally speaking, paid income tax on it. This is to all intents and purposes a tax on their property. The Government should be content with a flat rate of tax on the properties on which it will levy tax. That will give it all the money it requires and will permit these worthy people who are the backbone of our community to devote their enregy and money to building up relatively undeveloped strength.

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

Ayes	10
Noes	14
Majority against	4

Ayes.

Hon. N. E. Baxter	Hon. R. C. Mattiske
Hon. J. Cunningham	Hon. C. H. Simpson
Hon. J. G. Hislop	Hon. H. K. Watson
Hon. A. R. Jones	Hon. F. D. Willmott
Hon. G. C. MacKinnon	Hon. J. Murray

(Teller.)

Noes.

Hon. G. Bennetts	Hon. F. R. H. Lavery
Hon. E. M. Davies	Hon. H. L. Roche
Hon. L. C. Diver	Hon. H. C. Strickland
Hon. G. Fraser	Hon. J. D. Teahan
Hon. R. F. Hutchison	Hon. W. F. Willesee
Hon. G. E. Jeffery	Hon. F. J. S. Wise
Hon. Sir Chas. Latham	Hon. J. M. Thomson

(Teller.)

Pairs.

Ayes.	Noes.
Hon. A. F. Griffith	Hon. J. J. Garrigan
Hon. L. A. Logan	Hon. E. M. Heenan

Amendment thus negatived.

Hon. H. K. WATSON: I move an amendment—

> That after the word "used" in the first paragraph of the schedule, page 3, the words "solely or principally" be inserted.

Unless those words are inserted the provison will not benefit the persons whom it is intended to benefit.

The CHIEF SECRETARY: I am impressed by the remark of the hon. member and I agree to the request for the amendment.

Amendment put and passed.

Hon. H. K. WATSON: I move an amendment—

> That after the words "purposes of" in the first paragraph of the schedule, page 3 the words "a mutual life assurance society or" be inserted.

If any thought had been given to this Bill before it was introduced, it would have provided for the exemption of mutual life assurance societies, clubs and other non-profit organisations, including friendly societies. These organisations were wholly exempt from Federal land tax if the premises concerned were being used by them exclusively. In so far as premises were partly used by the organisations themselves and partly let to tenants, they were exempt in the proportion which the rental value of the portion occupied by themselves bore to the total value of the premises. There is no method in the assessment Act to bring in a similar provision, but much the same result as to the ultimate tax to be paid would be achieved by inserting the words referred to.

The CHIEF SECRETARY: This amendment would cover mutual life assurance societies; but as they trade in competition with others and are able to make profits, they should not be exempt. I oppose the amendment.

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

Ayes	11
Noes	12
Majority against	1

Ayes.

Hon. L. C. Diver	Hon. J. Murray
Hon. J. G. Hislop	Hon. J. M. Thomson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. Sir Chas. Latham	Hon. F. D. Willmott
Hon. G. C. MacKinnon	Hon. C. H. Simpson
Hon. R. C. Mattiske	

(Teller.)

Noes.

Hon. N. E. Baxter	Hon. H. L. Roche
Hon. G. Bennetts	Hon. H. C. Strickland
Hon. E. M. Davies	Hon. J. D. Teahan
Hon. R. F. Hutchison	Hon. W. F. Willesee
Hon. G. E. Jeffery	Hon. F. J. S. Wise
Hon. F. R. H. Lavery	Hon. G. Fraser
	(Teller.)

Pairs.

Ayes.	Noes.
Hon. A. F. Griffith	Hon. J. J. Garrigan
Hon. L. A. Logan	Hon. E. M. Heenan

Amendment thus negatived.

Hon. H. K. WATSON: I move an amendment—

> That the words "pecuniary profit" in the first paragraph of the schedule be struck out and the words "the purposes of profit or gain to the individual members thereof" inserted in lieu.

That is the usual phraseology with respect to societies of this nature.

Amendment put and passed.

Hon. H. K. WATSON: I move an amendment—

> That after the words "shall be" in the first paragraph of the schedule the words "at the rate of one and one-half pence in the pound for each pound of the assessed unimproved value of the land" be inserted.

The purport of the amendment is to keep the rate of tax on churches and non-profit-making societies on the existing level of 1½d. in the £1. Even in the days of Federal income tax, churches, religious organisations and similar societies did not pay more than 1½d. in the £1. I suggest that the rate should be maintained at that figure.

The CHIEF SECRETARY: A debate on this point has taken place several times on these measures, so I do not propose to go over the ground again. The Government has been generous in limiting the amount to 3d. in the £1.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. C. H. SIMPSON: The Chief Secretary said that we had discussed this before, and I pointed out that to my mind there is a difference. I think the discussion we had previously was as to whether these societies and churches should be exempt altogether. It was decided that they should be included in the assessment. The effect of this amendment is that the rate shall be 1½d. and that that shall be the ceiling in regard to these bodies. The Federal Act did not apply to them; and under this Act, except for Mr. Watson's amendment, the ceiling would be 3d. The amendment seeks to avoid that.

The income which churches, particularly, receive from property is used for the extension of their work. Very often they make appeals to the Government for help in that connection. If by means of investment and return from property these people can lessen the calls on public funds by appeals to the Government, they should not be penalised in respect of the revenue they gain. The same applies to all non-profit organisations. I support the amendment.

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

Ayes	10
Noes	13
Majority against	3

Ayes.

Hon. N. E. Baxter	Hon. C. H. Simpson
Hon. A. R. Jones	Hon. J. M. Thomson
Hon. G. C. MacKinnon	Hon. H. K. Watson
Hon. R. C. Mattiske	Hon. F. D. Willmott
Hon. J. Murray	Hon. J. G. Hislop
	(Teller.)

Noes.

Hon. G. Bennetts	Hon. H. L. Roche
Hon. E. M. Davies	Hon. H. C. Strickland
Hon. L. C. Diver	Hon. J. D. Teahan
Hon. G. Fraser	Hon. W. F. Willesee
Hon. G. E. Jeffery	Hon. F. J. S. Wise
Hon. Sir Chas. Latham	Hon. R. F. Hutchison
Hon. F. R. H. Lavery	*(Teller.)*

Pairs.

Ayes.	Noes.
Hon. A. F. Griffith	Hon. J. J. Garrigan
Hon. L. A. Logan	Hon. E. M. Heenan

Amendment thus negatived.

Clause, as previously amended, put and passed.

Bill reported with amendments, and a message accordingly returned to the Assembly requesting that the amendments be made, leave being given to sit again on receipt of a message from the Assembly.

BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT.

Second Reading.

HON. E. M. DAVIES (West) [7.43] in moving the second reading said: This Bill is consequential upon an amendment to the Fisheries Act recently agreed to by this House and another place, granting the right to a local authority to make application to the Governor to be constituted a trout acclimatisation committee. This amendment of the Municipal Corporations Act is necessary to enable local authorities to utilise the provisions of the amended Fisheries Act. I move—

> That the Bill be now read a second time.

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 transmitted to the Assembly.

BILL—ROAD DISTRICTS ACT AMENDMENT.

Second Reading.

HON. E. M. DAVIES (West) [7.47] in moving the second reading said: This is a Bill to amend the Road Districts Act and give road boards the same authority as has been incorporated in the Municipal Corporations Act, so that under this legislation there will be authority for them to act under the provisions of the amended Fisheries Act. I move—

That the Bill be now read a second time.

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 transmitted to the Assembly.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Assembly's Message.

Message from the Assembly notifying that it had agreed to amendments Nos. 1, 5, 6, and 12 made by the Council, and had disagreed to Nos. 2, 3, 4, 7, to 11, 13, 14 and 15 now considered.

In Committee.

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

No. 2.

Clause 4, page 3—Delete.

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

Insurance cover should be extended to workers whilst travelling to and from place of residence to place of employment.

The CHIEF SECRETARY: I move—

That the amendment be not insisted on.

I think the Assembly's reason is a good one; and in addition I think this is something due to the workers of Western Australia as a reward for their record of loyalty, quite apart from the fact that it applies in other parts of Australia.

Hon. R. C. MATTISKE: There were lengthy debates during the Committee stage in regard to these provisions and it is evident that the Bill will have to be referred to a conference. I think we should insist on our amendments in order to save time, and leave these matters to the conference.

Hon. J. G. HISLOP: I was one who voted so as to let the measure be discussed in order that the clauses that were of value could be debated, but now another place accepts all we have agreed to give and insists on everything else besides. I do not think we should agree to this until we know more about it. The insurers say that the lowest estimate for this is 6 per cent. on the overall cost of premiums, or at least from £100,000 to £120,000 per year.

Experience in the Eastern States has shown that although the vast majority of workers are genuine in their claims under a provision similar to this they do not hesitate to make use of it and its administration is extremely difficult. I have my own views as to how the difficulty could be overcome, but I could not voice them at this stage. A complete review of this whole Act is essential and it should be undertaken without delay.

Hon. R. F. HUTCHISON: During this session I have seen the brutal majority used in this Chamber and therefore I do not wish to waste the time of the Committee. If this "to and from" clause has been accepted in other States of Australia I do not see why this State cannot adopt it. The Committee should take no notice of what Dr. Hislop has said—that it will increase costs by 6 per cent. If "The West Australian" can publish a leading article to illustrate the justice of this clause it is time this Committee did the proper thing for the workers of this State. I make this final protest against the attitude of members opposite towards this important provision which is so badly needed to give justice to the workers of Western Australia.

Hon. R. C. MATTISKE: If we are to debate each clause in turn, the Committee is going to be here for quite a long time, because we are merely going over the same ground that we have already covered, especially when we know that this Bill must go to a conference of managers.

When Mrs. Hutchison refers to the brutal majority I am sure she is referring to the members in another place who have accepted the amendments made by the Council which have suited them and have rejected others which have not. We have had ample evidence from other States, where a similar clause is in operation and where difficulty has arisen in computing the compensation that is payable in cases of heart disease and so on, and in trying to assess the degree of fault when a worker alights from a moving vehicle or something of the sort.

Industry has reached the stage where it cannot afford to shoulder this burden. In fact, prices in Victoria have reached such a peak that the manufacturers there are at a disadvantage with their fellow-manufacturers in New South Wales and South Australia. I hope therefore that the Committee will not alter its previous decision to delete Clause 4.

The CHIEF SECRETARY: I thought I set an example by saying only a few words, but apparently such is not the case. Mr. Mattiske has suggested that we should have only short debates because the Bill will go to a conference, and in fact that is the only way that two Houses can reach agreement. Members should keep in mind that the vote on this clause was very close. It was defeated by only one vote. I do not think it can be said, therefore, that another place is trying to push something down our throats.

Hon. G. E. JEFFERY: The main argument raised against the passing of this provision is that we cannot afford it. However, if we look at the premium rates for workers' compensation insurance and the weighted average over the last few years it will be seen that although costs of other things have spiralled, the premium rates for workers' compensation have decreased. Following are the figures which show approximately the trend in regard to the payment of workers' compensation premiums. The weighted average in the various classifications is as follows:—

Year	Premium Percentage in relation to wages paid.	£'s per cent. per £100 of wages paid. £
1950	1.644	1 12 11
1951	1.76	1 15 11
1952	1.465	1 9 0
1953	1.286	1 5 9
1954	1.09	1 1 10
1955	1.188	1 3 9

So it can be seen that in 1950 the premium rate in pounds per cent. per £100 of wages paid was £1 12s. 11d., but in 1955 the figure had been reduced to £1 3s. 9d. In an age of spiralling costs the premium rates for workers' compensation have decreased, mainly as a result of the work done by the premiums committee and generally, through improved factory conditions in this State. I agree that the figure of 6 per cent. mentioned by Dr. Hislop may be correct, but that would not be excessive in view of the premium rates I have quoted.

Hon. R. C. MATTISKE: To quote figures at this juncture and in such a manner is hardly fair to the members of the Committee because no one could possibly remember them. One needs to see and study figures such as that and to know the premises behind them. The hon. member said that they were weighted, but in what manner are they weighted? I am not saying for one moment that Mr. Jeffery has cooked them up with any intent to mislead, but it is difficult for anyone to assimilate figures when they are read out in such a manner.

Hon. G. C. MacKINNON: I would like to mention one point in regard to the figures that have just been quoted, and that is that wages have risen since 1950 and those premium rates relate to each £100 of wages paid. Every factory is paying more hundreds of pounds in wages now than it did in 1950.

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

Ayes	11
Noes	13
Majority against	2

Ayes.

Hon. G. Bennetts	Hon. F. R. H. Lavery
Hon. E. M. Davies	Hon. H. C. Strickland
Hon. L. C. Diver	Hon. W. F. Willesee
Hon. G. Fraser	Hon. J. D. Teahan
Hon. R. F. Hutchison	Hon. F. J. S. Wise
Hon. G. E. Jeffery	*(Teller.)*

Noes.

Hon. N. E. Baxter	Hon. H. L. Roche
Hon. J. Cunningham	Hon. C. H. Simpson
Hon. J. G. Hislop	Hon. J. M. Thomson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. G. C. MacKinnon	Hon. F. D. Willmott
Hon. R. C. Mattiske	Hon. Sir Chas. Latham
Hon. J. Murray	*(Teller.)*

Pairs.

Ayes.	Noes.
Hon. A. F. Griffith	Hon. J. J. Garrigan
Hon. L. A. Logan	Hon. E. M. Heenan

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

No. 3.

Clause 5, page 4—Delete paragraph (b).

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

> Amount payable for total and permanent incapacity should be at least equal to that paid to dependants of deceased worker.

The CHIEF SECRETARY: I am going to ask the Committee not to insist on this amendment. At a later stage in the Bill the compensation has been raised to £3,000 for the widow of a worker in the event of his being killed. I contend it is much more costly to maintain a permanently incapacitated husband than it is for a widow to manage on her own. In this respect the amount for an incapacitated worker is £2,400, but the amount for a widow is £3,000; and I think there should be some consistency regarding payments. I move—

> That the amendment be not insisted on.

Hon. R. C. MATTISKE: I hope the Committee will insist on this amendment. We have noticed that since the time of the select committee there seems to have been a stepping-up process. In one debate there are those who want the maximum figure to be raised, and who say it wiuld be better to have the widow collect the greater amount; and there are those who say, "The unfortunate wife is saddled with an incapacitated husband." I sincerely hope, for the reasons previously advanced, that the Committee will abide by its earlier decision and insist on the amendment.

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

No. 4.

Clause 6, page 4—Delete.

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

> Amount payable for total and permanent incapacity should be at least equal to that paid to dependants of deceased worker.

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 12, page 9—Delete paragraph (g).

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

> The present maximum weekly payment is considered insufficient.

The CHIEF SECRETARY: I move—

> That the amendment be not insisted on.

I think it is a question of some slight payment over and above the basic wage amounting to about 6s. 11d., the idea being that because so many workers are on margins and not on the basic wage, an extra amount should be paid.

Hon. R. C. MATTISKE: I again hope the Committee will insist on this amendment for the reasons advanced in an earlier Committee stage.

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

No. 8.

Clause 12, page 9—Delete paragraph (h).

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

> Amount payable for total and permanent incapacity should be at least equal to that paid to dependants of deceased worker.

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 12, page 9—Delete paragraph (j).

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

> Injured workers should be entitled to requisite medical treatment free of any personal liability.

The CHIEF SECRETARY: I move—

> That the amendment be not insisted on.

The Assembly's reason is a very good one.

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

No. 10.

Clause 12, page 9—Delete paragraph (k).

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

> Reasonable hospital maintenance and treatment should be provided free to the injured worker.

The CHIEF SECRETARY: I move—

> That the amendment be not insisted on.

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

No. 11.

Clause 13, page 10—Delete.

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

> An incapacitated worker should not be deprived of compensation while seeking employment suitable to his condition.

The CHIEF SECRETARY: I move—

> That the amendment be not insisted on.

This is a provision we have in mind in regard to the rehabilitation programme.

Hon. J. G. HISLOP: I would like to emphasise that this clause has very little value in view of the fact that the Chief Secretary, during the Committee stage, said I was correct in saying a genuine attempt was being made to rehabilitate the injured worker and that before long a real scheme would be worked out. The position is not exactly as the Assembly has reported back. The Bill actually makes it mandatory on the part of the employer to find employment, which is different altogether. In view of the fact that rehabilitation is being so thoroughly investigated and the report will be released in time for a major alteration next year, I hope the Committee will insist on the amendment.

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

No. 13.

Clause 15, page 12—Delete.

The CHAIRMAN: The Assembly's reason for disagreeing to the amendment is—

> The clause is necessary to meet cases where no mutual agreement is arrived at.

The CHIEF SECRETARY: I think the Assembly's explanation fits the Bill. I move—

> That the amendment be not insisted on.

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

No. 14.

Clause 16, page 12, line 32—Add after the word "entitled" the following:—

Provided that this paragraph shall have no application to agreements for the redemption of future weekly payments duly recorded under the provisions of this clause.

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

It is considered the amendment is too restrictive.

The CHIEF SECRETARY: I think the Assembly's explanation is the correct one. I move—

That the amendment be not insisted on.

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

No. 15.

Clause 17, page 13—Delete paragraph (a).

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

The amounts should be increased proportionate to that agreed for dependants of deceased worker.

The CHIEF SECRETARY: I move—

That the amendment be not insisted on.

Hon. J. G. HISLOP: I trust the Committee will insist on this. We are all beginning to realise that increasing the payment for small injuries that do not incapacitate an individual is only depriving those who are permanently incapacitated or otherwise seriously injured. Despite all the attempts that have been made, the other Chamber insists on accepting everything and raising the whole schedule in accordance with the manner in which the top range is raised. Until there is an idea of altering the whole schedule, we should oppose this.

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

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

BILL—RESERVES.

Second Reading.

Debate resumed from an earlier stage of the sitting.

HON. J. G. HISLOP (Metropolitan) [8.36]: I draw attention to the number of areas that are likely to be reserved for the parking of cars in the reclamation area following the building of the Narrows bridge.

Only just recently we saw in an informative diagram designs for car-parking areas and the possibility of their being tree-lined. I trust that this form of parking will be adhered to, because having seen large parking areas in other parts of the world, I realise what a hideous ornament they can be to a city.

The huts that have been on this reserve since the Royal Australian Air Force days are to be demolished, and I take it that the Red Cross depot and the service station at the corner are also to go. I assume that the area right down to the pump-house will be set aside for the parking of cars.

I notice in the plan that one or two trees are provided. I trust that whatever is done, the car park will be tree-enclosed. If this is done we may have little to regret in future in regard to the set-up of our parking system on the reclaimed land of the Narrows bridge. If, however, we continue to allow the cars to be parked as they are now we will regret not insisting upon something of this sort. Anyone can see that the present arrangement, which has been set out as a temporary measure, is not at all pleasing to the eye; but one must realise that if we are to have tree-lined areas to enclose these spaces, we are going to take up a considerable amount of the land that will be set aside for parking.

The amount of land being reclaimed at the Narrows bridge is beginning to shock a number of people; and if large sections of it are to be set aside for parking, then there must be ample coverage of tree-lined areas around them. At this stage I would like to register a protest against any continuance of the present method of parking unless the idea of having trees growing in between the parking areas and so obscuring the cars from public view, is implemented. I hope we shall not see massive car parks along the shore of our river such as can be seen in many other parts of the world.

HON. F. R. H. LAVERY (West) [8.40]: I have discussed with the Minister for Transport the proposed car parking on the reclaimed area. Like Dr. Hislop, I am alarmed that a car park is to be put there. I have seen a drawing that is most pleasing to the eye, and I have also had the pleasure of seeing another drawing in the office of the Main Roads Department. This again gives support to the idea that the proposed car park will be a place of scenic beauty. I enter my protest and say that nothing less than what is proposed in those drawings will suffice.

HON. G. C. MacKINNON (South-West) [8.41]: I wish to mention the reserve at Hamelin Bay. Since the Commonwealth had that area as a rifle range, it has increased in popularity as a camping resort. I draw the Minister's attention to the fact that people can go there and camp in pleasant surroundings under delightful trees. From the map, it would appear that the rifle range runs at right angles to the

ocean. A great deal of care will have to be taken with respect to bathing and camping parties. I point out to the department just how popular this area is as a camping site.

THE MINISTER FOR RAILWAYS (Hon. H. C. Strickland—North—in reply) [8.43]: In answer to Mr. MacKinnon's remarks, it can be seen from the plan that the rifle range will face seaward. I have no doubt that the parties will take every precaution, as they do in other areas where there are rifle ranges. Although this area is being used as a camp site, no doubt there will be plenty of activity and warning prior to any rifle or artillery fire.

In regard to Dr. Hislop's concern over the parking areas on the Esplanade, I point out that the site at the foot of William and Mill-sts., is for a temporary vehicle park only. It is marked down for beautification and recreation and a temporary car park.

Hon. J. G. Hislop: Will that be as temporary as the R.A.A.F. buildings?

The MINISTER FOR RAILWAYS: I cannot answer that with any assurance, but the idea is to use the space as a temporary measure until the fringe parking areas are finally established and set aside.

Hon. J. G. Hislop: They have been there for 25 years.

The MINISTER FOR RAILWAYS: Yes. We know that a lot of buildings, both Commonwealth and State were established for a temporary period, but shortage of finance usually catches up so that the temporary period becomes a long one. However, I think these reserves are proceeding to be established in conformity with the Stephenson plan, which has been accepted for the metropolitan area, and I have no doubt that as funds permit these fringe parking or permanent parking areas will be established and the temporary ones will be vacated.

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—PUBLIC SERVICE.

Second Reading—Rejected.

Debate resumed from the 14th December.

HON. C. H. SIMPSON (Midland) [8.50]: This Bill, a very big one, which is given to us in the dying hours of the session is a completely new measure, and its purpose is to repeal and re-enact the existing Public Service Act. We are asked to approve of major alterations in a change from a single commissioner to a board of three, and we are also asked to make considerable changes in the functions of the board as an authority, as distinct from the powers which are now exercised by the single Public Service Commissioner. In some degrees the Bill alters the relationships between the commissioner as a man and the commission as a body with the Ministers and heads of departments, and in odd cases the board can even bypass the Governor and appeal to Parliament itself.

I believe that in substance that is provided for to a degree under the old Act; but the proposal in this measure is very different. This board is to be granted these powers in the exercise of its function in relation to questions of retirement, transfer, promotion or appeals. It is provided that the board shall consist of a chairman, who shall be appointed for seven years, one member appointed by the Governor, who shall be appointed for five years, and one member who will represent the Civil Service Association—in effect he will be the employees' representative—and his term will also be five years. In such case the Government will appoint two members: one, the chairman, and the other, one of the ordinary members, and the third member will be elected by the Civil Service Association.

The salaries are to be determined and I understand that the remuneration for the chairman will be about £3,000 or £3,300 per annum and the salary for the other two members will be about £2,000 or £2,300. So there will be three very good jobs for those who are selected to function as the public service board. At present we have a single commissioner, Mr. H. E. Smith, who was the head of the Lands Department, and I believe he is doing quite a good job. He succeeded Mr. S. A. Taylor, who resigned. I am not sure of Mr. Smith's salary, but I take it it would be the same as the salary he was receiving as head of the Lands Department. I know that Mr. Taylor received a good salary, but it was nowhere near as large as it is proposed to pay the chairman of the proposed board.

Before discussing the provisions of the measure, I would like to enter a note of protest against the late presentation of what is a very important Bill. This measure contains 89 clauses, covers 92 pages and includes a schedule which covers 8½ pages and contains, in Part I, six paragraphs, in each of which is an amendment tied up with the Industrial Arbitration Act; and in the second part, 17 paragraphs all of which are tied up with the Public Service Appeal Board Act; and in Part III five paragraphs which are linked up with the Government Employees (Promotions Appeal Board) Act.

In order thoroughly to understand the Bill one would need a considerable amount of time to go through it clause by clause,

compare it with the old Act and then link it up with the other three important Acts to which it is related and to which I have already referred. Yet we are given a matter of only hours, as it were, to try to assimilate the Bill, to weigh up its pros and cons, to see whether it is an improvement on the present position, and to make a decision.

This Bill has been talked about for some time. It was presented to another place last year and defeated by a narrow majority on the score, I believe, that members there had not been given sufficient time to consider it. I checked the time and they had at least 14 days from the time of its presentation by the Premier and the second reading speech of the Leader of the Opposition, who took the adjournment. I should say that that is a considerable amount of time to study what is admittedly an important Bill in comparison with the very short time which has been given to us to study it.

I will not say that it is the self-same Bill because the measure of last year contained only 70-odd clauses whereas this one has 89. Why was it not introduced in another place earlier in the session to give us a reasonable chance of considering it and studying it? It was introduced into the Legislative Assembly on the 27th November and the second reading speech of the Leader of the Opposition, who took the adjournment, was on the 13th December, and on the same day it was sent to us.

The second reading speech of the Chief Secretary was made on the 14th December and that is all the time we have had to try to assimilate its contents, to find out what it means and to make a decision as to whether we should adopt it, amend it, or to decide what we shall do with it.

It may be interesting at this stage to give members some idea of the background of the system generally. The Public Service Act affects some 4,343 persons and the following figures may be of interest because they give the number of employees and the year from the time when the first Act was passed up to the present date. In 1909 there were 998 permanent employees and 254 temporary employees, making a total of 1,252. In 1916 there were 1,669 permanent employees and 377 temporary employees, making a total of 2,046, while in 1930 there were 1,725 permanent employees and 340 temporary, a total of 2,065. I would remark, at this stage, that in those 14 years, from 1916 to 1930, there was an increase of only 19 in the total number of employees engaged in public service departments.

In 1945 the permanent employees numbered 1,891 and the temporary employees numbered 932, making a total of 2,823. In 1956—11 years later—there are 3,020 permanent employees and 1,323 temporary employees, which makes a total of 4,343. That means that in those years, although there has been an increase in population and, possibly, in the important functions they have to carry out, there has been a sizeable increase in the number of employees from 1,252 in 1909 to 4,343 in 1956. The service controls appointments, promotions, classifications, punishments, retirements, etc., of these employees; but it only controls certain officers in some of the departments.

For instance, in the Education Department, although it brings under the Public Service Act the senior officers, we find that 6,000-odd teachers are outside the Public Service Act altogether. These are the employees that come under the operations of the Public Service Act: employees in the Treasury, the Lands Department, the Department of Agriculture, the Department of Health, the Public Works Department, the State Housing Commission, Mines Department, heads of departments and officers of higher grades; also some minor departments are included. But it does not control the Railways, the State Electricity Commission, the Tramways, the Fremantle Harbour Trust, school teachers, State Saw Mills, State Shipping, State Hotels, the Brickworks, the Implement Works, or in fact any of the trading concerns.

They do not come under the provisions of the Public Service Act. Again, it might be interesting to look back and see when the first commissioners were appointed; to see just who they were and the terms during which they held office. The first was Mr. N. E. Jull, who was appointed in 1905. He had had nine years in office when he died in 1916. Mr. G. W. Simpson was the next. He took over in 1916 and retired in 1931. I understand that he had reached the retiring age but he had served for 15 years. The next Public Service Commissioner was also a Mr. G. W. Simpson who took office in 1931, and had two terms of office—each for seven years duration—and retired in 1945 after having filled the post for 14 years. It is an interesting point that each of these G. W. Simpsons was a George William Simpson. They were not in any way related, and I think the only thing they had in common was their names because they were of different physique, temperament and everything else.

The next commissioner, Mr. S. A. Taylor who retired only recently, was one known to many of us. He took office in 1945 and resigned in 1955, after having been in office for 10 years. Mr. H. E. Smith, who was then Under Secretary for Lands, undertook the position as a temporary appointment and he is still in office. So for 52 years we have had a continuous one-commissioner system; and one of the important questions we must ask ourselves is: Should we change that system?

We should ask ourselves whether, having had very good service from a single-commissioner system, we should change it for a three-commissioner board. It is a peculiar

thing that where a board has been established it has generally been accompanied by a relatively greater growth in the civil service department. That has been the experience universally. Boards are in existence in the Commonwealth, and I think there are also boards in South Australia, New South Wales and Victoria. But the growth of employees in those particular civil services has been even more marked than our own.

It is interesting to look at the growth of the Civil Service between 1939 and 1956 for the whole of Australia, in order to gain some impression of how the Public Service is growing, and whether it is not desirable at this stage to examine the whole question to see whether it is necessary for such a considerable body of men to be employed in this capacity.

Between 1939 and 1956 the number of Government employees in Australia increased by 81 per cent. The population increase was only 35 per cent. So obviously there was a much greater increase than the increase in population would appear to justify. In fairness, however, we must take into account that the increase in population included a lot of younger children, and we would have to compare, to put it on a truly comparable basis, the total of wages and salary earners in that group. But that does not by any means account for the extraordinary difference. The increase in municipal employees during that period was 16 per cent.; State Government employees increased by 65 per cent.; but the increase in Federal Government employees in 10 years was 207 per cent.

The Minister for Railways: There is much duplication.

Hon. C. H. SIMPSON: I know there is, and I think the time has come when the whole question must be thoroughly examined. One of the criticisms I have to repeat at this stage is that when examining this question we must have time to study the Bill in all its implications, to see whether we are perhaps not moving in the wrong direction; to see what we can do to remedy a state of affairs that is causing some of us concern. We all agree, I am sure, that public servants generally are very good fellows.

I say without hesitation that my experience of the departmental officers, and particularly with the heads of departments, has been very happy. I have yet to find where any of them has had any pronounced politcial bias; in fact generally they have had no bias at all. After all, Governments come and go and the officer remains; and, generally speaking he meets the demands of his job according to what is needed and not because it suits one particular party or another.

Strangely enough, civil servants have never been popular with the public; they have always been open to criticism. Members may recall that in Biblical times they were classed as publicans, tax gatherers and sinners. Today we have only a few that are actually tax gatherers. Most are concerned not with the collecting of money but with the spending of it, and that is where the question as a whole warrants a good deal of consideration. We know we must have machinery to carry out the manifold duties for which a Government is responsible. We must have machinery for enforcing the law, for administering justice, for regulating health and other things.

It is the other things that cause us a good deal of concern, because very often those other things are the result of schemes that have been thought up by people in the service; and those other things have grown into sizeable entities employing quite a number of men. It is not everyone who wants to be on the Government payroll. Some do. Some, however, seem to regard each additional public servant as one more step on the road to the bureaucratic state; one more nail in the coffin of private enterprise. Probably somewhere between those two extreme viewpoints lies the truth; and, that is one of the things that we must find.

It is true that where there are more men needed, and there is perhaps more planning than is needed it does seem to have a stifling effect on the country's economy. I would like to read a brief extract from a speech by one of the British Labour leaders, Mr. B. H. Crossman, who said—

> The growth of a vast centralised State bureaucracy constitutes a grave potential threat to social democracy. The idea that we are being disloyal to our socialist principles if we attack its excesses or defend the individual against incipient despotism is a fallacy.

It is true, too, that new departments grow very often as a result of some clever thinking on the part of departmental officials. Naturally every departmental official desires to improve his own position. Sometimes he may feel his avenues for promotion are cramped; and that if a new department or a new branch were created, he would have more chance of getting a higher ranking promotion and a better salary. No one can blame him for that. It is a question of whether the economy of the country can stand too much of that sort of thing.

According to one writer it is axiomatic that subordinates would always be multiples of the chief. I would like to read a cutting because it is very interesting to note that it has often been said that it is the mission of every civil servant to build up his desk into a department. A writer in the "London Economist" claims to have reduced this tendency to a formula. His reasoning runs something like this: Civil servant A is overworked and has three

alternative courses of action. He may resign, ask to share his work with a colleague or ask for the assistance of two subordinates. The first alternative means loss of pension and the second means bringing a rival into the line of promotion. Both are discarded and the third adopted. He cannot ask for one subordinate; this would have the same effect as the second alternative. By asking for (and getting) two he preserves his own position.

According to the "Bulletin" of the 12th December, 1956, the writer in the "Economist" says it can be taken as axiomatic that "subordinates are always a multiple of the chief," and this applies all along the line. The "Bulletin" continues—

> Thus, when C, one of the subordinates, eventually becomes overworked, A will automatically have to give him two subordiates, D and E, which, of course, means that B will also have to be accommodated with two further officials, F and G.
>
> A now has a staff of six, and is well on the way to having a department of his own. As seven officials are now doing what one did before and all are fully occupied—especially A, who has to supervise the other six—the Law of Multiplication of Subordinates is paralleled in the Law of Multiplication of Work. Turning mathematical, the "Economist" writer then applies these laws to other data and produces "Parkinson's Formula," which, he claims, will give the annual percentage-increase in any department. This, he says, will invariably be between five and six per cent. Pleasant nonsense, of course, but the 81 per cent. increase in Government employees in Australia in the 17 years since 1939 does come uncannily close to five per cent. a year.

I read those comments because they are well thought out. They point to a tendency which is well worth examining. In view of that tendency in the Federal sphere, and the tendency for the State to follow suit, it is time that this matter is given considerable attention now this Bill is before the House.

If one studies the Bill, one is struck by the fact that it has been framed after careful work and study with a view to protecting the rights of the employees. There is nothing radically wrong with that; but it does mean that the parties interested—the employees and the union secretary—have spent an immense amount of time in devising ways and means to secure the rights of promotion and to protect themselves against dismissal. Generally they aim at security for themselves in the future.

The Civil Service Association is to have one representative on the board. He will take part in discussions, deliberations or decisions of the board. Apart from that work, it is understood that he will report regularly to his real employers, because his appointment is subject to the approval of the Civil Service Association. He comes up for election every five years, so he will have to satisfy his employers—the Civil Service Association—that he is doing the right thing by its members. This means that from time to time, when he prepares reports, he has to convince the association that its interests are being looked after. I shall say nothing about the other two members of the board, because politics do not enter into their jobs, which is to deal with the various applications that come before the board in the way of complaints, appeals, classifications, applications for positions, etc. The job is a question of studying the merits of each matter brought before the board; in general their job is to perform the necessary functions to ensure a fair deal to the employees.

I have always disagreed with the principle of appointing an employee to sit on what is in reality an employer-controlled board. Such a representative must have divided loyalties—loyalty to the board of which he is a member; and the second and sometimes conflicting loyalty to the Civil Service Association, which has the power of re-electing him at the end of five years. So he must give some indication of good service. As a representative of the board he has access to the inner workings and the reasons for the board coming to various decisions. He knows the pros and cons of the arguments. To my mind the dice is loaded in favour of the employees.

If anyone disagrees with me, let him consider the position of the employee in private industry, compared with that of the employee in a Government job who has a representative on the board to watch his interests. This is the type of representation we are being asked to agree to.

It has been said that there are two main spurs to a person's efforts, one being the hope of reward and the other the fear of punishment, or the sack. In regard to the first—the hope of reward—unless an employee uses one of the means I have outlined—that is, to create a new department—very often the means of promotion are very much circumscribed. If such an officer gets into a rut there is not much incentive for him to give of his best, because another officer with six months more service would have seniority rights of promotion. The officer with seniority of service has an advantage over the later arrival.

When a decision has been made by the Public Service Board, a further right is available to an employee in some instances to appeal to a special tribunal presided over by a judge. By and large his rights and privileges are well safeguarded. On the whole such a system does not lead to the officer giving of his best to the people of whom he is, after all, a servant. One can conjure up a Civil Service which

has grown to such an extent, that it is no longer a body of civil servants, but a body of uncivil masters who delight to use their authority to push the people around.

In regard to the constitution of the board, I must say I am in favour of a one-man board. We have had 52 years of experience in this State of that type of board, and it has proved very satisfactory. If one were to use the argument that this job has grown because against the 1,600 civil servants in the years gone by, there are today 4,300. I would point out that there is only one Director of Education and he is in control of 6,000 school teachers. I would say that the responsibilities and duties of the Director of Education are much greater than those of the Public Service Commissioner, so the argument in favour of three public service commissioners has not been proved.

Excellent service has been given by the single Director of Education and no one would suggest that three Directors of Education should be appointed or three heads of the Public Works Department. They are self-contained jobs. If one were to cite the parallel case of the Railways Commission, I would say that there are three commissioners in the railways but each has a definite sphere of responsibility. One must be an expert in mechanical and civil engineering; another must be an expert in accounts and traffic matters; and the third must be a railwayman of very great experience in all sections.

But in the case of the Public Service we would have the three persons doing the one job. After all is said and done, each of them must make his own decision whether or not it agrees with that of the other two is a moot point. It is like having three judges in a preliminary trial. There is, of course, a court of appeal presided over by three or more judges, but there is only one judge in a preliminary hearing.

Generally speaking, in a matter like this, which concerns personal relationship and where the decision must be that of the commissioner himself, I am very much in favour of a single commissioner as against three commissioners. It may be suggested that the single commissioner can exercise favouritism; but I have not heard of any such cases, and there are none to my knowledge. From my personal knowledge of the commissioner I do not think any favouritism would be shown.

In any case, under the present system, the commissioner submits his recommendation to the Minister. If the recommendation is good, it is accepted; if it is disagreed with, it can be set aside. It may, however, be challenged in Parliament. That is to say, the Governor or the Minister may be called on to justify the action recommended and the decision would need to be justified alongside with the explanation which the Public Service Commissioner had given for taking that action.

I have not been able to examine all the cases affected by this Bill. In some instances the board can by-pass the Minister altogether and it is responsible only to Parliament. It is the opinion of a person who knows a bit about these matters that if three commissioners were appoined, two of them would have a very light job. In effect, the chairman would be the deciding factor and there would not be much for the others to do.

I return again to the argument as to whether or not the appointment of a board to cost £7,000 or more can be justified, when compared with the £2,000 paid to the single commissioner for the same job. If economy was a factor I would say there should be a single commissioner. But what is more important is whether or not there would be economy of staff under a board, as against a single commissioner. I would point out that the experience in Australia has proved the reverse.

With a single commissioner it is easier —and I should say obviously easier—to apply a policy of economy than would be the case with a board of three, because there is always a tendency and a pressure from the employees, through the Civil Service Association, for the creation of new departments and for new employees to be engaged. The measure specifically mentions that the board shall have the power to create new departments or abolish them, and obviously there could be an intake of extra employees and the power of retirement owing to abolition of departments, subject to certain rights of appeal.

The Minister for Railways: The creation of departments would be subject to the Minister's approval.

Hon. C. H. SIMPSON: I am not sure of that under the new measure. This is a very big Bill, with 89 clauses, and I have not been able to study adequately the points to which reference has been made.

It has been said that a board would lessen the work of the Minister in Executive Council. From memory I cannot recall that there was any great hardship in this regard. There are 10 Ministers; and what happens is that two of them attend Executive Council with the Governor. They go through the Executive Council papers and get them signed, and that is all there is to it. If the Ministers take this in turn, it is not a hardship to anyone concerned. But when matters go before Executive Council, very often publicity is given to them because at that moment decisions are validated. But there could be an absence of publicity concerning some important matters if they were referred to a board only.

The Bill proposes to give the board complete authority, to deal with promotions, classifications, punishments, transfers and retirements in regard to all officers who have a justiciable salary of £1,957. A justiciable salary is one that is not fixed but moves up and down with the basic wage. The board would be able to abolish or create positions, as I have already mentioned, and would hear all appeals; but the rights of employees to appeal before the appeal board would apply where—

(a) The board's decision is not unanimous in respect to classification.

(b) Where the penalty is £25 or more or where there is a reduction of more than one grade.

(c) Where the board is not unanimous in respect of promotions.

(d) Where in respect of incapacity or unfitness an officer is directed to accept a transfer to another department.

The right of appeal in regard to promotions now extends to employees with a salary of up to £2,357.

There is one peculiarity in the Bill which to me seems to go very close to compulsory unionism. Certain officers are denied certain rights if they are not members of the Civil Service Association. Some people do not join associations from religious motives and they would be debarred from this right. That is one phase of the Bill which I think should be deleted or amended.

The Government may add to or subtract from the list of appealable positions after consultation with the Civil Service Association. It seems rather peculiar to think that the Government would not make such a decision in its own right. No doubt it would at times confer with the employees and the Civil Service Association which, after all, for the most part comprises men of ability, judgment and sound views. But why there should be a statutory right for the Government to discuss such a matter with the association, I do not know.

Minor amendments cover many rights and powers. For instance, officers have the right to ask for a review if an outsider is appointed to a vacancy. Parties may not engage an agent or a counsel in such an event; but parties to an appeal to the appeal board may brief counsel, but only in respect of punishment, or incapacity, or retirement owing to unfitness. Power is given to the board to grant leave in lieu of the Minister attending to that matter. The board, instead of the governor, is to have power to grant leave without pay for a period not exceeding one month. There are many more minor amendments.

It seems to me that this is a very important measure, and we have to decide many of the clauses in detail. We should decide the principles contained in the Bill, and particularly whether a board of three is preferable to a single commissioner. Before we come to any decision, we should have time to study the Bill and compare it with the Act and similar measures in operation in the other States, with a view to obtaining some idea as to what is the right course to take.

I may explain that I suggested to the Chief Secretary that the Bill should be held in suspension, as it were, and taken up at this stage when the House reassembles after the recess.

Hon. F. R. H. Lavery: In March.

Hon. J. McI. Thomson: Did you say in March?

Hon. C. H. SIMPSON: I do not know when. I am told that the Government was not willing to take that course, and that the Bill must be dealt with now. In view of the short time at our disposal, and the utter impossibility of being able to study the measure in detail, there is only one course open, and that is to oppose the Bill, not doing so because it is not wanted, but because this House has a right to be given sufficient time to study such a measure and give a considered opinion which rests on the knowledge of members from an actual study of the Bill. I oppose the second reading.

Hon. J. MURRAY: I move—

That the debate be adjourned till Tuesday, the 25th December, 1956.

Motion put and a division called for.

Remarks During Division.

The Chief Secretary: On a point of order, I would like to know whether it is possible for a motion to be moved for the debate to be adjourned to a day on which it is impossible for Parliament to sit.

The President: The hon. member moved the motion and the question must be put without debate.

The Chief Secretary: Then you would rule—

The President: The motion must be either agreed to or rejected.

The Chief Secretary: Notwithstanding that an impossible date has been suggested?

The President: The hon. member nominated the day and I must put the motion as moved.

The Chief Secretary: The 25th is the day of goodwill. Perhaps the 26th should have been suggested. That is Boxing Day!

Division Resumed.

Division taken with the following result:—

Ayes	13
Noes	9
Majority for	4

Ayes.

Hon. J. Cunningham	Hon. H. L. Roche
Hon. L. C. Diver	Hon. C. H. Simpson
Hon. J. G. Hislop	Hon. J. M. Thomson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. Sir Chas. Latham	Hon. F. D. Willmott
Hon. G. C. MacKinnon	Hon. J. Murray
Hon. R. C. Mattiske	*(Teller.)*

Noes.

Hon. G. Fraser	Hon. J. D. Teahan
Hon. W. R. Hall	Hon. W. F. Willesee
Hon. R. F. Hutchison	Hon. F. J. S. Wise
Hon. F. R. H. Lavery	Hon. E. M. Davies
Hon. H. C. Strickland	*(Teller.)*

Pairs.

Ayes.	Noes.
Hon. A. F. Griffith	Hon. J. J. Garrigan
Hon. L. A. Logan	Hon. E. M. Heenan
Hon. N. E. Baxter	Hon. G. E. Jeffery

Motion thus passed.

Bill rejected.

BILL—TRAFFIC ACT AMENDMENT (No. 3).

In Committee.

Resumed from the 13th December. Hon. W. R. Hall in the Chair; the Chief Secretary in charge of the Bill.

The CHAIRMAN: Progress was reported on Clause 18, to which Dr. Hislop had moved an amendment. I take it he will now ask leave to withdraw that amendment.

Hon. J. G. HISLOP: I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

Hon. J. G. HISLOP: I move an amendment—

> That a new paragraph be inserted as follows:—
>
> (b) by deleting the proviso to Subsection (2) and substituting the following—
>
> Provided that immediately after such person is charged the person laying the charge shall inform a relative or friend and/or a qualified legal practitioner nominated by the person charged and further that the person charged shall be granted the facility to contact this relative, friend and/or qualified legal practitioner.
>
> When a person charged under this section is suspected of being under the influence of alcohol it is mandatory that he be afforded the right and facility, if he requests it, to be examined by a medical practitioner.
>
> When a person charged under this section with being under the influence of alcohol denies such charge, he shall, if he agrees, be taken to the nearest hospital at which facilities exist, for the purpose of having a blood alcohol test taken by a medical practitioner at that hospital.
>
> When a person charged under this section claims that his condition is the result of the use of drugs in conformity with the prescription of a medical practitioner or of being the result of treatment by a medical practitioner, he shall without undue delay be examined by a medical practitioner or taken to the nearest hospital where facilities exist for the investigation of such a claim.

I would be interested to hear the Chief Secretary's views on the amendment as I think it meets his wishes and those of the Committee.

The CHIEF SECRETARY: My comment, which is pretty lengthy, is as follows:—

> The present proviso to Section 32 s.s. 2 provides that when a person is charged he shall be told by the person laying the charge that he has the right to be examined by a medical practitioner nominated by him, if one is available, and if he desires to exercise this right every facility in this regard shall be afforded him. In practice, a police officer advises the person charged that he has the right and is then requested to nominate a medical practitioner and on such nomination the medical practitioner is phoned and advised of the request. It is then arranged that the person will be admitted to bail when he is sufficiently sober and relatives are advised, if required, by the person concerned. It frequently happens that the person charged does not desire his relatives to be notified.
>
> The proposal of Dr. Hislop to insert a new proviso (1) that a relative or friend shall be informed and/or a qualified legal practitioner, and further the person charged shall be granted facility to contact this relative, friend or qualified practioner is carried out at present by the police when requested. If it is required that the police shall, regardless of the wish of the person concerned, notify his relatives, then the section can remain as it is now worded; however, it is definitely recommended that amendment should be made after the word "shall" in line 3 by adding "if requested by the person charged." With reference to portion of the proviso—lines 13 to 18; this provision is already within the Act and is simply an alteration of the present proviso and is carried out.
>
> With reference to the provision in lines 19 to 26; this is a section or proviso which will be impracticable. When a person is charged at any police station, it is not then known as to whether he will plead guilty or not guilty when he is brought before the court the following morning; not only in charges of this nature but in

many other charges such as stealing, wilful damage, etc., the person charged has indicated that he intends to plead guilty and has altered his plea when before the court. When a person is charged with any offence he is not then requested to decide whether he intends to plead guilty or not. I do not know of any case where a person has indicated, when charged with being under the influence of liquor, that he will definitely plead guilty the following morning; in fact, at that particular stage, is a person under the influence of liquor capable of stating whether he will plead guilty or not?

I submit, therefore, that the section is not practicable and should not be entered into legislation. I quite agree that blood alcohol tests would be of the greatest advantage in these cases, and in other parts of the world, various tests of blood alcohol are compulsory. This has been a matter of considerable discussion for many years; and if a blood alcohol test could be provided by having a medical practitioner attend the charge-room for the purpose of obtaining such blood test, it would undoubtedly be of great advantage to the person charged and to the complainant to definitely decide blood contents of the person charged.

At the present moment I cannot recommend a proviso other than to make it compulsory that all persons charged should have a blood test. Unfortunately, in country areas, this could not be carried out; for instance, a person arrested at Yalgoo could not be tested because there is not a medical practitioner stationed at Yalgoo, or was not a little period ago, nor is there a hospital at Yalgoo with the facilities. The same thing could occur in the same area at Mingenew or Dongara. Unless some means could be promulgated for such a test, I cannot see why it should be included in the present amendments.

Concerning the proviso at lines 27 to 37; it appears obvious that this has been framed without thought of what the position is in country areas. As stated above there are frequently places where an arrest is made where there are no medical facilities and the nearest hospital may be 60 to 100 miles away, or perhaps even further. The position which could arise would be that it would be mandatory for the police constable to take an arrested person a distance of anything up to 100 miles and the return journey for the purpose of this examination.

When one realises that in 1953-54, 241 persons were charged in the country areas and 297 in the city area; in 1954-55, 245 in the country and 299 in the city; and in 1955-56, 261 in the country and 276 in the city, it can be seen that at least 150 drivers per annum, at an estimate, could not be granted the facilities prescribed in this section without incurring considerable cost to them for the transport to and from a medical practitioner or the closest hospital.

I would recommend the word "shall" in line 33 be altered to the word "may," if the proviso is to go through the Legislative Council. However, as reported previously, I cannot see that this proviso should be approved by the Legislative Council. It does not provide how proof is to be given that the person took the drugs in the manner prescribed by the medical practitioner, nor does it prescribe anything with regard to the assessment of the amount of drugs taken. A reputable medical practitioner has stated that such a section would introduce too many complications as to the assessment of the amount of drugs taken, and as there is provision in the present proviso for a medical practitioner to be nominated by the person concerned, why is not this proviso sufficient to cover everything desired in the proposed amendments by Dr. Hislop?

I submit that the present proviso gives ample protection to a person charged with regard to a medical practitioner and gives the person charged the right to exercise the privilege; and this is mandatory for a police officer to advise the person concerned that he has that right. I fail to see any need, whatsoever, for the proposed amendments. However, if it is to be deemed mandatory to notify a qualified legal practitioner, there could perhaps be added to the present proviso after the words "medical practitioner," the words "or legal practitioner."

If the section is to be retained the following amendments should be made:—

Amend proviso (line 6) by adding after the word "shall" the words "at the request of the person charged."

Delete the words "denies such charge" in line 21.

Delete lines 22 to 26 and insert—

"He may nominate a medical practitioner to attend and have a blood alcohol test, or, if no medical practitioner is available may, where practicable, be taken to the nearest hospital for that purpose."

Add another subsection as follows:—

All costs incurred in carrying out the above provisions shall be payable by the person charged.

I do not know whether members were able to follow what I have read, but I think there is a lot in common between it and Dr. Hislop's amendment, and no matter which is accepted, I do not think any harm will be done. It is a matter which could be settled in a short time in conference. Although at the beginning of my notes it was said that provision was there for these things, yet we get complaints such as those that were made the other night that these things are not done. From the point of view of both the police and the public it would be much better if it were set out in a practical way how these things should be done.

Hon. J. G. HISLOP: The Chief Secretary has adopted a very generous attitude and I am quite agreeable to what he has suggested. I thought I had covered the point very well when I said the individual should be taken to a hospital where such facilities are available. I thought I would limit it to the metropolitan area for a start so that it could be put on trial.

Hon. J. McI. Thomson: Or in the large country towns.

Hon. J. G. HISLOP: Therefore, the word "practical" would fit in very well and I am agreeable to the conference as suggested by the Chief Secretary.

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

Clause 19—Section 34 amended:

Hon. A. R. JONES: I intend to vote against this clause, and I also voice my objection to it on behalf of Mr. Logan, who is not present this evening. In his opinion it is wrong that the owner of a vehicle should be charged with a minor offence. Therefore, as it is not a fair proposition, I am going to vote against the clause.

Hon. F. R. H. LAVERY: I oppose the clause because I consider that Section 34 is quite clear in its intention. This clause seems not only to be redundant, but also it will impose a further charge on the owner of the vehicle.

The CHIEF SECRETARY: It is necessary to insert such a provision in the Act because it is becoming an increasing tendency of registered owners to take advantage of the fact they have many vehicles and drivers. They take advantage of the words "in which it is in his power to give" which appear in Section 34, because they say, "I do not know who was driving the vehicle at the time. It may have been A.B." The police then interview "A.B." but he says it was someone else. As a result, police officers have been known to interview as many as five people to trace the individual who committed a minor traffic offence. If the police cannot prove who was driving the vehicle at the time they cannot sustain a charge.

It is not desired to have this power for other than minor offences; but it is time that owners were made to realise their duty and their obligation in connection with their vehicles. There are several large Perth firms who take advantage of the loophole in this section because they could quite easily keep a register of the drivers of their vehicles so that an offender could be traced more easily. If the owner says that it is not in his power to supply the name of the driver, how can a police officer trace the offender? Members will agree that an owner of a vehicle ought to have some responsibility.

Hon. Sir Charles Latham: Suppose he is the manager of a firm which has several employees?

The CHIEF SECRETARY: Doesn't the hon. member think that he should know who is in charge of his vehicles?

Hon. Sir Charles Latham: Not if they are all out on the road at the same time.

The CHIEF SECRETARY: Surely members are not going to tell me that business people have men driving around in their vehicles without their knowing who is in charge of them! I would know who was in charge of my car if it were out of my possession, and if the driver became involved in a parking offence. If the vehicle were lent without my knowledge, I would expect the departmental head or the person in charge to tell me who had the car. Often I have said to the officer in charge at the Government garage, "I saw car No. so-and-so on the road just a moment ago" and he was able to tell me immediately who was driving it.

Hon. L. C. Diver: But did you check what he told you?

The CHIEF SECRETARY: No; but the police can approach a person to check the commission of any traffic offence. I hope the Committee will not agree to the deletion of this clause.

Hon. F. R. H. LAVERY: The answer given by the Chief Secretary has substance; but my experience has substance, too. I defy anyone to go to the Metro Bus Co. and ask the foreman in charge who was driving a particular vehicle at any particular time and get the correct information; and the same applies if similar information was sought from the foreman in charge of vehicles owned by one of the oil companies.

On one occasion I committed a parking offence whilst I was driving my son's car. The police came to see me at my home. They told me that the car I was driving did not belong to me, and I explained that it belonged to my son and that I was guilty of the offence. Nevertheless, my son had to accept the summons which set out that charge. Therefore, the police are not always correct. This clause will not

give the police any more power than is provided in the Act. If it does, I will be greatly surprised.

Clause put and negatived.

Clause 20—agreed to.

Clause 21—Section 47 amended:

Hon. A. R. JONES: I move an amendment—

That after the word "penalty" in line 13, page 33, the words "for a first offence not exceeding twenty pounds and for any subsequent offence." be inserted.

I feel that a person who commits this offence for the first time is not imperilling the life of other people so much as he is his own. A person can commit a greater offence in many instances on the open road and get out of it with a lighter penalty. Therefore I ask the Committee to agree to my amendment.

The CHIEF SECRETARY: I hope the Committee will not agree to this amendment, as we are dealing with something really serious. The Railway, Police and Traffic Departments put up these stop signs and the driver who takes no notice of them is a dangerous and negligent one. He could have a carload and endanger the lives of four or five people. This penalty is akin to the penalty prescribed for ordinary dangerous driving. We cannot disassociate ourselves from someone who will not stop at a railway crossing. The penalty for a first offence for dangerous driving is £50, yet this amendment would make it £20 for failing to stop at a railway crossing.

Hon. N. E. BAXTER: I know of a stop sign on a railway crossing on the Midland line. On that line the view is very clear and trains are few and far between, yet it is necessary for a driver to pull up. A slow sign should be sufficient. That is the type of crossing to which this amendment would apply. On all the dangerous crossings we have traffic lights. On the type of crossing I have mentioned a slow or danger sign would be sufficient. It is ridiculous to fine a man £20 for not stopping on a railway crossing which has a clear view and at which the trains are few and far between.

Hon. L. C. DIVER: For the information of members, I should recount something I witnessed this year. At the Rivervale crossing the lights were flashing, and five or six cars were stationary. A locomotive was stationary on the pads, and the lights were flashing. The engine driver signalled the car drivers to proceed. However, by the time the vehicle I was in went to cross there was a diesel coming down full bore from the other direction.

If ours had been the only vehicle to receive the O.K. we could not have given the patrolman—who came along on that occasion—verification of what happened, and the driver of the vehicle I was in would have been liable for the penalty the Chief Secretary wants inflicted. I would be loth to put a penalty into the Bill of such severity as the one envisaged here, because there are times when the train crew is to blame and not the unfortunate motorist.

Hon. F. R. H. LAVERY: I would like to support those members who think the penalty is too high, except for one thing. I feel the stop signs are a matter of education and therefore do not consider the penalty to be too high. We must realise that the Railway Department has put these signs on crossings for one purpose only, and that is to save human life. We have only to remember the case of a young man at Carlisle. He drove past cars which were stationary at a crossing because he was in strange territory and, as a result, lost his wife and child. I would not cross a railway line without first stopping. I appreciate what Mr. Diver has said, but the signs are there to convince the motorist who thinks he has the whole right of the road. I commend the Railway Department for putting them there. We must remember that £50 is the maximum.

Hon. J. M. A. CUNNINGHAM: I am one of those people who do not believe in making a first penalty exceedingly heavy. So many cases can happen where the circumstances would be different in each individual instance. Generally speaking the first offender in this case is a dead offender. The penalty is severe. Frequently efforts made to make a crossing safe tend to make it more dangerous. The practice has been adopted of taking a road in a long sweep across a railway line, and the idea is probably good; but when a car comes on to the sweep, the driver is steering around a comparatively sharp curve and has not time to look at the railway line.

The practice on the Continent may be worth trying—and that is, to have progressive signs: one 300 yards from the crossing, saying that there is a crossing ahead; then another; and then a third and final one saying that there is a dangerous crossing and to stop. If a man is travelling at 60 miles per hour he may see one of our stop signs but he is on the crossing before he can stop.

Hon. F. R. H. Lavery: They are mostly 40 or 50 feet away.

Hon. J. M. A CUNNINGHAM: A car travelling at 60 miles per hour would cover that distance in one-tenth of a second. That is not sufficient time for the driver of a car to react to the sign.

Hon. J. G. HISLOP: I wonder where we have gathered the idea that by increasing penalties we are lessening offences. We have done no reasearch into the matter. Most accidents at crossings

happen to careless people. The fact that there is a penalty of £50 will not enter into their minds.

Hon. A. R. JONES: My main objection is to the stop signs being placed so haphazardly. Mr. Baxter mentioned one, and I venture to say that 500 cars would go past it without stopping. At Guildford there is a crossing where the trains wait at the station and the lights go all the time, and a car might be held there for half an hour. The motorist can see whether anything is coming and he would be justified in going ahead.

Generally speaking, the stop signs around the city are doing harm rather than good because at the moment the stopping of vehicles does not seem to be enforced. It would better to restrict the speed to five miles an hour at dangerous places and to 10 miles an hour where it is not so dangerous. One would then at least know that the other fellow was not going to stop.

The CHIEF SECRETARY: I am surprised that members are seeking to make it easy for people to commit a serious offence like passing over a railway crossing without stopping where stop signs are provided. I do not know why Mr. Jones had to make statements as he did about stopping at the Guildford crossing for half an hour. The train does the whole journey in 25 minutes so a motorist would not be held up for more than a minute.

Hon. H. L. Roche: Not all the goods trains do.

The CHIEF SECRETARY: They do not stop at Guildford. I have been at this crossing when a fellow has gone over the line while the lights were flashing. Members at some time have agreed that for the first offence of dangerous driving a fine of £50 should be imposed. Is it any more dangerous on the road than it is to go over a railway crossing against a stop sign?

Hon. J. G. Hislop: Do you really want to stop this offence?

The CHIEF SECRETARY: I want to do my little bit towards it.

Hon. J. G. Hislop: Why not make the fine £500?

The CHIEF SECRETARY: A £500 fine would not stop some motorists; but a £50 would stop a lot of them from committing the offence.

Hon. J. G. Hislop: Once they had committed it.

The CHIEF SECRETARY: No; the severity of the fine will stop a lot of people. Mr. Baxter mentioned that there was a clear view at some of our railway crossings. The crossing in the metropolitan area with the clearest view is the one where the most deaths occurred, and it was finally closed. That is the Napier-st. crossing, Cottesloe. The only thing that will stop a lot of people is a penalty. What stops them from parking in the city? Is it not because they will be fined for so doing?

Hon. H. L. Roche: Is it a £50 fine?

The CHIEF SECRETARY: The severity of the fine is in accordance with the offence.

Hon. A. R. JONES: What is the Chief Secretary's reaction to the situation that arises when a motorist approaches a crossing and stops, and the second one does the same? There may be a line of traffic; but according to the law, each person who approaches the stop sign must stop. The first having stopped and then proceeded across the line, it would be perfectly safe for the others to follow him. That is done every day.

The CHIEF SECRETARY: Members have said that £50 is the fine that will apply to everyone. I point out that the courts will award a penalty in accordance with the severity of the offence. The penalty of £50 is the maximum.

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

Ayes	....	....	....	13
Noes	....	....	....	11
Majority for			....	2

Ayes.

Hon. N. E. Baxter	Hon. J. Murray
Hon. J. Cunningham	Hon. H. L. Roche
Hon. L. C. Diver	Hon. C. H. Simpson
Hon. J. G. Hislop	Hon. J. M. Thomson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. G. C. MacKinnon	Hon. F. D. Willmott
Hon. R. C. Mattiske	*(Teller.)*

Noes.

Hon. G. Bennetts	Hon. H. C. Strickland
Hon. E. M. Davies	Hon. J. D. Teahan
Hon. G. Fraser	Hon. W. F. Willesee
Hon. R. F. Hutchison	Hon. F. R. H. Lavery
Hon. G. E. Jeffery	Hon. F. J. S. Wise
Hon. Sir Chas. Latham	*(Teller.)*

Pairs.

Ayes.	Noes.
Hon. A. F. Griffith	Hon. J. J. Garrigan
Hon. L. A. Logan	Hon. E. M. Heenan

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

Clause 22—agreed to.

Clause 23—Section 59 amended:

Hon. A. R. JONES: I do not desire to proceed with the amendments I have on the notice paper as a similar one was discussed previously and decided upon.

Clause put and passed.

Clause 24—Section 60 repealed and re-enacted:

Hon. L. A. LOGAN: When I first read the clause I was under the impression that we were enabling a member of the Police Force or a traffic inspector, if he deemed it advisable, to grab the first car he saw to follow some offender. I understand that the reason for the use of the words

"other than a member of the Police Force or a traffic inspector when acting in the execution of his duty" is to give those people the right to shift a vehicle from a laneway; or if a person is under the influence, to push the driver aside and move the vehicle out of harm's way. I would like to hear the Chief Secretary on the point before I move any amendment.

The CHIEF SECRETARY: The departmental information is that this provision is to give protection to members of the Police Force or traffic inspectors should they have to move a vehicle which is in a dangerous situation, or is causing obstruction to other traffic, or where it has to be removed from the scene of an accident for the protection of property. The words also protect the owner of a vehicle; and if a member of the Police Force or a traffic inspector moves a vehicle not in the execution of his duty he is just as liable as any other person. It is essential that while acting in the discharge of their duties police officers and traffic inspectors should receive the maximum protection.

Hon. L. A. LOGAN: Having heard the explanation, I shall not move the amendment in my name on the notice paper.

Hon. Sir CHARLES LATHAM: I would like the Chief Secretary to tell me what is meant by the words —

> The Criminal Code is amended in accordance with the schedule to this Act.

The CHAIRMAN: Mr. Watson has an amendment which precedes those words.

Hon. H. K. WATSON: I move an amendment—

> That after the word "duty" in line 5, page 34, the words "or a person removing a motor-vehicle from trespass to land" be inserted.

Cases have been brought to my notice where motor-vehicles have trespassed on land, and I think it only right that the owner of the land should be able to move the vehicle without being liable to imprisonment or the fines set out in the Bill.

The CHIEF SECRETARY: The department thinks this amendment undesirable and feels that it appears to be more of a civil liability. There are so many factors in civil law which affect this matter; and as an owner of land has ample protection under common law, the department thinks the amendment might be dangerous. The owner of land could call upon a police officer or a traffic inspector to assist him in such cases. I realise that it does seem hard.

Hon. H. K. WATSON: I appreciate what the Chief Secretary has said regarding civil action; but if cattle trespass on land, the owner of the land can drive them off even on to a public thoroughfare.

Hon. Sir Charles Latham: Not without being liable.

Hon. H. K. WATSON: Yes. Why penalise the owner of land, under the Traffic Act, for shifting a vehicle from his premises? Because if he is doing something illegal, the owner of the car can take action against him under civil law. It often happens that two or three people, while attending the pictures, will park their cars in a private drive; and surely the owner of the house concerned has the right to shift those cars rather than be compelled to leave his own car in the street, and without having to go to the trouble of getting a policeman to shift them!

The Chief Secretary: It might be all right to insert the words and iron it out later if necessary.

Hon. H. K. WATSON: Thank you.

Amendment put and passed.

Hon. H. K. WATSON: I do not know whether the Chief Secretary can enlighten me, but in St. George's Terrace, for example, there are entrances to various buildings, and people park their cars in the Terrace in those entrances, and a person who has his car at the back of the premises may wish to leave. Much the same point arises there as I have mentioned before. Can the Chief Secretary clarify the position?

Hon. Sir Charles Latham: I think you are quite right.

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

> That Subsection (2) of proposed new Section 60 in lines 30 to 36, page 34, be struck out.

This refers to an offence being tried in a traffic court, and concerns the unlawful using or taking possession of a car or vehicle. The only evidence that might be presented is that the fellow had unlawfully taken possession of the vehicle. This is a civil offence and should not be tried by a traffic court.

The CHIEF SECRETARY: This provision is to enable the owner of the vehicle to obtain compensation when his vehicle has been unlawfully used. So if the provision were struck out it would involve the owner in considerable expense by way of action in the Supreme Court or the Local Court. Also, the person unlawfully assuming control of the vehicle would be responsible for the damage, and such action might involve him in the increased costs necessary under a civil action.

Hon. L. A. LOGAN: A person is being tried for unlawful possession of a vehicle and no other evidence enters into it. If the person is convicted of being in unlawful possession and the owner wants damages, he must bring all the necessary evidence to the traffic court where assessors would have to be appointed to assess the damage done to the vehicle.

Hon. F. R. H. LAVERY: I agree with Mr. Logan. This refers to a civil case, and it is wrong to have such a provision included in the Traffic Act.

Hon. A. R. JONES: I agree with both parties. If the damage were obvious the court could decide the case. That would be a saving, as no other action would be necessary. If the damage were to the engine and were not obvious then this provision would be necessary. Only if his case were a strong one would he contemplate such action. It would act as a deterrent.

Hon. L. C. DIVER: I cannot agree with my colleagues. In the majority of cases it is not possible to get satisfaction against people who unlawfully take possession of a vehicle. We should make it as cheap as possible for the person whose vehicle has been damaged, and a civil action would involve him in considerable expense.

Amendment put and negatived.

Clause, as previously amended, put and passed.

Clause 25—agreed to.

Clause 26—Third Schedule amended:

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

> That after the words "motor car" in Item 1, page 37, the words "or for a motor utility truck not exceeding 75 P.W. Units" be inserted.

This is to overcome an anomaly that has arisen as a result of the changeover from the Dendy Marshall formula to the R.A.C. formula. Under the new formula the registration for the Ford Mainline utility increases from £8 to £18 18s.; for the Dodge utility it increases from £9 to £19; for the International utility from £9 to £19 10s. and for the Chevrolet from £9 to £19. These increases are very great and the purpose of the amendment is to reduce the amount of licence fee on each of those vehicles.

The CHIEF SECRETARY: A motor utility is not defined in the Act. The vehicle is included in the general definition of motor wagon. A motor utility of 75 power-weights is really a small wagon; and, in fact, in many cases can be licensed to carry a load of up to one ton. A big administrative difficulty would be to define a motor utility as distinct from a motor wagon. Owing to the great variety of vehicles and body types there is very frequently a minor difference between the vehicle popularly known as a utility and other lighter wagons.

A serious anomaly would arise owing to the fact that some vehicles which could be classed as motor wagons, not as utilities, would have a power-weight total of less than 75. These lighter motor wagons would be assessed for licence fee on a higher power-weight rate than a motor utility carrying a similar load. Provision is already in the Act to define an estate car, a countryman or station wagon in the class of motorcars.

Hon. L. A. LOGAN: A bad anomaly is created. It is essential to have a definition of a utility. It would be easier to include a definition than to agree to the clause. I cannot vote for the clause as it stands where vehicles are to bear such a heavy increase in licence fees. It would be better to agree to my amendment, and if anomalies creep in they can be overcome at a later stage.

Amendment put and passed.

Hon. H. K. WATSON: I move an amendment—

> That paragraph (f) on page 40 be struck out and the following inserted in lieu:—
>
> > (f) by deleting from under the heading PASSENGER VEHICLE AND CARRIERS' LICENCES in Part 1 of the item "Fee for a passenger vehicle licence, per wheel or per pair of dual wheels 10s." and substituting therefor the item "Fee for a passenger vehicle (other than a passenger vehicle licensed under the State Transport Co-Ordination Act, 1933-1948) licence, per wheel or per pair of dual wheels 15s." and by substituting the figures representing fifteen shillings in lieu of the figures representing ten shillings as the fee for a carrier's license, per wheel or per pair of dual wheels.

The object is to adopt the provision in the clause but to remove a long-standing anomaly, because the item includes omnibuses. It is right and proper that taxis should, in addition to the ordinary licence fee, pay an extra fee for carrying passengers. They are not licensed by the Transport Board. On the other hand, the omnibuses pay to the Transport Board the ordinary licence fee as well as a fee of 6 per cent. of the gross takings. This fee totalled £70,000 in one year. In that respect omnibuses differ from taxis and other passenger-carrying vehicles. There is no reason why they should pay a further fee of 15s. per wheel. That provision was inserted into the Traffic Act before the Transport Co-ordination Act was passed and it should have been removed when the latter became law.

The CHIEF SECRETARY: This amendment would, in effect, delete the provision for an additional fee for passenger vehicles. The provision for a passenger vehicle licence, in addition to the ordinary licence, prevails throughout the world and has been in the Traffic Act in this State since its inception. These vehicles have to be examined frequently for the safety of the public, and they are under special control

which involves many thousands of pounds per year. Why should they not pay some small proportion of this cost?

To alter such a provision by the deletion of any additional fee for passenger vehicles is a retrograde step, and that involves other sections of the Act and the regulations. If this is abolished how would a vehicle be licensed to carry passengers? What differentiation would there be in a licence? Would not the driver of a private car be able to carry passengers for hire or reward? Section 6 provides that a passenger vehicle licence is required for every vehicle used for the carriage of passengers, for hire or reward. The department considers there would be no control of passenger vehicles as such and that would create chaos in passenger movements throughout the State.

Hon. H. K. WATSON: I agree with what the Chief Secretary has said. We should bear in mind that the comments of the department were prepared when my amendment was not as restricted as it is now. In the first place my amendment sought to delete the passenger licence altogether; but, upon further consideration, it occurred to me that there were passenger vehicles other than omnibuses. I redrafted the amendment so that they would still be covered. I excluded only the passenger vehicles licensed under the Transport Co-ordination Act. It is true that in every other part of the world an extra fee is paid by passenger vehicles, but in no other part of the world are passenger vehicles subjected to such a heavy tax as 6 per cent. of the gross takings.

The Chief Secretary: The amount varies, and in some cases it is as low as 1 per cent.

Hon. H. K. WATSON: There is a difference in the case of taxis. I ask the Chief Secretary to agree to the amendment subject to its being discussed in conference. The carrier pays 15s. per wheel for the use of the roads, and nothing else, but the omnibuses pay 6 per cent. of their gross takings.

Hon. F. R. H. LAVERY: The 6 per cent. is not a licence fee. It is paid for a franchise on a particular route. The first bus service between Perth and Fremantle was run by Mr. Spicer, and after him there were 22 other owners of that service. Following the formation of the Metro bus service in 1926 the imposition of a percentage of the gross takings for the franchise on that route was put into effect. In the war years it was found that some bus companies could not pay the 6 per cent. for their franchise, and today one company is—and possibly two companies are—paying the 6 per cent. Others pay as low as 1 per cent.

Hon. H. K. WATSON: If the hon. member wants to obtain the correct view of the position he should read Hansard, page 2192, of the 29th November, 1933. There he will see just what was the real reason for imposing the 6 per cent. It was imposed simply to take the place of the traffic fees which hitherto had been collected under the Traffic Act.

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

New clause:

Hon. A. R. JONES: I move—

That the following be inserted to stand as Clause 14:—

Section twenty-three of the principal Act is amended by adding after the first proviso to Subsection (1) the following proviso:—

Provided also that, where a person under the age of eighteen years makes application for a licence to drive a motor cycle—

(a) the licence or renewal shall not be granted unless the applicant produces—

(i) the consent in writing of a parent or guardian of the applicant to such licence or renewal being granted; and

(ii) a certificate in writing that the applicant is of good character and a fit and proper person to hold such a licence and signed by a justice of the peace, a minister of religion, a police officer or any other person authorised by the Governor to sign such certificate for the purposes of this paragraph;

(b) the Commissioner may, in lieu of requiring the applicant to satisfy an examiner that he is qualified to drive a motor cycle, or to apply for and obtain a learner's permit as provided by Section 25 of this Act, accept the certificate of the Safety Council Motor Cycle Driving School, or of a motor cycle club approved by the Commissioner, that the applicant is qualified to drive a motor cycle.

This deals with young people applying for licences to drive motorcycles. I explained the object at the second reading

of a Bill which I previously introduced and then had discharged from the notice paper.

The CHIEF SECRETARY: One of the first things it was sought to teach me when I came to Parliament was never to put long amendments on the notice paper because to do so was to court disaster. I do not know if that is what will happen to the hon. member. I have a long reply to the amendment, as follows—

> It is not agreed that there should be consent in writing of a parent or guardian for an applicant to obtain a motor-cycle driver's licence or renewal. It would be rather difficult to enforce and it is not considered that such would be desirable; in the majority of cases, parents or guardians are well aware of such application. It is doubtful whether this section would be of any real value.
>
> Further, a certificate in writing of an applicant's good character would again be rather difficult for the people who are to submit such. It is noted that it is to be signed by a magistrate, justice of the peace, a minister of religion, a police officer or a person authorised by the Governor. It is not desired that any police officer should be required to submit a certificate in writing that an applicant is of good character. It is not in accordance with the police regulations which provide that a police officer may not give a written reference but his name can only be used as a referee through the Commissioner of Police. Another point is the standard of character. What would be the position with a youth who had been dealt with for stealing fruit from an orchard?
>
> It is not in accord with the present conditions throughout the Commonwealth as prescribed by the Australian Road Traffic Code Committee and adopted by the Australian Transport Advisory Council, to provide such a section.
>
> Relative to the suggested paragraph (b); it is not desirable that the Commissioner of Police should have to accept certificates of outside bodies to show that a person is efficient and capable of riding a motorcycle. Under the present conditions police officers must ensure that a person is capable of riding a cycle before he can obtain a licence, and to delegate that power to motorcycle clubs is certainly not desirable. Although the Commissioner of Police is quite in favour of the Safety Council Motor Cycle Driving School tuition, he is of the opinion that an applicant should be tested by an officer of the Traffic Branch where desired; at present certificates are accepted because a traffic motorcycle constable is usually in attendance at these schools.

I agree heartily with what has been put up by the department and consider that it would be wise to leave well alone.

Hon. G. C. MacKINNON: Can Mr. Jones tell me whether it is legally possible for a person to have neither parents nor guardian?

Hon. A. R. JONES: I do not know whether it is possible. If an accident occurred tonight and the mother and father or the legal guardian were killed, then I suppose the child would not have a legal guardian except perhaps the State. I could not really answer the hon. member.

With regard to the excuses made by the person who submitted the report for the Chief Secretary to read, I consider they are rather lame. I would point out that I went to the Traffic Branch and discussed all these matters with Sergeant Salter, who is in charge of the training of the motorcycle squad and has been engaged in motorcycle work with the branch for many years. He thought there was a need for a tightening up with a view to having responsible people on the roads rather than encouraging irresponsible people.

It was said by the Chief Secretary that there could not be any check. I would imagine that if this provision became law there would be an application form on which there would be room for a parent or guardian to sign, and provision also for a character reference. A man who was asked for a reference would not hesitate to give one if he knew nothing against the young person concerned. On the other hand the applicant might find it difficult to obtain such a reference on account of his general behaviour in the district where he was known. That is the irresponsible type we should try to discourage.

Sergeant Salter was all for paragraph (b) of the proviso in view of the fact that there is already a Safety Council Motorcycle Driving School and that some clubs are setting out to do a similar job. He was in favour of people joining these clubs, where they would be under strict supervision, and nobody would sign a certificate for a person not qualified to have a licence. I cannot see how the provision would be any hardship but it would prevent young people who should not have licences from getting them. I do not think any parent or guardian would withhold consent if it were thought the child should have a licence.

New clause put and a division taken with the following result:—

Ayes	13
Noes	9
Majority for	4

Ayes.

Hon. J. Cunningham	Hon. H. L. Roche
Hon. L. C. Diver	Hon. C. H. Simpson
Hon. J. G. Hislop	Hon. J. M. Thomson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. L. A. Logan	Hon. F. D. Willmott
Hon. G. C. MacKinnon	Hon. J. Murray
Hon. R. C. Mattiske	*(Teller.)*

Noes.

Hon. G. Bennetts	Hon. J. D. Teahan
Hon. E. M. Davies	Hon. W. F. Willesee
Hon. G. Fraser	Hon. F. J. S. Wise
Hon. G. E. Jeffery	Hon. F. R. H. Lavery
Hon. H. C. Strickland	*(Teller.)*

Pairs.

Ayes.	Noes.
Hon. A. F. Griffith	Hon. J. J. Garrigan
Hon. N. E. Baxter	Hon. E. M. Heenan

New clause thus passed.

New clause:

Hon. H. K. WATSON: I move an amendment—

That the following be inserted to stand as Clause 17:—

Section 29 of the principal Act is amended—

(a) by inserting after the word "shall" in line 6 of Subsection (1) the words "upon becoming aware of the accident."

(b) by deleting the words "if the Court shall be satisfied that the person convicted was not aware of the occurrence of the accident or" in lines 1, 2 and 3 in the proviso to Subsection (1).

At present, under Section 29, if a driver involved in an accident fails to stop his vehicle, he is liable to imprisonment or a fine. There is also a proviso that if the court is satisfied that he was not aware of the occurrence of the accident it may impose a fine instead of imprisonment. A legal practitioner has informed me that that is unjust. I am not trying to reduce the penalty where anyone knowingly involved in an accident fails to stop, but it is extraordinary that if he has no knowledge of the accident he should still be liable to conviction. The legal practitioner who brought the point to my notice said that the section at present abrogates the doctrine of mens rea, or guilty intent. I ask the Chief Secretary to have the point examined by the Crown Law officers.

The CHIEF SECRETARY: I do not think that the wording of the proposed new clause dovetails with the wording of the section. It is the opinion of the department that the proposed new clause would make it easy for unscrupulous persons to avoid their responsibility, and it is felt that the present section is adequate and should not in any way be made loose.

Hon. H. K. WATSON: Will the Chief Secretary have this question of mens rea examined by the Crown Law Department? There may be some ambiguity, but I suggest that it is inherent in the section.

Hon. C. H. SIMPSON: I understood there was no provision for a fine but for imprisonment only, and that the person concerned had to satisfy the court as to whether he was aware of the accident. Imprisonment is all right if the person is guilty, but otherwise it is most unjust.

The Chief Secretary: The section says the penalty is £50, and that the court may in certain circumstances also impose imprisonment.

Hon. H. K. WATSON: On my reading, a person convicted of the offence shall be liable to imprisonment for not less than three months or exceeding 12 months; and at present there is also provision that if the court is satisfied that he did not know the accident had occurred, he can be fined.

New clause put and passed.

Schedule, Title—agreed to.

Bill reported with amendments.

BILL—ROAD CLOSURE.

In Committee.

Resumed from the previous day. Hon. W. R. Hall in the Chair; the Minister for Railways in charge of the Bill.

The CHAIRMAN: Progress was reported after Clause 7 had been agreed to.

Clause 8—Closure of University Avenue, Hollywood:

Hon. H. K. WATSON: This clause proposes to close a public road known as University Avenue. This is no ordinary closure, because it seems to close one of the main arterial roads in the metropolitan area. It constitutes that part known as Thomas-st. running from Hampton-rd. which is the one which crosses Broadway and runs up to Monash Avenue and then joins University Avenue which, in turn, runs for about half a mile up towards the new chest hospital where it changes its name to Aberdare-rd. which then goes on to Thomas-st.

It is proposed to close University Avenue from Aberdare-rd. to Monash Avenue and to divert the highway along Kings Park-rd., to join up with Winthrop Avenue which runs into Stirling Highway at that point opposite the University gates. This proposal, therefore, affects the major part of the route, and I would remind members that a traffic road bisects the community. In other words, this road serves Shenton Park and Subiaco and at Hampton-rd it serves Hollywood on both sides. The new road that is to go along Kings Park-rd. will serve the community on one side only.

The closure of this road will also have a considerable effect on the shopping centre at Hampton-rd. because that will become a dead-end street. This proposal, whilst envisaged in the Stephenson plan, has been agreed to as a result of negotiations between the University, the chest hospital and the Public Works Department. However, in all those negotiations the two authorities really concerned—namely, the Subiaco and Nedlands Municipal Councils—have not even been consulted as to what views they hold on this proposed closure. If only as an act of courtesy, the Minister should have taken into consultation the Subiaco and the Nedlands Municipal Councils because this thoroughfare plays an important part in the community life of those two centres.

It is not proposed to close the road forthwith. In view of the local authorities concerned not having been consulted; in view of the fact that Clause 8 will not be brought into operation until proclaimed; and in view of the fact that it will be many years before it is proclaimed, I suggest that, for this session at any rate, we might leave Clause 8 out of the Bill and bring it forward next year after the local authorities have been consulted.

The MINISTER FOR RAILWAYS: It is not quite correct to say that the two local authorities have not been consulted.

Hon. Sir Charles Latham: I would have been very surprised if they had not been.

The MINISTER FOR RAILWAYS: I have here a letter which was sent from the Subiaco Municipal Council to the Under Secretary for Lands dated the 31st October, 1956. It reads as follows:—

> Re Proposed Closure, University Avenue.
>
> Dear Sir,
>
> Your letter of the 3rd instant—that is, the 3rd October. Continuing—
> —was placed before the Council last evening and I have been instructed to lodge a protest against the proposed closure of University Avenue. It is felt that the proposed closing of this road will have a detrimental effect upon the business in Hampton-rd. and it cuts off direct communication between portion of the South Ward of this municipality with other parts.
>
> It will be appreciated if this view is taken into consideration before actual steps are taken to close the road.
>
> Yours faithfully,
> A. Bowyer,
> Town Clerk.

I would suggest that that is not a strong protest but a very mild one for the Subiaco Municipal Council to have lodged. It says that the closure of this road will affect that small business centre in Hampton-rd., which is the Hollywood shopping centre and it goes on to say that if its view were taken into consideration it would be appreciated. That is rather mild.

Hon. H. K. Watson: Would the Minister mind reading the letter to which that reply was sent?

The MINISTER FOR RAILWAYS: I am sorry but I have not the original letter here. Here is some further advice which is dated the 5th November from the Under Secretary for Lands to the Under Secretary for Main Roads in connection with the matter. The Under Secretary for Lands says—

> Please find enclosed a copy of a letter from the Subiaco Municipal Council protesting against the proposed closure of University Avenue. The Municipality of Nedlands has also advised that it is not in favour of the closure but no reasons have been given.

So both local authorities were advised and both replied, and I would suggest that neither is strongly protesting.

Hon. H. K. Watson: Were they presented with a fait accompli?

The MINISTER FOR RAILWAYS: I would not say so. No approach was made to the Minister for Local Government. Nor was any violent protest made in another place by the members who represent each of the municipalities. I would say it would be hard to protest against this proposed closure. It is different from the other closures contained in the Bill. In regard to this particular avenue no action will be taken until the closure is proclaimed. The reason is that a double road would have to be constructed from Thomas-st., where University Avenue joins it along the boundary of King's Park-rd. and linking up with Stirling Highway.

The reason for introducing the measure in this fashion is the construction of a rehabilitation hospital for the Medical Department near the Infectious Diseases Hospital on the western side of the railway between Daglish and Shenton Park railway stations. This is university endowment land, and the Medical Department requested the University Senate to make available to it 17 acres for a rehabilitation hospital. When that request was made for the land, the University Senate began bargaining. It was quite prepared to give the land free of charge, provided the Government introduced legislation foreshadowing the closure of University Avenue. This is the legislation.

Hon. H. K. Watson: Have you any idea when it is contemplated closing the road?

The MINISTER FOR RAILWAYS: No. The closure will take place once Winthrop Avenue is constructed; but the rehabilitation hospital will be planned and commenced as early as possible, provided this

arrangement is completed. The hold-up now is because of the proviso. The University Senate requires the closure of University Avenue, not to be used as an avenue but to square it up. The University wants to build a teaching hospital in that locality. It will build on the existing road; but nobody appears to be able to move with any certainty at all until this foreshadowed closure of University Avenue becomes law. Those are the peculiar circumstances in regard to this particular case.

Whereas the Subiaco Council constructed University Avenue, the Main Roads Department will construct Winthrop Avenue, which will replace it. I would say the through traffic on that road would have very little effect on the shopping area of Hollywood, as most of their trade is local. The whole scheme is not new, and forms part of the Stephenson plan.

Hon. H. K. Watson: Could it be closed within 12 months?

The MINISTER FOR RAILWAYS: I would not think so. However, until the legislation is approved, no progress can be made with the rehabilitation hospital on the 17 acres of land which the University is prepared to make available.

Hon. J. G. HISLOP: There is no doubt whatever that Winthrop Avenue could be made one of the finest thoroughfares in Australia. However, the construction of Winthrop Avenue is not the major aspect of this Bill. The Stephenson plan envisaged that there should be a medical site which would include the Repatriation Hospital, the present chest hospital and the new contemplated teaching hospital and school on this rectangular block. This will be made possible by the closing of University Avenue. This rectangular block runs from Aberdare-rd. to Winthrop Avenue, Monash Avenue and roughly to Smythe-rd.

Hon. Sir Charles Latham: What prevents the building of the road now?

Hon. J. G. HISLOP: Nothing at all; but the University Senate wants this avenue closed, and is using it as a bargaining factor with the Health Department, which now controls hospitals. The Medical Department is seeking from the University Senate 17 acres of land adjoining the Infectious Diseases Hospital on the other side of the line.

Just who decides what hospitals are necessary with the money that is available, I do not know. Is a rehabilitation hospital more urgently needed than a hospital in Fremantle? I cannot see where the immediate need is to go ahead with this building. As for the teaching hospital in the rectangular block, well, I cannot see that it will be proceeded with for years. I would like to see a plan of this block and the future buildings. Where big centres have been built there have been expressions of regret that too much has been put on to one site. If we close the ways of ingress and egress we make it difficult for patients and those associated with the hospital to reach the hospital. It will be interesting to see how transport is to get into this area.

I readily agree that such a plan as the university has is desirable, but I cannot see that there is any great urgency about it. I do not think any buildings will go on to it before we meet again next year. We should be supplied with more detail than has been made available in asking for the closure of this road.

The MINISTER FOR RAILWAYS: I know Dr. Hislop is interested in hospitals and where they should be, but the point is that a lot of rehabilitation treatment is carried out adjacent to the Infectious Diseases Hospital at West Subiaco. All polio cases go there. It is apparently urgent that a hospital be provided, or additions of some kind be made to cope with the position. If the University Senate said, "Take your 17 acres of land," there would be no need for the Bill; but it wants to make certain that it will get its endowment lands surrounding the Chest Hospital, where it wants to build the medical school.

Hon. Sir Charles Latham: It owns the land now.

The MINISTER FOR RAILWAYS: Yes, and it wants to replan the area. As I have explained, the senate, instead of wanting to build on a rectangular block, desires to straighten it out. Access roads will be surveyed. Verdun-st. goes down on the Subiaco side of the chest hospital, and this street will be taken through to Winthrop Avenue, and there will be other access roads in the area. But that is up to the University Senate, because it owns all the land except University Avenue. It has had it subdivided for some time to sell as residential blocks, although I do not know of any that have been sold. Since the Stephenson plan has been printed and adopted for the metropolitan area, the senate wants to get on with this, but unless we can pass the legislation the senate is not prepared to hand over the 17 acres of land.

Hon. J. M. A. CUNNINGHAM: I see no great objection to the proposal. I do not think it is of any great moment to the people—even those who use the road as a through-traffic artery. Although the road goes over the highway to Nedlands, the amount of traffic that crosses the highway would be very small compared to that which goes to the highway and turns into it. When the project is completed the present road will be replaced by a safer one which will enter the highway in comparatively pleasant surroundings. In this case we will see a new permanent road which, we hope, will be the first of many similar roads.

Clause put and passed.

Clauses 9 to 13, Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

Bill read a third time and *passed.*

BILL—GOVERNMENT EMPLOYEES (PROMOTIONS APPEAL BOARD) ACT AMENDMENT.

Second Reading.

Debate resumed from an earlier stage of the sitting.

HON. J. M. A. CUNNINGHAM (South-East) [12.43 a.m.]: The Bill has come to us as the result of the mutual consent of the people most interested in it, and it appears to contain little, if anything, of a contentious nature. But there are one or two points that I wish to touch on, because they seem to me to be debatable.

In the last few years the Act has been amended time and again. Each year one or other of these sections has come before us for amendment, and new provisions have been inserted. The following year we have received another Bill to remove completely the provision that was inserted during the previous year. Apparently there has been some little thing wrong all along in the part of the measure that deals primarily with seniority.

Without going into detail I would say that a quick survey indicates that the principal Act was amended in 1945 and again in 1946. In 1949 the officers of the Rural and Industries Bank were excluded, and in 1951 another amendment was made of a consequential nature. Again, in 1952, the matter of seniority was brought up and a new paragraph dealing with teachers was inserted in the Act. In 1953 the Fire Brigades Board asked for an amendment, and in the same year the complete amendment of the previous session dealing with teachers was removed. In 1955 there was another amendment.

In the first instance this Bill deals with terms and conditions of employment where vacancies occur in any one department. Apparently it has been the Government's intention, at the expressed wish of the unions concerned, that terms of appeal be made more generous. An instance was given of the Tramway Employees' Union and the Tramway Officers' Union. If a vacancy falls due and the vacancy comes under the Tramway Officers' Union a member of the Tramway Employees' Union may apply for such vacancy. But if the lucky person who is appointed is a member of the Tramway Officers' Union, the other applicant is precluded from appealing against the decision.

One could easily imagine that a good deal of resentment would be felt by some employees who were precluded from appealing in such instances. They would feel that although they were as good as the person who had obtained the job, because he was able to tell a better story, he was the one who received the appointment. This amendment will tend to promote a more harmonious set-up for the employees concerned, and there will be some means of their getting satisfaction through an independent tribunal, which will decide whether such promotions are justified. I think that portion of the Bill which deals with the vexed question of appeals is quite a good move; and if it will tend to prevent the Act from having to be brought to Parliament so often, it will be a good job done.

The other important part of the Bill deals primarily with teachers in the Education Department; and again it is a matter of seniority. In the Act the interpretation of "seniority" is broken up into four subsections, and they define seniority quite clearly in each instance. The Teachers' Union has requested that a special subsection be inserted to define clearly seniority as applicable to teachers. The only point on which I might clash with the union concerned—because I understand that this is a direct result of the union's request—is in regard to Clause 3 on page 3 of the Bill where it says—

> Subsection (3) of Section 14 of the principal Act is amended by adding after the word "wages," being the last word of paragraph (d) of the interpretation "Seniority," the word "but" and a paragraph as follows:—

That would make the Act read—

> As between employees engaged in different kinds of employment at different rates of salary or wages when the positions or offices held by them are not graded or classified—seniority by higher rate of salary or wages—

And then we come to the new paragraph and the Act would go on to read—

> but—
>
> (da) As between persons employed in the Education Department as teachers in any Government school or schools or in any Government teachers' training college or colleges—seniority by longer period of service as a teacher with that department, which service includes service as a monitor and as a student in a teachers' college; but where the whole of that service of a person so employed has not been continuous, his service for the purpose of determining his seniority, shall be calculated only as from the day on which he was last appointed as teacher in the department and from which his service has been continuous.

That deals with the vexed question of seniority based entirely on a man's length of service with the department. It could

be interpreted that a man who has been with the department for a great number of years is reliable, sober, steady and satisfactory. That cannot be denied; but he could also be in that job for such a long period because he would be lacking in ambition, not very adventurous and satisfied to free-wheel in the job in the hope that if he stayed there long enough he would get some promotion irrespective of his ability.

If a position falls vacant in the department such a man would, by this interpretation, have first call on the job, despite the fact that a younger man who was energetic, keen in every way and far more able, was available; he would be passed over. I do not doubt that there is a good deal to be said for both approaches; but from the point of view of those most concerned—the students—I would be much happier to have my children in the hands of the energetic man, who was capable and keen, than in the hands of the older staid person, because I would know that under this provision that man would be one who would know that through length of service he would eventually get a better position. That would eventually lead to the department being staffed by officers who had reached senior rank not on ability but because Father Time was sitting on their shoulders.

Apart from that, there appears to be very little in the Bill that is contentious; and I hope I am not leading the House astray when I say that. The other clause in the Bill merely sets out passages relating to employees in various categories, such as headmasters in Class I, primary schools and so on, which is purely a departmental alteration. I recommend the Bill to the House.

Question put and passed.

Bill read a second time.

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. R. C. Mattiske, Hon. L. A. Logan and the mover, and that the conference be held in the Chief Secretary's room at 10 a.m. on Thursday, the 20th December.

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

BILLS (2)—RETURNED.

1, Municipal Corporations Act Amendment.

2, Road Districts Act Amendment.

Without amendment.

BILL—TRAFFIC ACT AMENDMENT (No. 3).

Report, etc.

Report of Committee adopted.

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

Sitting suspended from 1 a.m. (Thursday) to 3.53 p.m.

THURSDAY, 20th DECEMBER, 1956.

(Continuation of Wednesday's Sitting.)

CONTENTS.

The PRESIDENT resumed the Chair at 3.55 p.m.