

Legislative Assembly.

Wednesday, 10th December, 1947.

CONTENTS.

	Page
Questions : Royal Commissions, as to number appointed and cost ...	2616
Railways, as to conversion of engines to oil-burning ...	2616
Close of session, as to probable date of concluding business ...	2616
Royal Commission on Railways, as to interim report on coal ...	2617
Leave of absence ...	2617
Bills : Bread Act Amendment, 1r. ...	2617
Country Areas Water Supply, 3r. ...	2617
Agricultural Areas, Great Southern Towns, and Goldfields Water Supply, 3r. ...	2618
Parks and Reserves Act Amendment, 2r., remaining stages ...	2619
Constitution Acts Amendment (No. 4), remaining stages ...	2620
Reserves, 2r., remaining stages ...	2621
Iron and Steel Industry, returned ...	2626
Road Districts Act Amendment (No. 3), returned ...	2626
War Service Land Settlement Agreement (Land Act Application), Act Amendment, 2r., remaining stages, passed ...	2626
Acts Amendment (Allowances and Salaries Adjustment), 2r. ...	2626
Public Works Standing Committee, Com., points of order and dissent from Chairman's ruling, dissent from Speaker's ruling ...	2628
Milk Act Amendment (No. 2), 2r. ...	2639
Building Operations and Building Materials Control Act Amendment and Continuance, 2r., point of order, dissent from Speaker's ruling ...	2640
Electoral Districts, returned ...	2644
Superannuation, Sick, Death, Insurance, Guarantee and Endowment (Local Governing Bodies' Employees) Funds, returned ...	2644
Parks and Reserves Act Amendment, returned ...	2644
Superannuation Act Amendment, returned ...	2644
Annual Estimates, 1947-48, Com. of Supply, Votes and Items discussed ...	2644
Resolution, State Forests revocation, Council's message ...	2644

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

QUESTIONS.

ROYAL COMMISSIONS.

As to Number Appointed and Cost.

Mr. NEEDHAM (on notice) asked the Premier:

(1) How many Royal Commissions have been appointed by the Government since the 1st of April, 1947?

(2) What is the subject-matter of inquiry by each Commission?

(3) What is the cost of each Commission up to date?

The PREMIER replied:

(1) Five.

(2) (a) Workers' Compensation (Terms of Reference published in *Government Gazette* of 25th July, 1947). (b) State Housing Commission (Terms of Reference published in *Government Gazette* of 7th November, 1947). (c) Railways and Coal Supplies (Terms of Reference published in *Government Gazette* of 4th July, 1947, 5th September, 1947, and 24th October, 1947). (d) Milk (Terms of Reference published in *Government Gazette* of 7th November, 1947). (e) Municipal Boundaries (Terms of Reference will be published in *Government Gazette* on 12th December, 1947).

(3) Expenditure to date:—(a) £108 11s. 3d. (b) Nil. (c) £1,731 15s. 9d. (d) £10 10s. 4d. (e) Nil.

RAILWAYS.

As to Conversion of Engines to Oil-burning.

Mr. MAY (on notice) asked the Minister for Railways:

(1) Is it a fact that the Commissioner of Railways intends to convert another 24 locomotive railway engines from coal to oil-burning?

(2) If this is correct, will he give an assurance that such locomotives will be reconverted to coal-burning as such fuel becomes available?

The MINISTER replied:

(1) Yes.

(2) The matter will be borne in mind in the light of circumstances and the exigencies of traffic.

CLOSE OF SESSION.

As to Probable Date of Concluding Business.

Hon. F. J. S. WISE (without notice) asked the Premier:

As it is obvious that the Premier's original intention of finishing the session this

week is not possible, can he give any indication whether he has in mind a date on which the business might be concluded?

The PREMIER replied:

I agree that we cannot finish the business this week.

Hon. A. H. Panton: Why?

The PREMIER: The date I fixed for the definite ending of the session was the 19th, but in view of the progress we have made, I think we might be able to finish before then. I suggest that Wednesday of next week might be a suitable day on which to finish.

ROYAL COMMISSION ON RAILWAYS.

As to Interim Report on Coal.

Mr. MAY (without notice) asked the Premier:

Has the Government received the interim report of the Railway Royal Commission in relation to coal and will the Premier lay it on the Table of the House?

The PREMIER replied:

The interim report has been received and will be laid on the Table of the House before the session ends.

BILL—BREAD ACT AMENDMENT.

Introduced by the Minister for Labour and read a first time.

LEAVE OF ABSENCE.

On motion by Mr. Rodoreda, leave of absence for the remainder of the session granted to Mr. Leahy (Hannans) on the ground of ill-health.

BILL—COUNTRY AREAS WATER SUPPLY.

Third Reading.

THE MINISTER FOR WORKS (Hon. V. Doney—Williams-Narrogin) [4.38]: I move—

That the Bill be now read a third time.

MR. LESLIE (Mt. Marshall) [4.39]: I do not wish to delay the passage of the Bill but, in view of the fact that a personal bereavement prevented me from being present when the Bill was being discussed yester-

day, I wish to take advantage of this opportunity to say a few words, especially as so much of the proposed work will affect my area. I understand that some reference was made to certain alterations to the scheme as originally proposed by the previous Government. I offer unstinted credit to the Labour Government for what it accomplished and to the present Government for bringing the scheme to its present stage. The provision of an adequate water supply in the North-Eastern areas of the wheatbelt has been one of the major objectives of that district so long as I have lived in that area, which is nearly 20 years, and it is very pleasing to find that the scheme has been advanced to this stage. Of course the present Government could hardly have done otherwise than proceed with the scheme in view of the necessity for an adequate water supply there.

Hon. F. J. S. Wise: I think you are speaking on the wrong Bill.

Mr. LESLIE: Both refer to the same scheme. I believe that the Minister, when moving the second reading, gave an undertaking that first priority would be given to extending the scheme to the North-Eastern areas.

The Minister for Works: That is coupled with the other Bill.

Mr. LESLIE: Yes, and I think, as happened last year when two similar Bills were before the House, considerable latitude should be allowed in discussing the measures because they cannot be separated. My remarks are addressed to both Bills. People in those North-Eastern areas are anxiously looking forward to tangible evidence of the scheme commencing. Not only do they want to see the Government take action in introducing legislation and in negotiations with the Commonwealth, but they want to see the work started; and I hope it will not be long before the Minister will be able to extend an invitation to myself and those of my electors who care to do so to witness some of the works being carried out along the pipeline. I know that work is in progress in connection with the raising of Mundaring Weir. During the last few years, because of Government policy in connection with those North-Eastern areas, which has made them essentially a stock-raising district instead of being dependent to such a large extent

upon wheatgrowing, water supplies for stock have become more important than ever they were; and I know, from discussions I have had with the present Minister, that he is fully seized of the necessity for water to be provided in adequate quantities to the growers in that area.

I wish to voice my thanks and the thanks of the people in the district concerned to the Minister for keeping faith. Not that I did not expect him to do so, but we like to acknowledge even the expected. So we wish to thank him for keeping faith with the people and sticking to the promise made by the previous Government to include an area lying a little north of that which was originally proposed in the scheme. That, however, does not end the Minister's troubles. There is still excluded a very vital part of the North-Eastern stock-raising areas from a guaranteed adequate water supply, and the Minister may be assured that he will get no rest until further endeavours are made to make certain that water is supplied to those areas. Even though it may not be possible through this scheme, there are other successful means of achieving that, such as the harnessing of rock catchments. Once this particular scheme is well on the way, I am looking to the Minister to intensify the efforts of his department in carrying out investigations on the practicability of harnessing a rock catchment reticulation scheme in those areas.

I am given to understand that, during the debate, reference was made to certain portions of the district west of the North-Eastern part which have been excised from the original proposal. I am naturally concerned with affairs throughout the State and consequently with the areas excised, though they are not in my electorate. From personal investigations I have made, and from my own experience of those districts, I know that the need there is nowhere nearly as great as it is in the portions that have been left within the scheme. I assure those members who are concerned and consider that I have acquiesced unwisely in the excision of the westerly portion of the North-Eastern area, that I am aware that extension of the scheme to that part of the State is not an urgent necessity, although it may be required later on. I have pleasure in supporting the third reading

of the Bill, and would again pay a tribute to the previous Government and say thank you to the present Minister for the way in which he has expedited this matter.

Question put and passed.

Bill read a third time and transmitted to the Council.

BILL—AGRICULTURAL AREAS, GREAT-SOUTHERN TOWNS, AND GOLDFIELDS WATER SUPPLY.

Third Reading.

THE MINISTER FOR WORKS (Hon. V. Doney—Williams-Narrogin) [4.44]: I move—

That the Bill be now read a third time.

HON. A. R. G. HAWKE (Northam) [4.45]: In one part of the speech I made during the second reading yesterday, I said that I did not know whether the portion of the North-Eastern agricultural districts which has been excluded from the proposed scheme as compared with last year's scheme was excluded on the recommendation of the Commonwealth committee or by the Minister and the State Government. The Minister for Works interjected, "It was excluded before we came in." I want to make it very clear, as I did yesterday, that no knowledge of any kind came to the previous Government in connection with this suggested exclusion. We, as a Government, up to the 31st March this year, which was the date we left office, had no word or indication of any kind from the Commonwealth Government or the Commonwealth committee of investigation that a recommendation was being put forward that any part of the proposed North-Eastern section of the scheme was to be excluded. I think that should be made very clear, because the interjection by the Minister for Works, which was that this portion was excluded before his Government came in, could easily establish the impression that it was excluded with the full knowledge of our Government, and it could also be interpreted to mean that our Government either approved of the exclusion or alternatively raised no objection. The fact is that our Government had no knowledge of any kind of the intention of the Commonwealth investigation commit-

tee to suggest that any part of the North-Eastern agricultural areas should be excluded.

THE MINISTER FOR WORKS (Hon. V. Doney—Williams-Narrogin—in reply) [4.48]: I naturally accept the word of the member for Northam—I do not know that I had any doubts to the contrary—that the exclusion of the area referred to had nothing whatever to do with the hon. member or any member of his Government. I think that yesterday—and I forgot this when replying to the debate—the member for Northam desired to know approximately the acreage of the excised portion. I have not looked the matter up, but I recall that the North-Eastern area, and what might be known as the Great Southern area, were each roughly 6,000,000 acres. There is left behind 4,300,000 acres in the north-eastern portion. That would leave 1,700,000 acres in the excised portion.

If members look at the brochure and calculate the relative sizes of those areas they will find that the three sets of acreages given roughly cover the position. The member for Mt. Marshall referred to the north-eastern portion being of first priority. I have already pointed out that that area shares first priority with the Great Southern area. The work in both those areas will be put in hand at about the same time, and neither of those works will interfere with the other. Apparently the hon. member wants some assurance that this Government will honour its promises—and those made by the previous Government—to give water supplies, in the manner mentioned, to the areas just outside the north-eastern perimeter. I can give him that assurance.

Mr. Leslie: That satisfies me, now that we have that on record.

The **MINISTER FOR WORKS**: That was all the information asked for.

Question put and passed.

Bill read a third time and transmitted to the Council.

BILL—PARKS AND RESERVES ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. F. J. S. WISE (Gaseoyne) [4.52]: This is a Bill to amend Section 8 of the Parks and Reserves Act of 1895. Although the Minister did not afford the House the information, I feel it is necessary to give in detail what Section 8 provides for, and why it is that we propose to amend that section. The Minister cited the experience of the King's Park Board being unable to control the parking of cars on lawns, and the fact that its by-laws, generally, do not give it sufficient authority to cope with cases of that kind. Of course the Bill does not deal only with the King's Park Board, but covers all park lands and reserves in the State that are vested in authorities other than the Government. Section 8 of the 1895 Act was clearly drawn to suit the circumstances of that time.

The Attorney General: There were then no motorcars.

Hon. F. J. S. WISE: It provided for no control of motorcars at all. Its provisions are to a degree interesting, and to some extent amusing. The proposal of the Bill is to regulate traffic other than that provided for in the original Act, Section 8 of which reads as follows:—

(1) A Board may, with the approval of the Governor, from time to time make, repeal, or alter bylaws for giving effect to this Act in respect of the parks and reserves committed to them, and in particular for:

The regulation of the meetings and general business of the Board;

Keeping accounts of the receipts and expenditure of the Board;

The management and conservation of the park lands and reserves including zoological gardens;

The appointment and guidance of keepers or servants employed therein;

Prescribing the time at which any such park lands and reserves shall be opened and closed;

The conduct of persons frequenting any such park lands and reserves;

Prescribing the days on which, and the bounds or limits within which, sports, games, and gymnastics may be permitted on the park lands and reserves, and otherwise regulating or prohibiting such sports, games, and gymnastics;

which I think are sometimes engaged in.

The next provision is interesting—

Preventing or regulating the admission of vehicles, horses, dogs, asses, mules, camels, and cattle to the park lands and reserves;

Preventing or regulating shooting over, on, or in the park lands and reserves;

Preventing or regulating matches, or training for racing with horses, dogs, or otherwise upon the park lands and reserves;

Enabling police constables, or special constables, park-rangers, and other officers of the Board to remove persons who are guilty of any breach of any bylaw from the park lands and reserves;

Regulating or preventing the selling or exposing for sale of goods, wares, or merchandise on the park lands and reserves;

Prohibiting damage or injury to and destruction of trees, shrubs, plants and flowers in the park lands and reserves;

The prevention of nuisances in the park lands and reserves, and the fouling of any ornamental water therein;

I think the purpose of this Bill may be said to be embraced by one or two of the authorities vested in the park lands and reserve authorities. To cover the matter fully and to ensure that people do not despoil lawns by driving motorcars over them or by parking motorcars on them for long periods, the Minister has thought it necessary, after consultation with the King's Park Board, to provide an additional paragraph in Subsection (1) of Section 8 of the 1895 Act. It will be one of the up-to-date provisions affecting that section, as it is intended to prescribe the rules to be observed in respect of vehicles being driven or used on roads and footpaths and bridle tracks on park lands and reserves, and the board will have authority to regulate, prohibit or restrict driving of any specified kind of vehicle carrying any specified weights or loads on footpaths. In general, it is necessary—if there be any doubt as to the authority not only of the King's Park Board but of any board charged with responsibility of attending to areas vested in it, whether such areas be in Denmark or Perth—that such authorities should have the right to say that any objectionable behaviour, whether in person or by damage through vehicles, shall be controlled. I support the second reading.

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 Council.

BILL—CONSTITUTION ACTS AMENDMENT (No. 4).

In Committee

Mr. Hill in the Chair; the Attorney General in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Amendment of Section 15:

Hon. F. J. S. WISE: It is unfortunate that the Bill has been kept in cold storage for many weeks. It was introduced following upon that submitted by the member for Northam. Because of the complaint advanced by the Government that the introduction of legislation of this type was its function, the hon. member's Bill was discarded and the one now before the Committee was brought forward. The subject-matter of the complaint was that the matter had been dealt with by the Government in its Policy Speech. I hope it was just an oversight and nothing deliberate that resulted in the delay in the Committee in the consideration of the Bill and also that it was not deliberately withheld so as to give the Council an opportunity to deal with it only towards the close of the session. The Bill was read a first time on the 21st October since when it has been laid aside and I wondered if there were any particular reason for that course! I hope it was not by design.

Hon. A. R. G. HAWKE: I was naturally disappointed that the Committee stage of the Bill was not taken much earlier. Members will recall the circumstances that resulted in this measure being introduced after I had submitted one dealing with the principles contained in the measure now before the Committee. The Government claimed it should be the authority to introduce such legislation as it had made mention of the subject in its Policy Speech. In an amazingly quick time this Bill was introduced and the second reading was put through expeditiously. We expected that the Committee stage would be taken equally quickly, and yet it is now at least five weeks since the second reading stage was completed. The Attorney General may have a valid explanation for the delay, and I can only guess what it may be. He may have had some fear about the Legislative Council approving of the Bill if it were sent forward

before the measure dealing with the redistribution of the Assembly electoral boundaries was sent up for consideration. If that be the explanation, there is certainly considerable merit in it, and I would be inclined to agree with the Minister that the Council might not look at all kindly on the Bill unless it had the other measure before it dealing with the Legislative Assembly boundaries.

THE ATTORNEY GENERAL: I can assure the Committee that there was no ulterior purpose in the delay that occurred until the Electoral Districts Bill had been introduced and sent to the Legislative Council. It will be recollected that when earlier Bills had gone to the Upper House the suggestion was made that both branches of the Legislature should be dealt with at the same time. My view, be it right or wrong, is that, as nearly as possible, the two Bills should be sent up at the one time. The one dealing with the Assembly electoral boundaries is before the Council and I hope that the Bill now before the Committee will be sent there this afternoon. That will be an earnest of the Assembly's being prepared to deal with the constitution of both Houses and it will be a guarantee of our willingness to proceed on that basis.

Clause put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

THE ATTORNEY GENERAL (Hon. R. R. McDonald—West Perth) [5.10]: I move—

That the Bill be now read a third time.

Question put.

MR. SPEAKER: I have counted the House and there is an absolute majority present. There being no dissentient voice, I declare the question carried.

Question thus passed.

Bill read a third time and transmitted to the Council.

BILL—RESERVES.

Second Reading.

THE MINISTER FOR LANDS (Hon. L. Thorn—Toodyay) [5.11] in moving the

second reading said: A reserve for a racecourse was declared many years ago several miles out of Esperance and a title was issued in the name of three trustees for the race club, which later became defunct. One of the trustees is dead, another has long since left the district, and the third, although living there, is no longer interested. The two survivors have indicated that they desire to be relieved of their trusteeship of the land. A new racecourse site has been set aside and a new race club formed, but this club disowns any interest in the old site. Clause 2 provides for the termination of the old title and the return of the land to the Crown.

Morawa Lots 68 and 69 were granted in trust to the Morawa Road Board for a hall site and local government purposes. The board has indicated its willingness to relinquish Lot 68 in favour of the Rural and Industries Bank, for which purpose the lot is favourably situated. The bank does not desire to build on a lot held under a trust and is prepared to purchase the freehold from the Crown. The fair price has been assessed at £100, after consultation with the Taxation Department. The Land Act does not permit of sales of town lots without opportunity for public competition. Parliamentary authority is necessary to effect a direct sale.

The Carnarvon Municipal Council holds a Crown grant for a reserve comprising Carnarvon Lot 234 in trust for a library and reading room. The council desires to erect a hall and chambers on the site while at the same time continuing the provision of library and reading room facilities, but it finds itself unable to expend municipal funds for other than the precise trust at present expressed in the grant. Alteration of the purpose of the reserve to "municipal purposes" with the consequent amount of the certificate of title will overcome the present stricture.

Clause A Reserve 6618 (Recreation) was vested in the Gingin Road Board in 1900, but it has never been used for the purpose. After inspection by departmental officers and consultation with the local governing authority, it would not appear that the site lends itself to, nor is required for, recreation purposes, facilities having been provided elsewhere in the town. Representations have been made to the department through the Gingin Road Board to have portion of the

land set aside as a site for a bush nursing hospital. An area of two roods 16 perches is deemed sufficient for this purpose, and the balance of the land could be held for future subdivision and disposal as the Governor may direct under the Land Act. Parliamentary authority is necessary for the cancellation of the Class "A" reserve.

Portion of the Class "A" reserve at Point Walter (Recreation) was occupied by the Army authorities under the powers of the National Security Regulations during the war period. Hutments and other buildings were left and taken over by the State when the Military Forces vacated the site as at the 28th March, 1947. The camp was converted for use as an immigrants' home. As the reserve had been set apart for recreation and classified "A," Parliamentary authority is necessary to legalise the use of the portion in question as an immigrant's home. A period of 10 years is provided for.

Narrogin Lot 335 is at present held in trust for a church site by the Methodist Church trustees, while Narrogin Lot 160 is held by the Municipality of Narrogin in trust for municipal endowment. The parties find that they would be mutually advantaged by exchanging lots. Clause 7 seeks to provide the necessary machinery to give effect to that exchange.

Glen Forrest Lot No. 166 was reserved for a hall site many years ago, and a 99 years' lease, in trust, was issued to three trustees, two of whom died and the third became registered as sole survivor. Before he had carried out the procedure necessary to transfer to new trustees he also died. The local governing body, the Mundaring Road Board, is prepared to take over the property and, as the board has continuity of existence, repetition of the previous experience will be avoided.

A Class "A" reserve has been declared over certain lands within the Subiaco Municipality at Shenton Park, on which is situated a "lake." That reserve has been vested in the municipality. Provision has been made in the Road Closure Bill to close portion of Centre-street and a right-of-way and add the contained lands to the reserve. The municipality has purchased the freehold of adjoining lands and has agreed to have these revested in the Crown so that these, too, may be added to the

Class "A" reserve. The final result will be that all the lands concerned will be brought to a common status in the one over-all Class "A" reserve vested in the municipality.

A committee was formed at Moora, after the 1914-18 war, which organised "The Moora Fallen Soldiers' Memorial Site Fund" and erected a memorial on a piece of land forming portion of the railway station yard. The Midland Railway Co. has agreed to sell the site for a nominal sum, but the site formed portion of land acquired under the Waddington Agreement for the specific purpose of the construction of the railway and so the company was not empowered to sell the site and matters have remained at a deadlock. In due course, the memorial was taken over by the Moora Road Board, and the board and the company have asked the Government to clear up the matter of title to the site by legislative action. The Bill makes the necessary provision to take the land from the company and grant it to the Moora Road Board, in trust, as a Class "A" reserve.

At a spot on the water front at Rockingham, where private and departmental surveys adjoin, it is necessary to excise a fractional part—two perches—from a Class "A" reserve to add it to the abutting road in order to give the road a minimum width of one chain.

Portion of the reclaimed land bounded by the site occupied by the Repatriation Department, Government House grounds, Christian Brothers' College, Victoria-avenue, and Riverside-drive, is at present reserved for botanical gardens, park and recreation and is under the control of the State Gardens Board. Congestion in the main city streets and the limited parking areas available make the provision of an additional area for car parking an absolute necessity. A committee appointed by the Government to inquire into the problem has recommended the provision of facilities on the site mentioned in the Bill. I move—

That the Bill be now read a second time.

HON. F. J. S. WISE (Gaseoyne) [5.18]: I have had the opportunity, as is usual, to peruse the details and explanatory matter relating to all the alterations in the reserves

which are the subject-matter of the Bill and, having had that opportunity, I have no objection to raise to the passing of the measure. There are, however, one or two subjects to which I desire to address myself. The Bill deals with several matters which have been developing for a considerable time. I shall refer to three specific cases; first, the change of the purpose of the trust of the Carnarvon Jubilee Hall Trust; second, the alteration of the esplanade at Rockingham; and third, the proposal to convert the recreation area on part of the reclaimed land fronting Riverside-drive into a parking area.

Dealing with the Jubilee Hall Trust, Carnarvon, many years ago this area was vested in the Carnarvon Municipality in trust for the purpose of establishing a library and reading room. The hall was built on the area, which was occupied by the Carnarvon Municipality, and a reading room was reserved for the public. The moneys in the trust cannot possibly be used as the trust is now formed, nor can the area be utilised by the Carnarvon Council, which is the trustee for the Jubilee Hall Trust. Therefore, in setting this matter in motion, I was only endeavouring to meet the desires of the municipality and giving it the opportunity of doing something which will be better for the public.

As regards the Rockingham question, that is something I would ask the Minister to make a careful note of. There is an area in the Rockingham district—part of Cockburn Sound Location 16—which is associated with the earliest history of Western Australia. It was set aside at the time when land grants were made to Peel and others and the Meares family is associated with it. The locality in question is part of an area which was excised by Peel with a tag to it of a certain rental per annum. The area is one of the most historic in the records of Western Australia's land settlement and it has not been occupied until recent years. The real owners would be some of the Meares family, but because of the responsibility for payment to the heirs and assigns of Peel, the area has not been claimed by them.

I know that some enterprising person, who knew the land was unoccupied, has paid rates to the Rockingham Road Board for a long number of years and his name

appears in the rate book as the owner. The land is situated in the Premier's district and adjoins the old Rockingham and Jarrahdale railway. I happen to be aware of this because I am interested in all of the land acquired in the early history of this State, as the House knows, and that is the reason why I specially draw the Minister's attention to the present activity in connection with this piece of land. In my opinion, it should be reserved to the Crown for all time. Timber has been recently, and improperly, removed from this land; and the person who claims ownership to it has also destroyed tuart trees. The person who removed the timber refused to pay for it and was actually sued by the person who had no title to the land. He claimed royalty on the timber removed and obtained judgment.

Here we have a complication. I had the matter in train, as the Minister will ascertain if he looks up the records in connection with it. I repeat, the land is part of Cockburn Sound Location 16. A Bill will be required to put the matter in order, and I submit that that would be the proper course to take. The land should revert to the Crown by Act of Parliament.

Mr. Leslie: For what purpose?

Hon. F. J. S. WISE: For any purpose rather than an improper one.

The Minister for Lands: Could the person in question obtain a possessory title?

Hon. F. J. S. WISE: No. It is impossible for him to get a title to the land. I mention no names, but suggest that even at this late hour I would support a Bill to be introduced for the purpose of vesting this land in the Crown.

My other comment in connection with the Bill deals with the last clause. The Minister gave me the opportunity to peruse his notes, and I anticipated that the provision dealing with the area of the reclaimed land fronting Riverside-drive would be described in this Bill in terms similar to those contained in the Minister's notes. Had that been so, I intended to move an amendment, because the Minister said that portion of the reclaimed land was bounded by the site occupied by the Repatriation Department, Government House ground, Christian Brothers' College, Victoria-avenue and

Riverside-drive. This was the area to be used as a parking site.

I draw the attention of the House to something that is very important to me and to the State. It is that an accurate description of that area, and the areas on which it abuts, must include the reserves which form part of the area excised by me following upon a recommendation of a Select Committee of both Houses to set aside an area for all time for public buildings. That area originally was part of Government Domain—Government House grounds—but is now Class "A" Reserve No. 22240. Since in this Bill the description of the area of the reclaimed land to be used for parking is not classified as it was in the Minister's notes, I simply draw attention to the fact that, if it be necessary to describe it as adjoining any other lands, I would insist on inserting in the Bill not only Government House grounds, but parts of Class "A" reserve for public buildings. The plan accompanying this Bill that will shortly be tabled by the Minister is not up to date. It shows the original Perth Lots 1, 2 and 3; Lots 1 and 2 being the site on which the Christian Brothers' College now stands.

While I appreciate the difficulties which the Lands Department has in bringing plans up to date, I nevertheless think a sketch would have been preferable to the plan accompanying this Bill, because the latter does not show the plan as amended by the Act of 1940 relating to reserve 1149. That plan will be found in the volume of Bills introduced in 1940. I submit that the plan to be lodged with this Bill should be similar to the 1940 plan, which shows an entirely different subdivision of the area from that shown in the plan submitted by the Minister.

It is perhaps not a matter of great moment, but I feel it important that it should be acknowledged perpetually that an area of eight acres has been excised by Statute from the Government Domain, which area is perhaps the best suited for public buildings in the State. We should acknowledge as often as we can that that area has been set aside for future public buildings. I do not know whether that plan is supposed to be an accurate record of the area specified in the Bill. If it is, perhaps it could be amended by a sketch plan when

the plans are tabled in another place. I suggest that the Minister do that rather than delay the passage of the Bill in this Chamber.

HON. J. B. SLEEMAN (Fremantle) [5.31]: I am concerned about that portion of the Point Walter reserve included in the Bill. I have not seen the plan, but I think I know the area mentioned. I would like to know whether it is necessary to include in a Bill like this an area which is to be taken over for ten years. The military authorities used this part of Point Walter for some time without its being included in a reserves Bill. If it is taken from the State Gardens Board for ten years, it might be permanently lost to that board I would not favour the suggestion of a permanent immigrant home being placed there, if such a suggestion is made. There are other lands in the Fremantle district, closer to the city, which would be better for the purpose and, at the same time, the valuable Point Walter reserve would not be touched. I would like the Minister to explain why it is necessary to include this in the Bill.

THE MINISTER FOR LANDS (Hon. L. Thorn—Toodyay—in reply) [5.32]: This recreation reserve has been under lease to the Commonwealth Government under National Security Regulations. During the period it was so occupied, a large military establishment was erected on it. The State Government has taken over the building for use as a receiving hostel for immigrants, under the terms that we are to pay half the cost of all renovations, and the camp is to become the property of the State. It is necessary that we include, for the time being, the provision which appears in the Bill. The matter can be raised at a later date if the home is no longer required, but it is essential for our own protection that we now make these arrangements to include the area as a Class A reserve.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Perkins in the Chair; the Minister for Lands in charge of the Bill.

Clauses 1 to 5—agreed to.

Clause 6—Part of Reserve No. 4813:

Hon. F. J. S. WISE: I think there is no need for the member for Fremantle to be worried about whether this area will revert to the Crown. The National Security Regulations enabled the military authorities to occupy it and, as they have now relinquished their rights under those regulations, it is necessary to authorise its use as an immigrants' home.

Hon. J. B. Sleeman: But it may be a permanent immigrants' home.

Hon. F. J. S. WISE: A period of ten years is specified. I think it is quite safe.

Clause put and passed.

Clauses 7 to 10—agreed to.

Clause 11—Reserve No. 21487:

The MINISTER FOR LANDS: I have noted what the Leader of the Opposition had to say about this clause, and I will have the matter inquired into and, if necessary, take action. I give him that assurance.

Clause put and passed.

Clause 12—Part of Reserve 13012:

The MINISTER FOR LANDS: I will inquire from the Lands Department whether there is a more up-to-date plan and, if there is, I will have the necessary papers tabled in another place. I take it the Leader of the Opposition has no objection to the scheme we have in mind as to making facilities available for parking. I assume that all he wants is for an up-to-date plan to be tabled.

Hon. F. J. S. Wise: That is so.

Mr. GRAHAM: I am a little perturbed at the prospect of an area, available to the public for general recreation purposes, being set aside for the parking of vehicles. Government offices will, presumably, be erected ultimately on the site mentioned in this clause, with the result that a considerable portion of our population will go to that part of the city. The park at present is not particularly well cared for, but there are palms and shady trees on it which would provide pleasant surroundings for those people. I admit that to the east there are more parklands on the foreshore, but they are open and used as playing fields.

I appreciate that something must be done to overcome the severe vehicular parking

problem, but I would be happier if a time limit were imposed in respect of this reserve. The area immediately west of William-street, upon which there are a number of R.A.A.F. huts, would be suitable for parking purposes. For a number of years I was associated with a sporting body on the river front, and I know that many people use the area mentioned here for various types of gymnastics and other exercises. It is at all times used extensively. That might be accounted for in part because the Supreme Court gardens have, unfortunately, a fence around them and the gates are locked from time to time. The intention apparently is that this shall become a permanent parking area. I would like the Minister to explain that. I know investigations have been made in respect of quite a number of places in connection with this matter. The foreshore should be kept sacred to the public for general recreation.

The MINISTER FOR LANDS: The member for East Perth need have no fear as to the future of this piece of ground. If it is ever wanted for any important public service, such as building or anything else, the matter can be effectively dealt with. Cabinet did appoint a sub-committee, consisting of the Minister for Local Government, the Minister for Works and myself, to go into the question of the congestion in St. George's-terrace and other important streets in the city, and we set out to evolve a plan to relieve that congestion. We considered the area west of William-street, and we will later be presenting to Parliament a plan for the parking of cars and buses. We are working on that now, but it was essential to include this provision in the Bill for the time being. The piece of land mentioned here is not very attractive. The trees on it have made no growth and are lying to the north and east because of the prevailing winds. They are most unattractive.

Mr. Graham: Will those trees be removed?

The MINISTER FOR LANDS: Some will be, because they are eyesores. The area will be properly planned. For many years past it has been used only for the erection of circus tents.

Mr. Graham: Only at one end.

The MINISTER FOR LANDS: If we can put it to some real use, we should do so. It will park a considerable number of cars.

Mr. Graham: In the winter time there is from six inches to a foot of water on it.

The MINISTER FOR LANDS: It is a very wet piece of ground, and the public can at times make no use of it at all. If we bring it into use as a parking area some improvements will be effected.

Mr. Graham: The land will have to be drained.

The MINISTER FOR LANDS: Yes. If the ground is ever required for important works connected with Government policy, there will be no trouble about it. At present we can put it to some useful purpose.

Clause put and passed.

Title—agreed to.

Bill reported and the report adopted.

Third Reading.

Bill read a third time and transmitted to the Council.

BILLS (2)—RETURNED.

1, Iron and Steel Industry.

With amendments.

2, Road Districts Act Amendment (No. 3).

Without amendment.

BILL—WAR SERVICE LAND SETTLEMENT AGREEMENT (LAND ACT APPLICATION) ACT AMENDMENT.

Second Reading.

THE MINISTER FOR LANDS (Hon. L. Thorn—Toodyay) [5.49] in moving the second reading said: This Bill was brought down in another place and approved of by that Chamber. The intention of the measure is to alter the provision in the War Service Land Settlement Act from a 999 years' lease to a lease in perpetuity. The Commonwealth Government has corresponded with the State Government War Service Land Settlement Department and asked that we make this amendment. I move—

That the Bill be now read a second time.

HON. A. H. PANTON (Leederville) [5.50]: There should not be any objection to this Bill. I do not know whether the Crown Law authorities alter their minds with different Governments. When I introduced a measure of this kind I was assured by the Crown Solicitor that it was not usual to bring down a Bill to provide for perpetuity. On the contrary it was necessary, according to British law, to specify the time. That was the reason for the 999 years' lease, or 99 years, because it was usual to state the period in an Act of Parliament. I do not think it matters very much whether the figures are 999 or 99 because the "diggers" will not be here at the end of either period. I should like to know, however, why the Commonwealth Government has suddenly decided on the use of the term "perpetuity" rather than a period of 999 years.

The Minister for Lands: The Commonwealth Government definitely asked us to make the amendment.

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—ACTS AMENDMENT (ALLOWANCES AND SALARIES ADJUSTMENT).

Second Reading.

THE PREMIER (Hon. D. R. McLarty—Murray-Wellington) [5.56] in moving the second reading said: The purpose of this Bill is to give effect to the report of the tribunal appointed to review salaries and allowances fixed by legislation. Last year the Leader of the Opposition, who was Premier at the time, discussed with other Party leaders or their representatives the desirability of reviewing salaries and determining some sound method by which these could be fixed. It was agreed by the representatives of all these Parties that the findings of the tribunal should be embodied in a Bill and brought before this House. In the case of salaries fixed by the Constitution Act no increases have been made for a period of up to 40 years.

The last increase in the Parliamentary allowances of members was in 1925 when these were raised from £400 to £600 per annum, although in 1944 a Bill was passed applying to Parliamentary allowances variations in the basic wage. With the decrease in the value of money and the increase in responsibilities it has become necessary that higher salaries should be paid. I think it is generally recognised to-day that the existing salary of £700 per annum is insufficient for the normal requirements of a member of Parliament. Whereas such a salary might provide a reasonable living in ordinary circumstances, members must inevitably incur heavy expenditure. The cost of travelling has increased, and with the substitution of motor transport for railway travel the value of the Parliamentary pass has diminished.

The Minister for Education: In some areas, but not in others.

The PREMIER: That is so. There are various other calls on the finances of members which are also very heavy. Members of Parliament have been able to produce figures indicating clearly that after they have met all expenses incidental to earning their income they are left with very little for themselves and their families. Moreover, with the added complexity of modern Governmental administration there has been an increase in the duties of members of Parliament. The days are long passed when members can earn their salaries without devoting long and arduous hours to their duties. Members of the Commonwealth Parliament have recently had their salaries or allowances increased from £1,000 to £1,500. Some States have already effected increases in the case of their members of Parliament and others have the position under review. Some States have provided pension schemes when members of Parliament retire or are defeated. I think provision is also made for the widow of the member in case of death.

Whilst Parliament must accept the ultimate responsibility for the fixing of salaries, it was thought undesirable that the old method of haphazard selection of the figure should be continued. It was agreed, therefore, between the Party leaders that a competent tribunal should be established to consider the matter and make recom-

mendations. An approach was made to the Chief Justice, the President of the Arbitration Court and the Public Service Commissioner, who consented to act in this capacity. As none of these gentlemen is subject to direction by the Government and as each has the highest possible qualifications, I think it will be agreed that it would have been difficult to select a more competent tribunal. The terms of reference given to the tribunal were as follows:—

(a) To consider the relationship of fixed salaries with the salaries of officers and offices that are subject to review from time to time and to recommend what, if any, adjustment should be made to fixed salaries in order to restore them to a reasonably comparable basis.

(b) To consider and recommend the method that should be followed or the means that should be followed or the means that should be adopted, in order that reasonable consistency between fixed salaries and salaries that are subject to periodical review may be maintained in the future.

(c) To consider the desirability of introducing some form of adjustment of Parliamentary allowances—

(i) In order to provide for the varying conditions (area, isolation and number of constituents) of member's constituencies; and

(ii) (Inter alia) whether special allowances are desirable to meet varying conditions in Parliamentary constituencies or other special districts or localities.

(d) The consideration of ways and means of providing pensions for members of the State Parliament as now provided in some other State Parliaments.

The tribunal presented its report on the 15th October, and this Bill has embodied the report in full with one exception. I intend to table the report. The tribunal recommended that allowances of members of the Legislative Assembly should be £1,000 per annum and that of members of the Legislative Council £900 per annum. It has always been the practice to pay members of both Houses the same allowance. The Constitution provides that the President and the Speaker shall receive the same and that the Chairmen of Committees of both Houses shall also receive the same. I think that applies as well to the officers of both Houses. It has been decided, therefore, that the allowances shall continue to be identical and, so as not to exceed the total amount recommended by the tribunal, the Bill provides that the allow-

ances of members of the Legislative Assembly shall be reduced from £1,000 to £960, and those of members of the Legislative Council increased from £900 to £960.

Hon. A. H. Panton: We shall be subsidising the Legislative Council.

The PREMIER: For salaries fixed by the Constitution and other Acts, the tribunal has recommended that, as a general principle, there should be added to the statutory salaries the basic wage allowance which has been added to other salaries and, by way of some measure of re-classification, there should also be an increase of 10 per cent. vanishing at £2,000. The following statement sets out the existing salaries of the various positions concerned, the recommendations of the tribunal, and the provisions of the Bill:—

	Existing Rate. £	Rate Recom- mended. £	Rate Provided in Bill. £
Salaries fixed by Constitution—			
Premier	1,200	1,500	1,500
Ministers	1,000	1,250	1,250
Chief Justice	2,300	2,600	2,600
Public Judges	2,000	2,300	2,300
Private Secretary to the Governor	350	500	500
President, Arbitration Court (same salary as Public Judge under Industrial Arbitration Act)....	2,000	2,300	2,300
* Allowances fixed by Parliamentary Allowances Act—			
President of the Legislative Council	1,100	1,400	1,300
Speaker of the Legislative Assembly	1,100	1,400	1,300
Leader of the Opposition	900	1,400	1,300
Chairman of Committees: Legislative Council and Legislative Assembly	900	1,200	1,160
Minister's Parliamentary allowance	600	1,000	960
Members Generally: Legislative Council	700	900	960
Legislative Assembly	700	1,000	960
Auditor General—Audit Act	1,000	1,200	1,200
Public Service Commissioner—Public Service Act	1,250	1,475	1,475

* In addition, a special allowance of £50 per annum will be paid to country and North-West members and £100 to the Leader of the Opposition. Metropolitan, as distinct from country electorates, will be considered as those whose boundaries are all within a radius of 50 miles from Perth.

I have also had prepared a statement showing the income taxation payable on the allowances of the various positions on the basis of man and dependent wife with no other dependants and no other income. The future salaries will be as follows:—

	On basis of £960.		
	Annual Salary.	Income Tax.	Net.
	£	£	£
Premier	2,510	884	1,626
Minister (Metropolitan)	2,210	712	1,498
Minister (Country)	2,260	740	1,520
President, Legislative Council	1,410	345	1,065
Speaker, Legislative Assembly	1,360	322	1,038
Leader of the Opposition	1,510	388	1,122
Chairman of Committees (Metropolitan)	1,100	246	915
Chairman of Committees (Country)	1,210	261	949
City members, Legislative Council	960	176	784
Country members, Legislative Council	1,010	191	819
City members, Legislative Assembly	960	176	784
Country members, Legislative Assembly	1,010	191	819

One position, the salary of which is fixed by statute, but which was not considered by the tribunal, is that of the Agent-General, and the Bill provides to apply to this salary the same principle as to other fixed salaries, and the corresponding increase has been incorporated.

The new salaries will date from the 15th October, which is the date on which the tribunal presented its report. This Bill is an attempt to rectify the admittedly inadequate remuneration paid to the whole of certain offices and to members of Parliament. More than that, it is an attempt to establish the principle that the fixation of such salaries should be the subject of proper consideration by an appropriate authority before coming to Parliament for decision. As I have already said, there have been many complaints from members in regard to the present rate of salary, and the previous Premier requested that representatives from each Party should meet and discuss the position. The tribunal was created and it was agreed that whatever Party came to power, the Bill would be introduced. I table the report of the tribunal and move—

That the Bill be now read a second time.

On motion by Hon. F. J. S. Wise, debate adjourned.

Sitting suspended from 6.15 to 7.30 p.m.

BILL—PUBLIC WORKS STANDING COMMITTEE.

In Committee.

Resumed from the 27th November. Mr. Perkins in the Chair; the Minister for Works in charge of the Bill.

Clause 21—Power to refer any matter involving expenditure of public moneys (partly considered):

The CHAIRMAN: Progress was reported after the Committee had agreed to strike out the word "may" in line 3 of Subclause (1).

The MINISTER FOR WORKS: It is my intention at a later stage to have this clause recommitted for further consideration. It would suit my purpose to have the word "shall" inserted in lieu of the word struck out in order that I might move an amendment later to have the original word restored. It is not an easy position to overcome but some word will have to go into the clause in lieu of the one struck out and I do not care myself to put in the word "shall."

The CHAIRMAN: There is no need to insert any word at all if the Minister is going to recommit the clause.

Hon. F. J. S. WISE: I move an amendment—

That in line 3 of Subclause (1) the word "shall" be inserted in lieu of the word struck out.

The MINISTER FOR WORKS: Although the word "shall" will go in without any objection on my part, by and by, contradictory though it may seem, I shall, on recommitment, seek to delete "shall" so that "may" can be inserted in lieu.

Hon. F. J. S. WISE: It is obvious that the Minister's support of the word "shall" is mere subterfuge.

The Minister for Works: Of course it is, if that is the word you care to employ! I thought I had made the matter clear so that the word "subterfuge" would not apply.

Hon. F. J. S. WISE: Of course it does! It is well to have it quite clear that this clause, which was debated during last week and is the vital clause in the Bill, is the one that determines whether the Government is serious about this measure or whether it is merely pretending. Unless the word "shall" is inserted, only matters that the Government found were so political that it would not care to make any recommendation concerning them would be referred to the committee, in the hope that the committee instead of the Government would make a

decision that such works be not proceeded with. I think we should have it quite clear whether the Government really means that this Bill is to permit of the appointment of an authoritative committee or whether it is to give the committee authority only over such matters as are referred to it by the Government.

The MINISTER FOR WORKS: There is little more I can add to what I have said to make the position clear. I shall move a little later to insert a new subclause.

Hon. F. J. S. WISE: Is that the arrangement made just now at a Party meeting?

The MINISTER FOR WORKS: The hon. member must have seen the amendment on the notice paper. It has been there not only today but yesterday, though yesterday it was on a separate sheet. This is no new departure. It has been done, not on a great many occasions, but it has been done, otherwise I would not dare to do it now. So far as the first subclause I intend to submit is concerned, that will make it compulsory on the Government to submit to the committee any proposed work that will cost more than £75,000. Thereafter the Bill would ensue; but not until it had been referred to the committee could it be put in the form of a Bill for submission to the House. But by and by, when I have recommitted the clause for the purpose of making certain amendments to Subclause (1), that clause will then be permissive. So when it comes to referring any question to the committee I want that particular reference to be a permissive or optional one.

Hon. F. J. S. WISE: What is the advantage of raising the amount to £75,000 if the reference does not matter at all?

The MINISTER FOR WORKS: The reason for raising the figure from £50,000 to £75,000 is so that the committee will not be overloaded with work in its first year. The Leader of the Opposition and his colleagues must realise that if all public works to cost more than £50,000 were, without exception, to be referred to the committee it would be so overworked that it would get through practically nothing. In South Australia, some two years ago, one investigation having to do with a water supply problem took a full year. Even then it was only a periodical report and still more work had to be done.

Hon. J. B. SLEEMAN: If the Minister is hopeful of having the word "may" reinserted, he must think he is sitting in front of political acrobats! Five or six members sitting opposite agreed to strike out that word.

The MINISTER FOR WORKS: The new clause as it will be when the proposed new subclauses are inserted will make the position entirely different from the point of view of those who on this side of the Chamber previously objected to the word.

Hon. A. R. G. HAWKE: The Minister has a very elastic idea of what constitutes an important change in the principle of this clause. He seems to think that if the value of any proposed work is raised by a few thousand pounds such action justifies members, who voted a few days ago to make compulsory reference to the committee of all proposed works over a certain figure, in voting for it to be discretionary for such proposed works to be so referred. Surely no member of this Committee would be impressed one scrap favourably by reasoning such as that. This proposed committee will be either beneficial or otherwise. In trying to justify the Bill in previous debates, the Minister gave us to understand that the committee would be extremely valuable in its operations. He told us it would save the hard-earned income of the State. Yet he is now trying to get around a decision previously made by this Committee to make it compulsory for all proposed works over a certain figure to be referred to the works committee. I think we were justified, in view of the Minister's proposal that the committee would save the hard-earned cash of the State, in making it compulsory for all proposed works to be referred. What is the use of such a committee as the Minister described, if only those works are to be referred to it that the Minister desires so to refer?

The Minister for Works: Where did you get that idea?

Hon. A. R. G. HAWKE: From the Minister's suggestion that later on he will try to have the word "may" reinserted. The fact that the clause originally contained that word showed that it was the intention of the Government to refer only certain works to the proposed committee. The majority of members agreed that if the proposed com-

mittee would do all the Minister said it would, all works estimated to cost more than a certain sum should be referred to it, so that it might save the State as much money as possible.

Amendment put and passed.

The MINISTER FOR WORKS: I move an amendment—

That a new Subclause be added as follows:—

(2) After the first day of July, nineteen hundred and forty-eight, it shall not be lawful for any person to introduce into Parliament any Bill authorising the construction of any public work estimated to cost, when complete, more than seventy-five thousand pounds unless the public work has first been inquired into and reported upon by the committee in the manner provided by this section.

The amendment provides that where a public work is to cost more than £75,000 no Bill shall be introduced unless the proposed work has first been referred to the committee. Such reference may be made by resolution of Parliament or by the Governor, and without it the Bill cannot be introduced. If this amendment is agreed to, the provision regarding reference must, on recommendation, be made permissive and not compulsory. It must read "may" instead of "shall." If all works, irrespective of cost, were to be referred to the committee, it could not deal with them. I believe the provision I have outlined should meet all reasonable needs.

Mr. GRAHAM: The more I study the Bill the more satisfied I become that there is not much sincerity behind it. The amendment is an attempt to placate certain individuals on the Government side of the House. Few public works referred to Parliament require Acts of Parliament before the work can be proceeded with.

The Minister for Works: We have had several before us recently.

Mr. GRAHAM: They were the rare exceptions. The Minister's intention to provide that the Government may refer such works to the committee, would mean that the number of questions to be investigated by the committee would be practically nil. The Minister's proposal is probably a pretext, to be used by the five Government supporters who voted for a certain amendment the other evening, to save their consciences, so that they may now vote the other way. I will vote against the amendment. I do not know that the proposed

committee will serve any good purpose but, if the majority of members believe it will, let us have an effective committee.

Hon. J. B. SLEEMAN: It seems that the Government is battling against the wind. This provision will not be of much use. The Government now wishes to raise the figure to £75,000 and reinsert the word "may." Then, if there is a job that the Government does not want to do, it will refer it to the committee in the hope that that body will turn the work down. If we are to pay £1,500 per year to keep in being a committee to investigate only jobs that the Government would like to see thrown out, it will simply be money wasted. No matter what other members on the Government side might do, the member for Beverley is not a political corkscrew and I am satisfied that he will not turn a somersault, even though a sprat to catch a mackerel is held out to him in the form of a promise that he will be chairman of the proposed committee.

The MINISTER FOR WORKS: I and other members who know the member for Beverley realise he will do his own thinking. He will not fall for the funny stuff voiced by the member for Fremantle. The hon. member put forward an unworthy suggestion when he suggested that the Government would refer to the committee only works which it did not want to see recommended.

Hon. J. B. Sleeman: What other motive could there be for inserting the word "may"?

The MINISTER FOR WORKS: The idea of having a public works standing committee is not new. It operates in all the Eastern States except New South Wales and Queensland. It is adopted by the Commonwealth Government and in Tasmania, Victoria and South Australia. The likeliest result is that we shall follow along much the same lines as they pursue there. They do not have dubious jobs referred to the members of the public works standing committee with the suggestion that they shall turn them down. One Opposition member questioned whether money could be saved under this suggestion but I refer him, and others who believe with him, to the member for Perth who, for a long period, was a member of the standing com-

mittee of the Commonwealth Parliament. He himself has told members that the committee was responsible for saving the Commonwealth millions of pounds. For my part I think that the expense involved in setting up a public works standing committee in this State will be recouped to us over and over again. There are many works that have been undertaken here that, had they been referred to such a committee in the past, would probably have been more satisfactory than they are at present.

Mr. Hoar: I think you have almost persuaded yourself!

The MINISTER FOR WORKS: I agree that I am not approaching this problem in the customary way, but it is the only one left to me. If I do not get what I consider to be a square deal from the committee, I would rather have no Bill than one that will be ineffective, or at any rate I would certainly defer the consideration of the measure to a more appropriate period in the future.

Hon. A. H. PANTON: I would like an explanation from the Minister as to what is the intention underlying the proposed new subclause. Scores of jobs have been carried out at a cost of over £75,000 for which no Bill was considered necessary, and the only reference to the matter has been in the Loan Estimates. That practice will operate in the future, and Bills will not be introduced to deal with the works to be undertaken.

The Minister for Works: That is so.

Hon. A. H. PANTON: Then I take it that the public works standing committee will operate only when a Bill is introduced to construct works that cost over £75,000. Will the Minister explain whether it is proposed that in future Bills will be introduced to deal with all works costing over £75,000 and that the committee will deal only with works in respect of which the Government intends to introduce legislation?

The MINISTER FOR WORKS: It is quite true that many public works have been undertaken at a cost of over £75,000 that were never the subject of Bills. Those are referred to later on in another subclause. I freely admit that many such works have been undertaken that should have been dealt with in a Bill, but were not. In future, if the Government holds to its present intentions

there will be Bills introduced dealing with public works costing in excess of the amount referred to. The water supply Bills were two that came to my mind as cases in point.

Hon. A. H. Panton: They were exceptions.

The MINISTER FOR WORKS: That is so.

Mr. Triat: When was there a previous one?

The MINISTER FOR WORKS: There were two other power scheme Bills, the one for Collie and the one for South Fremantle. There were two within the last 12 months.

The MINISTER FOR EDUCATION: The cleavage of opinion between the two sides of the Chamber is occasioned by the desires of the Opposition. It is clear to me that they appreciate the truth of the old saying that there are more ways than one of killing a pig. Members opposite have consistently opposed the setting up of such committees, with the exception of the member for Perth to whose consistency on the subject I again pay tribute. Reference to "Hansard" will substantiate my statement that when proposals have been put forward to set up a committee to examine public works of more than a given value and on which committee there should be more members of the Legislative Assembly than of the Legislative Council, the Labour Governments of the day in 1945 and 1946 vigorously opposed and defeated the motions.

Therefore it is clear as the sun in the sky at fine midday, that Opposition members do not want any public works standing committee, but the House having decided on the principle at the second reading stage, they now propose to make the Bill as unworkable as they possibly can in order that it may never find a place on the statute-book. That is the secret of the observations of the member for East Perth which were intended solely to induce the Committee to make the Bill of such a nature that it would be extremely unlikely that any Government, irrespective of what Party it might represent, would put the measure into operation. On the other hand, the idea that is in my mind is that we should introduce another provision under which any important public work should be the subject of a Bill and should be referred to the standing committee for inquiry.

We do not need to go into the flights of fancy displayed by the member for Fre-

mantle, who apparently is imbued with the idea that the Government will simply refer to the public works standing committee undertakings that it does not wish to proceed with or is most anxious to see abandoned. That is simply another way of inducing the Committee to believe it should make the Bill so unmanageable that it will have no bearing in effecting an alteration in the position along the lines suggested. The matter should be viewed on a reasonable basis. The amendment suggested by the Minister for Works puts the matter on a compulsory basis to ensure that there is an intermediate body that can be called into operation by the Government itself or by either House of Parliament on the resolution of any member to deal with any question arising out of any public works. The Minister for Works desires to have all public works which are to be the subject of legislation referred to the committee by compulsion under the Act.

We have not had a public works standing committee in Western Australia so far and we ought to be prepared to accept the idea that there is wisdom, in dealing with major works in referring them to such a committee as is proposed by the Bill. The member for East Perth has on more than one occasion in recent years expressed himself to the effect that no opportunity is ever given to private members to take a closer interest in major affairs of the State. I suggest his attitude to this measure is in direct opposition to the views which he has expressed before. He wants the whole loaf which he sees in sight or in prospect. Alternatively, he wishes the position to remain as it is. If the desire is to afford private members an opportunity to take part in inquiries of this nature, this measure and the amendment proposed by the Minister for Works will at least be a start. We shall be able to see whether the results which we hope to achieve are capable of achievement. If it is found in the next 12 months or two years that public works which are referred to the proposed committee are dealt with in such a way as to convince us that the committee's efforts are valuable, then we can extend the committee's authority still further. I hope the Committee will act accordingly.

Hon. J. B. SLEEMAN: After having heard the Minister for Education come to

the assistance of his colleague, the Minister for Works, I note that he did not explain why he desires the word "shall" to be struck out and the word "may" inserted in lieu.

The Minister for Education: We are not dealing with that point.

The CHAIRMAN: Order! The member for Fremantle is only mentioning that in passing.

Hon. J. B. SLEEMAN: That is so. Why did the Minister not explain why later on he wished to strike out the word "shall" and insert "may"?

Hon. F. J. S. Wise: He is passing the buck.

Hon. J. B. SLEEMAN: If the Government is reasonable, it will retain the word "shall." We have in one paragraph the word "may" and in another paragraph the word "shall," each contradicting the other.

The Minister for Works: That is not so. There is need for one "shall" and for one "may."

Hon. J. B. SLEEMAN: I have consulted the member for Perth, who tells me that all public works under Commonwealth control are referred to the Commonwealth committee.

The Minister for Works: We need not necessarily copy the Commonwealth.

Hon. J. B. SLEEMAN: The Government is not prepared to do that here.

The Minister for Works: No.

Hon. A. R. G. HAWKE: Subclause (1) makes it mandatory for all works costing over a certain amount to be referred to the proposed committee. That was the firm view of the Committee when this matter was being thrashed out previously. Therefore, the Minister's amendment is unnecessary.

Mr. Rodoreda: It is contradictory.

Hon. A. R. G. HAWKE: The Minister for Education, in his speech a few moments ago, misinterpreted completely the attitude of members on this side of the Chamber. We most certainly oppose the establishment of a public works standing committee.

Hon. F. J. S. Wise: I would like to hear the Premier's view on it.

Hon. A. R. G. HAWKE: The attitude of members on this side is quite consistent. We would have been quite satisfied had the Bill been defeated at the second reading

stage. It was not, and surely we are entitled to try to fashion any clause in the measure in such a way as to make it effective. It would be unfair to leave it in the hands of the Minister to say what proposed works should be referred to the committee, as we have a good idea of what would happen under such a system.

Hon. J. B. SLEEMAN: I hope the Committee will not agree to the amendment. I would like to hear what the member for Mt. Marshall has to say about his hopes of getting the Yarramony-Eastward railway.

Mr. Leslie: I do not think there is much chance of getting it.

Hon. J. B. SLEEMAN: I would also like to hear the member for Beverley and the member for Avon declare themselves on the Bill. They speak one way on one occasion and another way on another.

Mr. LESLIE: It is all very well for members opposite to talk about consistency. When the measure was last under discussion, I explained as clearly as I could what would happen if the amendment moved by the member for Perth were agreed to. It was agreed to and my amendment was not accepted.

Hon. J. B. Sleeman: Do you not think we did the right thing?

Mr. LESLIE: No. Members are entitled to their opinions. At least, we on this side are at liberty to express our own opinions. Because, in effect, members opposite turned down the amendment I proposed moving, and Ministers were not in favour of it, I did not proceed with it, and I am now sticking by the Ministers.

Hon. F. J. S. WISE: I would like to hear the Premier on this point. It is noticeable that where this debate deviates from the Minister in charge of the Bill, it moves towards Country and Democratic League interests. The reason is obvious—this is part of Country and Democratic League policy. It can be said quite safely that this is where there is a division between the policy of that Party and that of the Liberal Party. I am interested to know the attitude of the Government and the Treasurer, who is a responsible person and who has to promote public works of some magnitude. Can the Premier tell me of anything new in the

schedule to his Loan Bill which would have been referred to this committee if it were in existence? The answer is that nothing would have been referred to it. During the last decade there have been two items which necessitated Acts of Parliament and which would, prior to the introduction of the Bills, have been referred to this committee. I repeat that there is much pretence in connection with the measure. It would be better, if the Government were in earnest, that the Minister should attempt to explain why the Government desires to reserve to itself the right to refer such works to the committee as it agrees to. I would also like to know to what sort of works the amendment refers.

The Minister for Works: You know that question is quite unnecessary. You had the information the same as I had.

Hon. F. J. S. WISE: No information was given on this point.

The Minister for Works: No information was necessary on it.

Hon. F. J. S. WISE: The Minister for Works attempts to change the subject by suggesting that we do not now wish to have a workable public works committee.

The Minister for Works: Do you desire it?

Hon. F. J. S. WISE: We desire no public works committee, but if the Government wants one we desire that it shall be capable of functioning. That is something the Minister is attempting to avoid by amendments such as this. If we cannot ensure that the committee will work effectively, we will oppose the third reading. If the Government shows that it is serious in having a public works committee to which works can be referred that is a different matter, and the Government will see a different attitude from this side of the Chamber.

The MINISTER FOR WORKS: It should be obvious to members opposite that if a Bill of this type has been successful in the Commonwealth, South Australia, and in the other States, it is likely to be equally successful here. The Leader of the Opposition seeks to drive a pretty little wedge between the two Parties occupying the Treasury bench. That is futile. This happens to be the policy of both Parties, and they are behind the Bill.

Hon. A. R. G. Hawke: One of the Parties is a long way behind it.

The MINISTER FOR WORKS: Members opposite seem to be obsessed by two fears, one is that the Bill will be passed and the other, strangely enough, that if it is passed the committee will not have sufficient work to keep it busy. There need be no fear on the latter score. There will be a great many jobs requiring attention in the future. Factors such as steeply rising costs and the slow availability of materials affect the position. Prices today are from 50 to 70 per cent. above what they were in 1939-40, which means that the limit of £75,000 will be arrived at reasonably easily. I cannot see why everything should be referred to the committee. There is no sense in overloading it in the early stages, with the result that poor work will be done. The committee's work will be of immense advantage to the State.

Point of Order.

Hon. J. B. Sleeman: On a point of order, I ask you, Mr. Chairman, if the amendment is in order. I point out that the first part of the clause provides—

Any question relating to any public work estimated to cost more than fifty thousand pounds shall be referred to the Committee by the Governor or upon resolution of either House of Parliament.

The marginal note states—

Power to refer any matter involving expenditure of public moneys.

The Minister has moved an amendment setting out the same thing, namely, that a Bill authorising works costing more than £75,000, shall not be introduced into Parliament until the work has first been inquired into and reported upon by the committee. I claim, before the Minister is in order in moving that amendment, that the Bill should be recommitted so that the word "may" could be re-inserted. At the moment his amendment is redundant.

The Chairman: On the point of order raised by the member for Fremantle, I point out that the first part of the clause, to which he refers is general, and the amendment moved by the Minister is specifically related to legislation. I therefore rule that there is no conflict between the amendment and the early part of the Bill.

Committee Resumed.

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

Ayes	22
Noes	18
Majority for	4

AYES.

Mr. Abbott	Mr. McLarty
Mr. Ackland	Mr. Murray
Mr. Bovell	Mr. Nalder
Mrs. Cardall-Olivet	Mr. Needham
Mr. Cornell	Mr. Nimmo
Mr. Doney	Mr. Seward
Mr. Graydon	Mr. Shearn
Mr. Hill	Mr. Thoro
Mr. Leslie	Mr. Watts
Mr. Mann	Mr. Wild
Mr. McDonald	Mr. Brand

*(Teller.)**NOES.*

Mr. Goverley	Mr. Nulsen
Mr. Fox	Mr. Panton
Mr. Graham	Mr. Reynolds
Mr. Hawke	Mr. Sleeman
Mr. Hegney	Mr. Styants
Mr. Hoar	Mr. Tonkin
Mr. Kelly	Mr. Trist
Mr. Marshall	Mr. Wise
Mr. May	Mr. Rodoreda

(Teller.)

Amendment thus passed.

The MINISTER FOR WORKS: It is now necessary to amend the proviso. I move an amendment—

That in line 1 of the proviso the words "this requirement" be struck out and the words "the requirements of the preceding two subsections of this section" inserted in lieu.

Amendment put and passed.

The MINISTER FOR WORKS: I move an amendment—

That in the last line of the proviso the word "nine" be struck out and the word "eight" inserted in lieu.

Amendment put and passed.

The MINISTER FOR WORKS: I move an amendment—

That a new subclause be added after the proviso as follows:—

(3) Any such proposed public work as referred to in subsections (1) and (2) of this section may be referred to the committee—

(a) Upon resolution of either House of Parliament on motion made in the usual manner by any Minister or any other member of either House of Parliament;

(b) By the Governor.

Mr. NEEDHAM: I move—

That the amendment be amended by striking out the word "may" and inserting in lieu the word "shall."

In Subclause (1) the word "may" was altered to "shall."

Point of Order.

Hon. J. B. Sleeman: On a point of order, Subclause (1) as amended provides that any question relating to any public work costing over a certain amount shall be referred to the committee. Now the Minister is proposing an amendment that any such work may be referred to the committee. That is too ridiculous for words.

The Chairman: If members decide to accept the amendment, the matter is in their hands.

Hon. J. B. Sleeman: I ask for your ruling, Mr. Chairman. I claim that the amendment is out of order because it is a direct negation of Subclause (1).

The Chairman: Notice of motion has been given for the recommittal of the clause and, if any portions are contradictory, they can be rectified then.

Dissent from Chairman's Ruling.

Hon. J. B. Sleeman: Then I must disagree with your ruling and move:—That the Committee dissent from the Chairman's ruling.

(The Speaker resumed the Chair.)

The Chairman having reported the dissent,

Hon. J. B. Sleeman: The Chairman has ruled to be in order an amendment moved by the Minister that any such proposed public work as specified may be referred to the committee; whereas Subclause (1), as amended, provides that any question relating to any public works exceeding a certain amount shall be referred to the committee. The Chairman claimed that the Minister has given notice of motion to recommit the clause. Whether the recommittal will be agreed to is a matter for conjecture, and even if the clause be recommitted, nobody can say whether members will agree to the proposed amendment. I claim that the amendment is out of order and too ridiculous for words.

Mr. Perkins: I ruled that the amendment is entirely in the hands of the Committee. If members choose to mutilate the clause, that is entirely a matter for them. Already

some amendment has been made and the Minister has given notice of intention to recommit the clause. Therefore I claim that, if there is any conflict, it is quite beside the point at this stage. All members can recollect other Bills that have been before the House wherein clauses have been mutilated and it has been necessary to take further action on recommitment to make sense of them. The essential point is that the matter is one for the Committee to decide.

Mr. Rodoreda: The argument of the Chairman of Committees that this amendment is in the hands of the Chamber would apply equally to every amendment that may be moved. That is not the question at issue. It is for the Chairman of Committees to decide whether the amendment is in order irrespective of what the Committee may do when the amendment is before it. He also said it was a matter of opinion whether this was contradictory. It is not a matter of opinion but a fact. The two subclauses are entirely contradictory in the way the clause stands at present. Neither the Chairman of Committees nor you, Mr. Speaker, nor anyone else here can say whether the recommitment will be agreed to or whether the clause will be amended as the Minister wants it to be. This amendment would be in order on recommitment provided the Minister could again insert the word "may" in the first part of the clause. I submit that there is no doubt that the amendment is definitely out of order.

The Minister for Works: I am in the position of having to agree with the member for Fremantle. I may be wrong, but it seems to me that this is a draftsman's error. I would draw attention to the reading of the subclause. The words used are "any such proposed public work as are referred to in Subsections (1) and (2)." The several amendments that the Committee dealt with have made the phrase "(1) and (2)" redundant as also the letter "s" at the end of the preceding word "subsections." As to the word "may," that is the subject of a separate dispute when we come to it. I think it is competent for you, Mr. Speaker, to direct that the proposed amendment be withdrawn with the object of another being substituted leaving out the phrase "(1) and (2)."

Mr. Speaker: If the Minister is willing to withdraw the amendment I am prepared to

rule in that direction. The position is that the Bill is in the melting pot. There are contradictory clauses and we are waiting for recommitment. I suggest that the Minister withdraw the amendment.

Mr. Rodoreda: I think it is quite competent and desirable that you, Sir, should give the ruling which has been asked for. The ruling of the Chairman of Committees has been disagreed with and it has been referred to you as arbiter.

Hon. J. B. Sleeman: I agree with the member for Roebourne. If the ruling of the Chairman of Committees is not upset, it will be said at some future date that the Chairman of Committees on a certain occasion gave a certain ruling, and when the Speaker was called upon he did not decide whether that ruling was correct or not but asked the Minister to withdraw the amendment and get out of it that way. I press for a ruling on the question.

Mr. Speaker: In that case I am going to uphold the Chairman's ruling, but would urge the Minister to withdraw the amendment.

Dissent from Speaker's Ruling.

Hon. J. B. Sleeman: I am sorry that I must move—

That the House dissent from the Speaker's ruling.

Your ruling seems ridiculous when even the Minister has come to light in support of my contention and the whole of the front bench agrees, including all the legal men, judging from the look on their faces! It is not your duty to uphold the Chairman's ruling if you think it is wrong, and I cannot see how you imagine it to be anything else. There cannot be contradictions in the same clause. It must be either one thing or the other. We cannot allow your ruling to stand or next year some of our friends opposite will say that in the previous December the Speaker ruled a certain way and will quote that ruling as a precedent.

The Attorney General: I venture to suggest that your ruling and the ruling of the Chairman of Committees was perfectly right. As the matter now stands there are two subclauses to Clause 21, and, as the Committee has decided, the first subclause says that any question relating to any public work to cost more than a certain figure shall be referred to the public works committee. Then the pro-

vision goes on to say that the reference shall be by the Governor or upon resolution by either House of Parliament, on a motion made in the usual manner by any Minister or any other member of either House of Parliament. Subclause (2) goes from the general to the particular. It says that any Bill for a public work shall be referred to the committee before being introduced. So Subclause (1) says that any question shall be referred and expresses it as being referable by the Governor or a resolution of Parliament and Subclause (2) says that any Bill for a public work shall be referred.

And now we come to Subclause (3) which the Minister has just moved. That subclause has this imperfection in drafting: it does not go to the substance at all, in that it repeats the provision that the reference has to be either by the Governor or upon motion made in Parliament by a Minister or a member. That part is all right in Subclause (1) but it is not in Subclause (2). Therefore in Subclause (3) it has been thought fit to put it in order; but for the sake of clarity, we might leave out the reference to Subclause (1) in Subclause (3) and let the reference in Subclause (3) be confined to Subclause (2). The most that could happen is that there is some repetition insofar as it relates to Subclause (1). Let us take an analogy! In an Act it may be said that every offender shall pay a fine of £5 and this measure says that every question and every Bill shall be referred to the committee; it is mandatory. Then in the case of the fine the Act may go on to say that such fine may be paid in notes or in coin.

Hon. J. B. Sleeman: Be reasonable!

The Attorney General: Members may laugh at that, but there is no question about the accuracy of the statement. Once we impose an obligation to do a certain thing we commonly, in an Act of Parliament, allow the option of doing it in one of two ways. All this subclause says is that having made it mandatory in Subclauses (1) and (2) to refer certain matters to the committee, in Subclause (3) we provide that this reference may be made in either of one of two ways—by the Minister or by resolution of Parliament. It is a matter of indifference to me. The Minister has thought that the point taken by the member for Fremantle was a sound

one. I do not think so. As I see this, I can perceive no inconsistency in Subclause (3) providing that what is mandatory in the two preceding subclauses may by Subclause (3) be done in one of two optional ways; and the word "may" has to my mind no contradictory nature in relation to the mandatory provision in Subclauses (1) and (2). I would be sorry for the sake of future Committees if a ruling were to go on record that a clause of this kind which gives an option as to the method of carrying out a mandatory provision made earlier were held to be not practicable in a Bill.

Hon. A. R. G. Hawke: I am pleased that the Attorney General has defended the draftsman against the accusation which the Minister for Works levelled against him. When an amendment is introduced into this Chamber it becomes the responsibility of the person who introduced it, and that is the person who should shoulder the responsibility if it can be proved that the amendment was drafted in an unsuitable manner. The reasoning of the Attorney General might have been acceptable if this amendment contained more words than it does. If the Attorney General will study the amendment closely—he has not so far had an opportunity to do so—he will find that it is permissive for such a question to be referred to the committee, and permissive to three authorities, the first being either House of Parliament, the second being the Minister and the third the Governor.

The Attorney General: Read that in conjunction with Subclauses (1) and (2).

Hon. A. R. G. Hawke: I do. They both make it mandatory for certain things to be done and certain matters to be referred to the committee. The amendment makes it permissive for any one of three authorities to refer any such matter to the committee. As it is permissive to each of the three authorities, it is obligatory on none of them, and none would be in any way blameworthy—certainly none would be in any way punishable—if it failed to refer any such question to the committee. Therefore each of the three or four authorities—four if we count each House of Parliament separately—could fail in its permissive right to refer any such question to the committee and consequently any such question would never be referred to it, despite

the fact that Subclauses (1) and (2) state that every such question shall be referred to the committee.

The Attorney General: In which case the Government would have no authority to proceed with the work.

Hon. F. J. S. Wise: But it does not need authority.

The Attorney General: If this Bill passes, it will.

Hon. A. R. G. Hawke: If that is the position we are to reach—if the Bill be passed—the whole thing becomes more farcical even than it is at the moment. It would vitiate the whole of the machinery set up under the Bill. The reasoning of the Attorney General was neither logical nor applicable. If the amendment contained some additional words, declaring in effect that when none of the authorities given the permissive right to refer had exercised that right within a certain time, it would be obligatory upon some authority to refer any such question to the committee, the Attorney General's reasoning would be sound.

The Attorney General: That is something else.

Hon. A. R. G. Hawke: It is something that would have to be in the amendment to make it practicable.

The Attorney General: That something else does not affect this question of consistency.

Hon. A. R. G. Hawke: In the circumstances I say this amendment conflicts absolutely with Subclauses (1) and (2), because they are mandatory and this amendment is permissive in that it states that any one of four authorities may refer any such question to the committee. Every one of those four authorities might fail to exercise the permissive right and such action on the part of the four authorities would make Subclauses (1) and (2), which are mandatory, inoperative. I think the Chairman's ruling and the Speaker's action in upholding it are wrong on a strict reading of the amendment and of Subclauses (1) and (2), and for the sake of future proceedings in the House I think the Speaker's ruling should be defeated and that subsequently the Minister for Works should do what he has already offered to do—withdraw this amendment and have it re-worded and

when the Bill is re-committed, move the amendment in its re-worded form, which I hope will be practicable.

Mr. Marshall: I have left the discussion to those with more experience of such matters than I have, and I regret that I must support the member for Fremantle in his disagreement with your ruling, Mr. Speaker. I feel that your decision was a little hasty, and that if you had had time to deliberate further on the matter you would have seen the force of the argument advanced by the member for Fremantle. There are certain forms of inadmissible amendments. Some of them are set down in the Standing Orders that guide us from day to day. Where our Standing Orders are silent we generally follow "May," who is the authority on Parliamentary procedure. He follows decisions given in the House of Commons. There is a distinct line of demarcation, as mentioned by the member for Northam. The word "may" leaves the matter permissive, while the word "shall" makes it compulsory, beyond doubt. For the information of members I will quote from "May" on amendments such as that proposed by the Minister. At page 521, dealing with inadmissible amendments, he says—

An amendment must not be inconsistent with, or contrary to, the Bill as so far agreed to by the committee, nor must it be inconsistent with a decision of the committee upon a former amendment.

That is clear. On a previous amendment we included the word "shall" and made it compulsory. We cannot now accept the word "may" and make it optional, as that would be inconsistent with a decision that we have already given. I therefore think you should reflect on your ruling, Mr. Speaker, as it is inconsistent with the only authority to whom we can refer in cases such as this. I support the remarks of the member for Fremantle.

Mr. Triat: I support the views of the member for Fremantle. I feel sure that if you, Mr. Speaker, had closely perused the Bill and the amendment, your decision would have been different. We have already decided, by amendment, to insert the word "shall," and the present amendment is to insert the word "may." The Attorney General stated that a man fined a certain sum of money may pay it in pound

notes, silver coins or by cheque, and that that was the way in which the word "may" was to come in. If a man was fined perhaps £100 by a court and we read the word "may" as it is proposed to apply it here, it would mean that he may not pay the fine. I do not think the Attorney General's ruling on the matter would carry great weight. I support the remarks of the member for Fremantle, and hope you will reconsider your ruling.

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

Ayes	19
Noes	22
Majority against	3

AYES.

Mr. Coverley	Mr. Nulsen
Mr. Fox	Mr. Panton
Mr. Graham	Mr. Reynolds
Mr. Hawke	Mr. Sleeman
Mr. Hegney	Mr. Styakite
Mr. Hoar	Mr. Tonkin
Mr. Kelly	Mr. Triant
Mr. Marshall	Mr. Wise
Mr. May	Mr. Rodoreda
Mr. Needham	(Teller.)

NOES.

Mr. Abbott	Mr. McLarty
Mr. Ackland	Mr. Murray
Mr. Bovell	Mr. Nalder
Mr. Cardell-Oliver	Mr. Nimmo
Mr. Cornell	Mr. Perkins
Mr. Doney	Mr. Seward
Mr. Grayden	Mr. Shearn
Mr. Hill	Mr. Thorn
Mr. Leslie	Mr. Watts
Mr. Mann	Mr. Wild
Mr. McDonald	Mr. Brand
	(Teller.)

Question thus negatived.

Committee resumed.

Progress reported.

BILL—MILK ACT AMENDMENT (No. 2).

Second Reading.

THE MINISTER FOR AGRICULTURE
(Hon. L. Thorn—Toodyay) [9.31] in moving the second reading said: This is a small amending Bill that has been agreed to in another place.

Hon. J. B. Sleeman: I hope it has been drafted a bit better.

THE MINISTER FOR AGRICULTURE: I certainly hope so.

Hon. J. B. Sleeman: All right, you can continue!

Mr. SPEAKER: Order!

THE MINISTER FOR AGRICULTURE: This legislation was requested by the Royal Agricultural Society, the Milk Producers' Association and the breeders of stud dairy cattle. The object of the Bill is to provide adequate compensation when stud cattle have been destroyed under present legislation. Under Section 60 of the Milk Act as it now stands, dairymen are required to contribute an amount prescribed by regulation, but there is a maximum contribution payable of one farthing for every gallon of milk sold by them.

The Bill provides that stud herdsmen shall contribute a maximum of ½d. per gallon and for this additional levy shall be entitled to a greater degree of compensation than ordinary herdsmen, but such compensation is not to exceed a maximum of £42. The amendment applies to bulls or cows that are duly registered with any recognised cattle breed society and will also cover the dairyman who has an ordinary herd but with a registered bull as well. About eight or nine stud herdsmen are operating on the metropolitan area but they are cautious under existing legislation about becoming licensed dairymen as they would be required to have their cattle examined for T.B. They feel it is not worth while because of the small compensation received, should they lose a good proportion of their cattle as a result. Dairymen, 75 per cent. of whose herds are registered, can contribute at the higher rate and receive the higher rate of compensation.

Hon. F. J. S. Wise: What effect will this have on the fund?

THE MINISTER FOR AGRICULTURE: I have no idea. This refers only to stud cattle and, of course, the contribution has been increased.

Hon. J. T. Tonkin: But it will not mean much.

THE MINISTER FOR AGRICULTURE: The contribution is doubled. The Government gave consideration to this matter at the request of the bodies I have mentioned.

The Premier: There is not a great number of stud breeders?

THE MINISTER FOR AGRICULTURE: No.

Hon. F. J. S. Wise: That is the point I raised with regard to the effect on the fund.

Hon. J. T. Tonkin: The contributions will be negligible.

The MINISTER FOR AGRICULTURE: Under the Act the contribution is one farthing per gallon and under the Bill it will be 1½d. I take it that the position has been examined and those concerned are of opinion that this will cover the compensation. The Bill has been introduced at the request of the bodies I have named, after examining the position.

Hon. J. T. Tonkin: But those people stand to gain and not to lose. It is the fund that will suffer.

The MINISTER FOR AGRICULTURE: The object of the Bill is to amend the Act to deal with stud cattle only.

Hon. F. J. S. Wise: The point I raised is vital.

The MINISTER FOR AGRICULTURE: That is so. I move—

That the Bill be now read a second time.

On motion by Hon. J. T. Tonkin, debate adjourned.

BILL—BUILDING OPERATIONS AND BUILDING MATERIALS CONTROL ACT AMENDMENT AND CONTINUANCE.

Second Reading.

THE PREMIER (Hon. D. R. McLarty—Murray-Wellington) [9.36] in moving the second reading said: The Bill is introduced to amend the Building Operations and Building Materials Control Act.

Hon. J. B. Sleeman: I thought the Government was against all these controls.

The PREMIER: Provision is made for a further extension of the Act for 12 months.

Hon. J. B. Sleeman: The Honorary Minister is very much against controls.

The PREMIER: I suggest to the member for Fremantle that he be quiet and listen.

Hon. J. B. Sleeman: I suggest that you state whether you favour all these controls.

The PREMIER: I suggest that the hon. member listen.

Mr. SPEAKER: Order!

The PREMIER: The object of the Bill is to secure the extension of the operation of the Act for a further 21 months from

the 1st January, 1948, and for several amendments dealing with penalties. Despite the large number of dwellings that have been erected and the rapidly increasing programme, coupled with an improvement in the rate of basic material production—particularly those materials manufactured locally—there is still considerable leeway to be overtaken. Applications for homes are being received at an increasing rate and reference to the marriage tables indicates that this demand will continue for some time.

There is also a very keen demand for industrial work. Social and school buildings are required and the balance has to be struck between these requirements. It is necessary, therefore, that some control of building materials be maintained to ensure direction into essential channels. Since the existing legislation first came into force, an endeavour has been made to relate closely the issue of permits and the release of materials to the supply position. This, in no small measure, has contributed to the speeding-up of construction, and Western Australia has achieved a finishing rate better than most other Australian States.

Hon. F. J. S. Wise: We always were a little better than most of the other States.

The PREMIER: Yes, that is so. At this stage it would be well briefly to outline the existing provisions and procedure. The purposes of the Act are twofold—

Part III. Control of Building Operations including issue of building permits.

Part IV. Control of disposal and acquisition of building materials—including licenses and releases.

Under the existing legislation a consent under Part III is required for any building operation—

(a) To a residence where the work in any one financial year will exceed £50.

(b) To business, education or religious building if the work in any one financial year exceeds £100.

In addition to those, a consent is required for any painting or renovations to a dwelling if the work exceeds £50 in value in any one financial year. Where work is carried out within the financial limits mentioned in Part III and does not require a permit, it is still necessary for controlled materials mentioned in the schedule of the

Act to be covered by a release in the terms of Part IV.

With regard to Part IV, the existing procedure is that when a consent is given to a building operation under Part III, the building owner or his contractor is automatically entitled to obtain a release of the controlled materials which have been previously specified, as and when available. Part IV also operates to provide machinery for the release of available controlled materials when the work is not required to be covered by a consent. The materials under control are listed in the schedule of the Act.

The Bill before the House provides for the amendments I shall now indicate. The name "State Housing Commission" has been inserted where "Workers' Homes Board" is used in the Act. As members know, when the legislation was introduced first the control was vested in the Workers' Homes Board, the name of which body has now been changed to the State Housing Commission.

Difficulties have been experienced with regard to the use of second-hand material. The Act now provides that second-hand material may be acquired or disposed of without the need to obtain a release from the Housing Commission, but it was not intended that work costing more than £50 in the case of a house, even where second-hand material was used, should be done without a permit having been first obtained.

Hon. F. J. S. Wise: Has the use of second-hand material been an embarrassment to the Commission?

The PREMIER: Not an embarrassment to the Commission but it has been embarrassing in this respect that it has been said to have been used and the cost exceeded, and the Commission has not been able successfully to prosecute those people who have used second-hand material in conjunction with new material. As the Leader of the Opposition will readily understand, it is difficult to determine how much of each type of material has been used.

Mr. Styants: Will this prevent a man who dismantles a house in one district from re-erecting it in another?

The PREMIER: No. The legislation will not take any control over second-hand

material. The Bill proposes to make it quite clear that though second-hand material is exempt from the section of the Act that deals with the acquisition and disposal of building material, it does not affect the need to obtain a permit for work to be done where second-hand material is used. I think that is the point that the member for Kalgoorlie was concerned about. The reason for the amendment outlined in the Bill is that where prosecutions have been launched, the defence has been raised that second-hand material had been used and that in consequence the Act did not apply.

The present Act empowers the Housing Commission to obtain information in regard to building operations which are in progress and are uncompleted. It is not possible under the present legislation to require an interested party to give information with regard to a building operation which has been completed. The Bill proposes to amend the Act to give the Commission this power. It can be readily understood that the power is most necessary because in some instances a building is completed without a permit before the Housing Commission has knowledge of it. The present Act provides that offences may be dealt with only by a stipendiary magistrate. As it is difficult in all circumstances to obtain the services of a stipendiary magistrate, the Bill proposes to amend the Act to allow offences to be heard by a police or a resident magistrate. It also provides for an alteration in the penalties to be imposed for breaches of the Act.

I am sure all members will be in agreement with the Government's desire that penalties more in keeping with the breach committed by an offender should be imposed. The present Act does not provide for a minimum penalty, but it does provide for a maximum penalty, namely, £100. The Bill provides for a minimum penalty of £50 and a maximum penalty of £200. In order to meet exceptional cases, it is proposed to leave some discretionary power with the magistrate, and therefore where he is satisfied that a penalty less than the minimum penalty should be imposed, he may inflict a penalty of a smaller amount, but he must record his reasons for so doing.

Hon. F. J. S. Wise: Can you think of what might be mitigating circumstances?

The PREMIER: Not offhand. I can, however, easily visualise that something might occur. A person might be in complete ignorance that he is doing wrong and, while ignorance is no excuse for disobedience of the law, certain cases might arise which would warrant a minimum fine of £50. The Leader of the Opposition will agree that this provision is desirable. This thought has occurred to me: It might also obviate the position, which often arises, where people who think they have been harshly dealt with in regard to a fine appeal to the Attorney General for some remission of the fine. This is a safeguard, in view of the fact that a minimum penalty is provided. I think the magistrate should be given some discretion if he considers that hardship would be inflicted upon a person. I move—

That the Bill be now read a second time.

Point of Order.

Mr. Graham: In view of the Premier's decision some time ago to refuse to answer some questions of mine relating to the State Housing Commission, I would like a ruling from you, Mr. Speaker, on this Bill. At the time I asked the questions, it was plain that the matter was sub judice. Is this Bill properly before the House? I concede that there would be no offence against the privilege the Premier claimed if this were merely a continuance Bill.

The Premier: It is a continuance Bill.

Mr. Graham: But there are alterations to the Act that have just been explained by the Premier. If it were merely a continuance measure, the status quo would be preserved and what has existed during the past 12 months would continue. It was stated on a previous occasion that the position regarding the railway Bill was somewhat different, and you allowed the Bill to proceed. But in this case, the Bill deals with the State Housing Commission, whose operations are being investigated by a Royal Commissioner. The Premier himself refused to answer my questions relating to the Housing Commission, because he stated that the matter was sub judice and he has maintained that position since. In order to be consistent, the Premier should not even have contemplated the introduction of a Bill such as this, except for the purpose of continuing the parent Act in its present form. I ask you to rule that the

whole matter is sub judice, as a Royal Commissioner is investigating the State Housing Commission and that therefore this measure, apart from the provisions relating to continuance, should not be further proceeded with.

Mr. Speaker: My ruling is that the Government can introduce a Bill dealing with housing, notwithstanding that a Royal Commission is sitting to find out certain things. The question of what the Royal Commission may or may not find does not interfere with the power of the Government to bring in legislation. The expression "sub judice" has been mentioned.

Hon. J. T. Tonkin: It has no meaning in this Parliament.

Mr. Speaker: The expression "sub judice" has been used in this Chamber. It is a legal term, but it is often used in ordinary conversation to denote that a matter is under consideration. There seems to be a conflict of ideas between a court of law and a Royal Commission, but I see no reason why the Government should not bring in legislation connected with housing, notwithstanding that a Royal Commission is sitting to ascertain certain matters in connection with the operations of the Housing Commission. I therefore rule that the Bill is in order.

Hon. J. B. Sleeman: Why not answer the question whether the matter is sub judice?

Dissent from Speaker's Ruling.

Mr. Graham: I move—

That the House dissent from the Speaker's ruling.

I do so reluctantly and with no ulterior motive. All I want is that the position should be resolved. The Government seems determined to pay ducks and drakes with the House. It solemnly makes a decision on one day on a particular matter and, with equal solemnity, completely reverses the decision several days later. I do not consider that is fair to members. Surely, if the Premier in all seriousness—and the House agreed with him—decided that a question merely seeking information should not be answered because the subject-matter was being inquired into by a Royal Commission, he should not introduce a Bill designed to alter the provisions of an Act which con-

stitutes one of the charters under which the State Housing Commission carries on its functions. I confess I do not feel happy in this challenge against your ruling, but I feel I should take the opportunity of expressing my grievous displeasure at the action of the Government. This sort of thing has been done far too frequently during this session. We should not be compelled to submit meekly to the mere whim and fancy of the Government, which says that a thing which was wrong yesterday is right today. That will cause dissatisfaction among members.

I voice, in as strong terms as I can, my objection to the attitude and action of the Premier in this matter. Let us be fair and honest about it. If it were wrong the other day to answer questions, then it is doubly wrong today to seek to introduce legislation affecting the very department which is being investigated by a Royal Commissioner. While we may have been prepared to be indulgent in a former case because it was alleged that the circumstances were different, on this occasion the Royal Commission is actually investigating the operations of the Housing Commission. I register my emphatic disapproval of such an attitude. I am asking the House to agree with your previous decision, and therefore not to allow any further discussion on the Bill, except as regards the continuance of the measure, in order that we may arrive at some basis of consistency. Goodness knows, we have been all over the place this session.

The Premier: The Bill I have just introduced can in no way affect or prejudice the findings of the Royal Commission on Housing. That Royal Commission is inquiring into certain charges which have been made against the Housing Commission. The Bill deals with something quite apart from this inquiry. The member for East Perth seeks to draw a parallel between the Bill and the question which he asked me some days ago. He asked me for the names of certain people connected with the Housing Commission. I still say that it would have been improper for me to give him those names. If he wishes, he can make application for them to the Royal Commissioner. It is not part of my function, as Minister for Housing, while the Royal Commission is conducting its inquiries, to supply names to any

persons. When I say "n y" I mean myself as Minister for Housing. There is no analogy between this Bill and the question which was put to me by the member for East Perth. There is every justification, Mr. Speaker, for your ruling on this point.

Hon. J. B. Sleeman: I rise to support the member for East Perth. There certainly is some connection between the Bill and the Housing Commission. I think the Premier was right when he refused to answer the questions which have been referred to. He said the matter was sub judice and he was quite right, but he cannot have it both ways. If it were sub judice in October, it is sub judice in December. We have to find out just where we are.

The Premier: The Bill will deal with future happenings, not past happenings.

Hon. J. B. Sleeman: The Bill is connected with the Housing Commission, which will control everything with which the Bill deals. It is not merely a continuance Bill; it is altering the Act.

The Premier: Of course it is.

Hon. J. B. Sleeman: And the Act controls the Housing Commission.

The Premier: How does the Bill affect past activities?

Hon. J. B. Sleeman: The member for East Perth asked the Premier to supply him with the names of people who had houses last November.

The Premier: The Royal Commission is dealing with the past activities of the Housing Commission.

Hon. J. B. Sleeman: As I said before, I think the Premier was right on the previous occasion.

The Premier: I am right now, too.

Hon. J. B. Sleeman: Any matter with which the Royal Commission is dealing is sub judice. The Premier might have read in the papers lately the proceedings of a Royal Commission that was sitting in the Eastern States. The Royal Commissioner said to one of the witnesses, "You had better have a look at a Sydney morning paper and see whether the statements there made are correct, because if they are, you are guilty of contempt." If we err, we err in good company because that Royal Commissioner told a witness if he had made certain statements—

The Chief Secretary: What were they?

Hon. J. B. Sleeman: The Chief Secretary can read the paper as well as I can. He would like to make some political propaganda out of this, I suppose. The Premier was right on the occasion that he refused information.

The Premier: He is right tonight, too.

Hon. J. B. Sleeman: He is wrong to allow this to go through because the matter is sub judice.

Question put and negatived.

Debate Resumed.

On motion by Hon. F. J. S. Wise, debate adjourned.

BILLS (4)—RETURNED.

- 1, Electoral Districts.
- 2, Superannuation, Sick, Death, Insurance, Guarantee and Endowment (Local Governing Bodies' Employees) Funds.
- 3, Superannuation Act Amendment.
- 4, Parks and Reserves Act Amendment.
Without amendment.

RESOLUTION—STATE FORESTS.

Council's Message.

Message from the Council received and read notifying that it had concurred in the Assembly's resolution.

ANNUAL ESTIMATES, 1947-48.

In Committee of Supply.

Resumed from the previous day; Mr. Perkins in the Chair.

Vote—Agriculture, £197,070 (partly considered):

MR. NALDER (Wagin) [10.4]: I do not intend to delay the Committee unduly but I would like to touch on one or two points of agricultural interest. I am concerned about the reported increase in the number of sheep infested with lice and tick. I know this report to be correct because I have had some personal experience of the matter, much to my regret, through purchasing infested sheep. The regulation provides that every owner of such sheep shall cause them to be dipped in some recognised solution, fatal to tick and lice—and especially after shearing. During

the war period, through lack of manpower and because of water shortages due to dry years, many farmers failed to carry out the regulations. It would be interesting to members who have not had the opportunity of observing infested sheep, to see how they lose condition and the value of their wool depreciates. One of the chief causes of the increase in the number of infested sheep can be attributed to the large number that pass through the saleyards.

When a farmer culls his flock, he puts the culls on the market, in many instances without being dipped, possibly because he believes they will be slaughtered, but that does not always happen. Many of these sheep come in contact with others which invariably become infested. So it goes on. More inspectors should be employed with the object of tracing where the infested sheep came from, and dealing with the breeders. The law should be tightened up, and some responsibility should rest with the local governing bodies. They should employ inspectors when it is not possible for a departmental inspector to attend sales and make inspections. Some responsibility should also be taken by the associated agents. I remember attending a sale last year where a number of sheep, quite evidently infested, were offered, but nothing was done. The sheep were sold and went to different districts throughout the South-West portion of the State. Members will realise that it is necessary to tighten up the regulations in this regard. Another point of considerable interest is that of the infertility of breeding ewes, or as the trouble is commonly called, clover disease.

I hope the Minister will not delay longer than possible the purchasing and establishing of an experimental farm in the districts affected, with the object of trying to trace the cause of the disease. Many farmers are carrying out experiments and some are meeting with a certain amount of success. They are endeavouring to find out the cause of this trouble, which is costing the State many thousands of pounds. I had the opportunity, early this week, of visiting the property of a breeder who has been experimenting along these lines and who has met with a certain amount of success. Reports have been received of infertility in the breeding flocks of his district. This man

told me that he had carried out experiments on his clover paddocks. He had scratched in a number of them, yearly, with a heavy dressing of super, and with oats and barley, thus giving his sheep a balanced ration. This systematic grazing has kept the disease from his property. I feel sure that many breeders in the South-West portion of the State will experiment on the lines proved successful by this man. In our clover districts the disease has reached large proportions, and anything that can be done to discover its cause and cure will be of great benefit to the State.

MR. LESLIE (Mt. Marshall) [10.11]: The observations I have to make on this Vote are of particular interest to my electorate, and have reference to matters already mentioned during the debate. I am glad to say that seasonal conditions in the north-eastern area—except for the far north-eastern corner—are once again most satisfactory. Earlier in the year I forecast that, given normal rains, we would have a bumper season, and that with less than normal rains we would have an average season. That forecast has been proved correct. We can predict our crop prospects in those districts fairly accurately, because in latter years the farmers have adopted methods of agriculture based on experience gained during years of experiment. It is because of the success achieved with cereal growing that I would stress to the Government the absolute necessity of continuing representations that are already being made to the Commonwealth—as a result of conversations I have had with the Minister—to have lifted from those districts the conditions imposed under the marginal areas scheme.

In that country wheatgrowing is not the hazardous occupation it was some years ago. There are portions of that district where the rainfall this year has been well below the average, but where the crops are such that the growers need not be ashamed of them, and where, even if only the home consumption price were available, the wheat would be worth harvesting. These conditions are vastly different from what obtained some years ago, when methods of farming differed from those in use today. Under the marginal reconstruction scheme the design was that the holdings should be of not less than about 2,000 acres of cleared land. When that

scheme was first put forward a condition attached to it was that the north-eastern or marginal areas were to go entirely out of wheatgrowing. So far that condition has not been imposed, but at that time the growers were permitted to sow a maximum of 150 acres of wheat for sale as grain. Owing to the area of land they could put under wheat being so considerably reduced they had time—and most of them then had the plant—to farm properly. The result astonished many of them, when they got such excellent yields.

Since that time the basic area they are permitted to grow for grain has been raised to 250 acres per holding, on any of the reconstructed farms. They are permitted to grow any area they like of cereal fodder crops, but they desire to contribute to the production of exportable foodstuffs to meet present world needs, and to conduct their farming operations on a basis that will ensure financial success. As a result of meetings and consultations with farmers in those districts the proposal is now advanced—I think it is highly reasonable—that instead of the basic 250 acres being applied to all properties, no matter what the area of cleared land, they should be permitted to sow with wheat for sale as grain a basic area of one-fifth of the cleared land on the holding.

It is in the interests of soil fertility and the control of vermin that the land should be adequately cultivated at regular intervals. No farmer can be expected to undertake expensive cultivation without some return from it. Most of them now adopt the practice of a five-year rotation on their holdings. It is because of that four or five year rotation that in the past few years they have achieved success with wheat crops. They are content to continue to apply that principle, and feel that it is reasonable that they should be given a basic area of one-fifth of their cleared holdings.

Mr. Graham called attention to the state of the Committee.

Quorum formed.

MR. LESLIE: The wheatgrowers are unanimous in saying that if they are permitted to sow one-fifth of their holdings with wheat for sale as grain, they are agreeable to legislation being introduced to compel them to cultivate not less than one-fifth

of their holdings every year. In these days, when so many people are objecting to compulsion, that is a considerable concession. It does not mean that the cultivated area would be restricted to one-fifth of the holding. Undoubtedly they would cultivate more than that, as they require to cultivate a considerable area for fodder crops for their stock. Wheat commands a cash value on the market and therefore they desire permission to grow an area of wheat that will return a payable crop. Although, in the early stages of this marginal reconstruction scheme, general satisfaction was expressed with the linking-up, most of the growers now realise that there was a weakness.

Mr. Fox called attention to the state of the Committee.

Bells rung and a quorum formed.

Mr. LESLIE: While most farmers were wholeheartedly in agreement with the linking-up process, they have since realised that it has a tendency to make some of the holdings too large, with the result that the population that would be economically possible in those districts is being severely limited. It is considered that in a continuance of the reconstruction programme, which is not far from completion, the State Government, which is largely responsible for its implementation, should desist from making holdings larger than they are today. Where there are abandoned blocks that might be considered to be too small to provide an economic living—

Mr. Reynolds: What area do you consider would provide an economic living?

Mr. LESLIE: The hon. member knows the district well and is aware that it would be impossible to lay down a hard-and-fast rule without taking into consideration the varying conditions.

The Minister for Agriculture: That tied him up.

Mr. LESLIE: Where areas are too small to provide an economic unit, the Government should consider linking such properties with those already allotted to adjacent farmers. The reconstruction programme is working very satisfactorily, but I believe the time is not far distant when the whole of that programme will need to be reviewed, not only as regards altering the basic

cropping area—food production being so necessary at the present time—but if the districts are to be satisfactorily maintained, we cannot expect people to go into the out-back unless they are provided with adequate amenities which, while not equal to should be comparable with those enjoyed in the more populous districts. Of course, the amenities that can be provided in many districts are naturally and necessarily dependent upon the population, and while the population is restricted on account of the conditions imposed, so the people, being without reasonable amenities, will be leaving the district. Because of this tendency for people to leave their farms, other people could not be encouraged to take their places, believing that there must be something wrong if comparatively young men, not in a position financially to retire, are leaving their holdings. So I say that a re-survey of the whole of the conditions in those areas will be necessary.

There is a further reason. Many farmers not under the reconstruction scheme, with properties situated within the reconstruction area and grouped in description as marginal farms, find that merely because they did not accept financial assistance from the Government, when most growers found it vitally necessary to do so, their farms being freehold, they are permitted to grow what they like without restriction, while around them are reconstructed farms restricted as to what they may or may not grow. The member for Forrest will no doubt agree that the position is ridiculous. He had a farm in the Mukinbudin area and I think he will agree that if the property he at one time owned had been classed as a restricted property with a limitation as to the quantity of wheat he could grow, while east, west and north of him crops could be grown without restriction, an unjust burden would have been imposed upon him.

The argument has been advanced in official quarters that most of the farmers under the reconstruction plan are in a better financial position than ever before. I agree, and admit that the reconstruction scheme has contributed to that to some extent. I go so far as to say that, if an analysis were made of their financial position as compared with that of men not under the reconstruction scheme, it would be found that the position of a man under the scheme is not nearly so

good as that of one who is free to grow what he likes. Those on the land have not been able to enjoy to the full the measure of prosperity which circumstances in the past few years have brought to our primary industries. I desire to deal with some comments which were made in the course of the debate the other evening. First, I wish to make it clear that the member for North-East Fremantle was quite disorderly, and so was I.

I do not hold Mr. Baron Hay in the same high esteem as does the member for North-East Fremantle. I still adhere to what I did say. I respect his knowledge and experience; but I wish to make it clear that the fact that a man is an Under Secretary, or the head of a Government department, does not automatically make him an expert and the final say-so on all questions. I acknowledge the experience of such men and their judgment in many instances. Some are possessed of qualities which certainly entitle their opinions to serious respect. But a man must be judged on his personal qualities and not merely on the position which he holds. The member for North-East Fremantle drew me into the debate by his remarks on the Government's so-called failure to implement the recommendations of the Royal Commission on vermin. I gave evidence before that Commission and I shall quote from it later on.

The Royal Commission inquired into certain classes of vermin in the area which I represent. The position there was serious; the problem was immediate and pressing. I pointed out to the Royal Commission the necessity for immediate action. Subsequently, in the course of the debate on a motion censuring the then Government for not taking action—the member for North-East Fremantle was then Minister for Agriculture—I condemned the then Government for not taking action to implement vital recommendations of the Royal Commission. I still do so, although the position has since considerably altered. At that time the district was over-run by rabbits.

Hon. J. T. Tonkin: When did the position alter?

Mr. LESLIE: In the course of the next couple of years. Seasonal conditions altered it.

Hon. J. T. Tonkin: In the next couple of years?

Mr. LESLIE: Yes, it was not altered by any action taken by the member for North-East Fremantle.

Hon. J. T. Tonkin: I was only Minister for one year and eight months.

Mr. LESLIE: The member for North-East Fremantle took office just after the Royal Commission submitted its report.

Hon. J. T. Tonkin: Was the position still urgent while the election campaign was on?

Mr. LESLIE: No.

Hon. J. T. Tonkin: Did not your Leader promise the country that, if returned to power, all the recommendations of the Royal Commission would be given full effect to?

Mr. LESLIE: The Deputy Premier can reply to that question himself. Of my own personal knowledge, I do not know that he made that promise.

Hon. J. T. Tonkin: He said that effect would be given to the recommendations of the Royal Commission. He said so in his Policy Speech, to which you subscribed.

Mr. LESLIE: We will admit that he was prepared to give full effect to those recommendations. I might inform the hon. member that the pressing problem today is the emu. The member for North-East Fremantle will recall that the Royal Commission's report suggested that an investigation be made into the provision of a fence to connect the two rabbit-proof fences with a view to keeping the emus out. I can inform the member for North-East Fremantle that such investigations have been made and that early in the new year the present Assistant Minister for Agriculture will personally make an inspection.

Hon. J. T. Tonkin: Is he going to do anything after he makes the inspection?

Mr. LESLIE: I am satisfied he will, because endeavours are being made to ascertain whether sufficient wire is available to meet the requirements of the scheme. Until the Assistant Minister for Agriculture satisfies himself that the proposition is practicable he is not prepared to proceed with it. He will not accept the say-so of someone in Perth. That is the reason he is making a personal inspection. He will consult with the people in the district and

satisfy himself about the practicability of the scheme.

Hon. J. T. Tonkin: You cannot dodge it in that way. He and you are obliged to give full effect to the recommendations of the Royal Commission. Your Leader knows it.

Mr. LESLIE: I am quite happy about it. Emus are a bigger problem today than they were at the time I gave evidence before the Royal Commission.

Mr. Marshall: Would not the fence you mention keep the emus in?

Mr. LESLIE: That is possible, but if they are kept in, they can be destroyed inside the fence and the fence will keep the others out. At the time the Royal Commission made its inquiries in the district, the farmers were trying to establish the fact that emus were breeding in the district, but the Royal Commission was not convinced. Members will recall that I displayed in the corridor of this Chamber a live emu chick which had been taken from a clutch some miles from Koorda. The purpose was to convince the Royal Commission at the time that emus were already breeding in the district. They are breeding there now and it seems impossible to destroy them. Until the migration of the emus from the North is stopped we cannot take adequate action within the district to destroy them. The present Government is doing what it can in the matter. It is providing ammunition to the farmers, when it can be obtained, to assist in the destruction of the pest.

Mr. Reynolds: Do you reckon that is the most effective way to destroy emus?

Mr. LESLIE: I am not saying whether it is or not, I am merely stating what the Government is doing. I am not an authority on emu destruction. I am prepared to concede that the previous Government made an excellent job of destroying the grasshoppers. I say that wholeheartedly; but unless something had been done to destroy the grasshoppers, those areas would be out of production today. It had to be done immediately, and the Government made available funds to encourage and ensure the destruction of grasshoppers there. I want to come back to the question of rabbits. At the time the Royal Commission took evidence, rabbits were the one great concern. It was in destruction of

rabbits that most of the growers in those areas were interested. We considered that the only way in which they could be destroyed was by some other method than by serving summonses on farmers and dragging them to court. That did not get rid of a single rabbit. It was considered that instead of employing snoopers, we should employ rabbit-catchers. I gave evidence to that effect before the Royal Commission, and although there was no collusion with any of my local governing authorities, when the Royal Commission visited those districts it had submitted to it a similar case. It was then the Royal Commission's job to find out how the desires of the people could be given effect to; that is, by way of providing destroyers instead of mere snoopers or inspectors who did nothing but harass farmers.

Hon. J. T. Tonkin: Has one been appointed?

Mr. LESLIE: No, it was a job to get one. It was seasonal conditions that dealt with the problem, but seasons will not always be so kind. The rabbits are not gone.

Hon. J. T. Tonkin: Do you remember that I was contradicted by the wisacrees opposite when I said they were multiplying?

Mr. LESLIE: They are multiplying now.

Hon. J. T. Tonkin: But not the other night!

Mr. LESLIE: What we are concerned about in the rural areas is that we are obliged to look forward and to plan ahead. There has been an eradication of rabbits through seasonal conditions; but in my area there is evidence that by the next seeding time, by the time the next lot of crops are up, unless action is taken to destroy them, the rabbits will be a menace again. If steps are not taken to deal with them at this stage, when they can be dealt with, in the following year the Government will have to do something to assist in destroying them.

Hon. J. T. Tonkin: So the position is more urgent now than last year?

Mr. LESLIE: No; the position will be more urgent unless something is done. In two years' time the position will be very urgent. The Government has time at present to prepare its plans. I do not know

that it is not doing so. Until I know that it is not, I am not prepared to condemn it. There is time to prepare plans for what will be done if the position becomes bad. There would be no work for a destroyer at present. I want to mention what I said in evidence before the Royal Commission. At page 135 of the evidence appears the following:—

I am thinking particularly of rabbits. That is one of the very pressing problems.

That was in 1944. That is when the problem was pressing.

Mr. Reynolds: Did you submit any suggestions as to how the problem could be solved?

Mr. LESLIE: Yes, I did. On page 146 appears the following—after ten pages of evidence, during which the discussion was mainly on rabbits:—

Without saying whether I agree with you or not, I should say that you appear to be driving to this conclusion, that 12 months or two years' extensive co-ordinated attack on vermin would probably result in the annual expenditure being very slight thereafter?

That was a question by the chairman, and my answer was, "That is so." I was trying at that time to establish that it was necessary to take action then to obviate recurring expenditure later on. Seasonal conditions have come to our assistance, but we are not always going to be so fortunate. The task of this Government will be to ensure that a similar set of circumstances to those that existed in 1944-45 will not be allowed to arise. I hope to goodness that the Government will not be dragged aside on this rabbit question and start to make it an economic unit because £6,000,000 worth of rabbit skins have been exported. The rabbits are a greater menace than an asset, and destroy more than they will return. It was a question then of making some provision to deal with the problem of rabbit eradication. We were not to know that in 1946-47 seasonal conditions would reduce the number of rabbits to such an extent that they would have practically disappeared. But nothing was done at that time, when the position was serious.

Hon. J. T. Tonkin: Do you think that full effect should be given to the recommendations of the Royal Commission?

Mr. LESLIE: According to circumstances.

Hon. J. T. Tonkin: Now?

Mr. LESLIE: What is the good of employing destroyers at present when there is no job for them to do? But I do think it is the task of the Government—and I do not know it is not undertaking that task—to set up some system of meeting serious circumstances when they arise. The hon. member's Government did nothing, but rejected the proposals *holus bolus* and took us to task for having the temerity to suggest that the recommendations of the Royal Commission be implemented. On page 146 of the evidence given before the Royal Commission, I am reported as saying—

I am concerned with tackling the problem immediately on a wholesale scale.

I think I have indicated quite clearly to the member for North-East Fremantle that our concern, and the report of the Royal Commission indicated that it was its concern, was that something should be done to tackle an immediate problem. Other than that, we asked that investigations should be made into ways and means of destroying what was another growing menace—namely, *emus*. We suggested that the most practical way was the erection of a fence between the two rabbit-proof fences and considered the Government should investigate some means of doing that, or should provide some alternative proposal.

Hon. J. T. Tonkin: They are doing that now, are they?

Mr. LESLIE: They are going to see if it is possible to do something. The previous Government did not undertake that, but said that it was not possible. On page 139 of the evidence before the Royal Commission I am reported as saying, in connection with the appointment of vermin destroyers and inspectors—

That, however, does not get over the question of destroying vermin.

This was referring to the question of getting local authority health inspectors to be a bit more arduous in carrying out their duties. I went on to say—

If, instead of being vermin inspectors, they were vermin destroyers, the difficulty would be overcome.

I do not propose to pursue that any further, except to say that I hope the member for North-East Fremantle and the members of this Committee are now satisfied on the facts I have put forward that at that time we were

concerned with dealing with an immediate question which the Government then failed to tackle.

Hon. J. T. Tonkin: In March of this year you supported a statement by your Leader that full effect would be given to the recommendations of the Royal Commission if he became head of the Government.

Mr. LESLIE: I have no reason to doubt that it will be.

Hon. J. T. Tonkin: That was in March of this year.

Mr. LESLIE: Quite. I have no reason to doubt that it will be. I am not in position to say to the Government, "Why do you not appoint someone to carry out this rabbit destruction scheme?" The Government would say, "What the dickens would such a man do if we appointed him? What is he going to destroy?" But the rabbits are increasing and the matter has to be tackled. Circumstances do not permit of it immediately, and we are not sure what the Government proposes to do in the future. Efforts have already been made to deal with the emu question. The same methods as were adopted by the previous Government, have been used to deal with the grasshoppers, namely, the providing of finance to the farmers to enable them to cultivate the land and destroy the egg-beds. Fortunately the grasshopper nuisance has abated considerably because of the efforts made. On the other hand other pests have made their appearance, and the Government, with the assistance of the officers of the department, has dealt with them effectively. A point I want to stress is that in connection with the rabbit-proof gates. Most members know that the gates are left open more often than they are closed.

Hon. A. H. Pantou: They are often knocked off, too.

Mr. LESLIE: Yes. I approached the previous Government with a request to have the gates removed and roller by-passes put in on the main roads, and the gates re-erected alongside in order to allow stock to go through, as they will not go over a by-pass. That would effectively control the rabbits and avoid the necessity for travellers to break the law so many times a day. The reply I got at the time was that the Vermin Branch had no objection to the by-passes and that the local governing authorities

could carry out the work at their own expense. I am by no means a lawyer, but the natural suspicion arises in the minds of the governing authorities that when they put these by-passes in they will have the job of maintaining them, and of erecting and maintaining the gates alongside.

The Minister for Railways: Do you think those gates would be shut?

Mr. LESLIE: They would not be left open nearly as much as at present. I am not prepared to enter into an argument as to whether the rabbit-proof fences serve a useful purpose or not. I have seen more rabbits within 12 miles of Perth than I have in my electorate. If we are going to continue the fences we should endeavour to see that they perform the job they are intended to do. No burden will be imposed upon the finances of the Agricultural Department if arrangements are made to instal motor by-passes similar to the one on the Cunderdin-road. It would not be necessary to have them at every gate. Some gates are used only once a week by farmers who shut them.

Mr. Reynolds: What would be the cost of a by-pass?

Mr. LESLIE: It would be small. The Public Works Department officers would be more competent to give an estimate than I am. One of the most regrettable features at present is the severe shortage of fencing materials. The Government is making endeavours to remedy the position, but as far as I can see until there is an improvement in shipping we are doomed to suffer a shortage of fencing. Farmers in the north-eastern area think that ring-lock fencing is more effective than others in keeping out emus. Practically all the farmers on the north-eastern fringe are prepared to fence their northern boundaries with that type of fencing. I know the Minister, the Honorary Minister and officers of the Department of Post-War Reconstruction have made efforts in this connection, but if we could induce manufacturers to turn out more ring-lock fencing of high tensile strength it might be possible to save the Government the cost of the erection of the dividing fence recommended by the Royal Commission, and which the settlers in those areas must have if they are not able to get ring-lock fences for their northern boundaries.

Hon. J. T. TONKIN: This is a comprehensive item. The other evening the member for Irwin-Moore thought fit to make some remarks in connection with these Estimates, and most of the time he seemed to content himself with making a strong attack on me. He followed his usual technique of half-apologising before attempting to make his speech. That would not be so bad if he confined himself to facts. But he does not do that. He indulges in the wildest exaggeration. Last evening, when he was referring to what I had said, he made remarks about me to which I could have taken immediate exception and in respect of which I could have asked your protection.

Hon. F. J. S. Wise: Those would be wrong tactics to adopt with a person of that kind.

Hon. J. T. TONKIN: He said there was not an ounce of truth in the remarks I had made, which was tantamount to calling me a liar. He also said he believed I had set out deliberately to misinform the people of Western Australia. He was not content with saying that once, but went on to say it was a distortion of the facts which sprang from a desire deliberately to misinform the people. I tell the hon. member that never since I have been in this House have I deliberately set out to misinform anyone. When I find it necessary to do that, I will resign my seat. When I make a statement in this House I say what I believe to be true.

The CHAIRMAN: The hon. member cannot reply to the member for Irwin-Moore while speaking to this item.

Hon. J. T. TONKIN: I would like to know why, as I am definitely going to deal with matters that are concerned under this item. I refer to matters of bulk-handling and the administration of the department. The member for Irwin-Moore made a remarkable statement—a statement remarkable when coming from a man as well-informed as he would have members believe he is. He said—

For many years in this State we have not had a Minister for Agriculture with a truly rural background. Those who have administered that department in the past had other duties that kept them occupied so that the department to a great extent came under the complete domination of the Under-Secretary or the Director of Agriculture. That has been bad for agriculture in Western Australia. I do not wish to criticise the Under-Secretary in

saying that he has gathered to himself the whole of the policy and the direction of that department.

Is that relevant to this item?

The CHAIRMAN: Yes, that would come under the heading of administration.

Hon. J. T. TONKIN: To show how ridiculous the assertion was, I would mention that personally I was in charge of the Department of Agriculture for one year and eight months, and therefore could not have had a very great influence on the policy of that department over the years, but my predecessor was Minister for Agriculture for ten years and, because of his rural background—about which the member for Irwin-Moore knows nothing—he was chosen by the Commonwealth Government to be Chairman of the Rural Reconstruction Commission, a body the reports of which are regarded as being of considerable value. Because of his rural background he was chosen for that job. Furthermore, because of his rural background and early training he was brought to this State and employed by the State Government, and was instrumental in having established in Western Australia a number of rural industries the value of which has been incalculable. For ten years he was in charge of the Department of Agriculture, and no-one who knows the Leader of the Opposition would subscribe to the statement that he would allow himself to be dominated by an Under-Secretary for Agriculture.

That is the type of statement that the member for Irwin-Moore dishes up here, and would have us believe. It is too absurd to say that the Under-Secretary for Agriculture has been permitted—through not having a Minister with a rural background—to gather to himself the whole of the policy and direction of the department. It is arrant nonsense, of which the member for Irwin-Moore gives us so much. I come now to his cheap gibe that the Labour Government has, all along the line, been antagonistic to bulk-handling. That is more nonsense.

Hon. F. J. S. Wise: It is false, of course.

Hon. J. T. TONKIN: Not only did my predecessor introduce a Bill to enable the assets of Bulk-handling Ltd. to be handed over to the wheatgrowers earlier than was originally contemplated under the Trust

Deed, but I also, at the request of Bulk-handling Ltd., introduced legislation to do something that the company desired in relation to its shares.

The CHAIRMAN: This is outside the scope of the item under discussion.

Hon. J. T. TONKIN: If you, Mr. Chairman, wish to allow the hon. member to say what he likes—whether fact or not—and then prevent me from replying, I will have to wait my opportunity and reply later.

The CHAIRMAN: His speech was made on the general debate on the whole department, which covers a wide field. The discussion now is restricted to an individual item.

Hon. J. T. TONKIN: Can you tell me any field wider than "miscellaneous"?

The CHAIRMAN: The hon. member knows that Standing Orders restrict the debate on individual items.

Hon. J. T. TONKIN: I am dealing with Item 2, which covers a wide field.

The CHAIRMAN: It does not cover legislation introduced in the past.

Hon. J. T. TONKIN: I think it does, because in his administration of the department the Minister for Agriculture administers the Bulk Handling Act, and in being asked to effect certain alterations to that legislation he must refer those matters to his officers and, when the necessary Bills are prepared, he must introduce them. If that has nothing to do with the administration of the Department of Agriculture, I fail to see why it has not. However, I do not desire against your wishes to pursue the matter any further, having already made my point.

Hon. F. J. S. Wise: What about his remark on the sidings? That was a lie, also.

Hon. J. T. TONKIN: The manager of Co-operative Bulk-handling Ltd. was good enough to write to me when I vacated office, and he certainly did not state what the member for Irwin-Moore has stated. To the contrary, he expressed the view that the company had received considerable assistance from me during my term as Minister. In dealing with the bulk-handling of wheat, the hon. member reiterated the statement, which he had made earlier, that the improvement at Fremantle was

due entirely to Co-operative Bulk-handling Ltd., firstly because when the company was allowed to handle wheat at the port, it was able to make improvements in the rate of loading, which was expensive, and, secondly, because it was able to show the stevedores how much better their energies could be employed in the ships. When the hon. member commenced his speech he said there was not one ounce of truth in what I had said, and I expected him to take my statements one by one and show wherein they were false. He did not do that, because he could not. He proceeded to build up a case, on false premises, in support of Co-operative Bulk-handling Ltd. Under the system of handling wheat, the hon. member must know that what I stated with regard to the position is true, namely, that the rate of loading is dependent entirely upon the rate at which the wheat can be taken into the ship.

The CHAIRMAN: I think the hon. member will have difficulty in connecting that matter with the item.

Hon. J. T. TONKIN: Do you agree that the Bulk Handling Act is administered by the department?

The CHAIRMAN: Purely the administration, but you are getting down to the source.

Hon. J. T. TONKIN: No, I am dealing with the administration of the department. The Minister was responsible for recommending to Cabinet that the handling facilities belonging to the State should be taken from the Fremantle Harbour Trust and given to Co-operative Bulk-handling Ltd. Surely that is administration; it is the policy of the Government or of the department with regard to the handling of wheat.

Hon. F. J. S. Wise: I think the Chairman is generous. It might be considered on the Works Estimates or the Loan Estimates.

The CHAIRMAN: Yes.

Hon. J. T. TONKIN: You agree, surely, that this item covers general expenses of administration throughout the department.

The CHAIRMAN: Yes.

Hon. J. T. TONKIN: You also agree that the department administers the Bulk Handling Act?

The CHAIRMAN: Yes:

Hon. J. T. TONKIN: Then, if I am dealing with the Bulk Handling Act, and what has happened under the Act and the company operating under the Act, am I not dealing with a phase of the administration?

The CHAIRMAN: The hon. member cannot cover all the activities of bulk-handling, or he could deal with all the activities in country districts and that would be ridiculous. I cannot allow him to go as far as that.

Hon. J. T. TONKIN: I am not attempting to do that. What I am attempting to do is to deal with certain State galleries that the Minister has handed over to Co-operative Bulk-handling. Is not that in order?

The CHAIRMAN: I shall see what the hon. member has to say about it.

Hon. J. T. TONKIN: I wish to say that the member for Irwin-Moore read from a list of ships, which he said had been loaded at Fremantle by Co-operative Bulk-handling Ltd. He said that one ship, the last, had been left off the list. I submit that it was very conveniently left off. Had it been included, it would have shown that the rate of loading on that ship, despite his remarks about the efficiency of Co-operative Bulk-handling Ltd., had been scarcely greater than the rate of loading on the first ship.

The CHAIRMAN: I must rule that that has nothing to do with the administration of the Bulk Handling Act, and the hon. member cannot continue in that strain.

Hon. J. T. TONKIN: Do you rule that I may not in any way deal with the handling of wheat at Fremantle?

The CHAIRMAN: Yes; I think that is outside the scope of this item.

Hon. J. T. TONKIN: Then I shall have to save it up.

The CHAIRMAN: I think that would be wise.

Hon. J. B. SLEEMAN: Will the Minister give particulars of the £100,000 worth of people's property handed over by the department to Co-operative Bulk-handling Ltd. If the Minister can give a reasonable explanation, I may not move anything, but if he cannot, I shall be obliged to move something.

The Minister for Agriculture: You mentioned £100,000. That is not on the Estimates.

Hon. J. B. SLEEMAN: If the Minister is going to ignore us in that fashion we shall have to find out what has become of the £100,000 worth of property, and why it was handed over. It looks like a politically dishonest action.

The CHAIRMAN: The hon. member cannot discuss the amount of £100,000.

Hon. J. B. SLEEMAN: Then I move—

That the item be reduced by £100.

I do this as a protest against the general administration of the department which, in my opinion, has been dishonest, and it is time that some inquiry was made into it. Let us have a Royal Commission to inquire into the administration. We are not going to stand for £100,000 of the people's money being handed over to this company. If the Labour Government had handed over £100,000 worth of equipment to a co-operative lumpers' union to do the work on the wharf, there would have been a terrible outcry. I have moved the amendment in order to endeavour to get some information from the Minister.

The CHAIRMAN: The hon. member is out of order in moving that amendment.

Amendment ruled out.

Hon. J. B. SLEEMAN: Then I am prepared to move to reduce the item by £10 or any amount.

The CHAIRMAN: The hon. member is out of order in moving to reduce the item of £21,600 by any amount. The question is that the Vote be agreed to.

Hon. J. B. SLEEMAN: Then I desire to move an amendment—

That the Vote be reduced by £100.

I say that the administration of the department is not beyond reproach and that something should be done to protect the people's property. Had the Labour Government given to a Labour organisation one quarter of the amount the Government has given to its political friends, we should never have heard the end of it.

Hon. J. T. TONKIN: I fancy this gives me the opportunity I did not have before.

Hon. J. B. Sleeman: I thought it would.

Hon. J. T. TONKIN: In protesting against the action of the Government, I am

entitled to give the reasons, which include the handling of wheat at Fremantle.

The Minister for Agriculture: That is not mentioned in the Vote.

Hon. J. T. TONKIN: This is a vote of censure on the Minister for allowing £100,000 worth of State assets to be handed over to Co-operative Bulk-handling Ltd.

The CHAIRMAN: The hon. member will need to relate his remarks to the amendment, which is concerned with the actual Vote. I propose to hold all the debate strictly to the question.

Hon. J. T. TONKIN: I shall be guided by what you say. Will you define for me the limits?

The CHAIRMAN: No, I shall deal with the limits as the hon. member proceeds.

Hon. J. T. TONKIN: For a start, I propose to adopt the widest interpretation in order to show that the reason why I am supporting a reduction of the Vote is because I believe the Minister is deserving of censure for allowing Co-operative Bulk-handling Ltd. to get these State assets, for handing them over quickly before any agreement was signed, and for allowing the company complete control to do almost what it liked with them.

The CHAIRMAN: There is nothing in the Estimates that deals with the question the hon. member is raising now.

Hon. J. T. TONKIN: I am aware of that, but must the matter be in the Estimates before we can speak to a vote of censure on the Minister for doing something?

The CHAIRMAN: I rule that the debate on this motion must be confined to matters appearing in the Estimates.

Hon. J. T. TONKIN: Administration appears on the Estimates, and this has regard to the administration of the department.

The CHAIRMAN: It is just as restricted as the previous ruling I gave in regard to item No. 2.

Hon. J. T. TONKIN: That is remarkable. The amendment now is to reduce the total Vote of the department.

The CHAIRMAN: That is so.

Hon. J. T. TONKIN: Previously I was attempting to deal with an item.

The CHAIRMAN: That is so. I would remind the member for North-East Fremantle that the general Vote for the department has been passed and that his opportunity is gone. We now come down to the actual items which appear in the division and the hon. member cannot go outside of that.

Hon. J. T. TONKIN: You will have to take a back somersault, if I may say so, because the amendment is to reduce the total Vote for the department.

The CHAIRMAN: The amendment deals with individual items on the Estimates.

Hon. J. T. TONKIN: You would not permit the member for Fremantle to move a reduction of a subdivision which covered the items; you sent him back and caused him to move to reduce the full amount for the department.

The CHAIRMAN: That is the question before the Committee.

Hon. J. T. TONKIN: If that is so, I submit I am in order in dealing with the administration of the department.

Hon. A. R. G. Hawke: By the Minister.

Hon. J. T. TONKIN: The Chairman has just said it is the Vote for the department. My main objection is to what happened regarding the bulk-handling facilities at Fremantle.

The CHAIRMAN: I am sorry, but the hon. member cannot discuss it on this amendment. He will have to do so on some other occasion.

Hon. J. T. TONKIN: It is extraordinary that you should rule in that way now because, surely, if a member moves to reduce the Vote for any department by any amount at all, that is a gesture against the administration of the department. I think you must agree with me on that point.

The CHAIRMAN: The hon. member is quite in order in discussing the administration of the department.

Hon. J. T. TONKIN: This department administers the Bulk Handling Act and therefore actually controls Co-operative Bulk-handling.

Hon. A. R. G. Hawke: The Minister, by his administration, did certain things.

Hon. J. T. TONKIN: That is so. He gave Co-operative Bulk-handling a privileged position as against other persons in the State. The important point is that he singled out this company, took assets which belonged to the people generally and handed them over very quickly to Co-operative Bulk-handling, so that that company could use them before any agreement was drawn up at all. I do not know whether it is yet drawn up but understand that it is nearly completed. We have had no information from the Minister on that point. The last time I asked him a question about it he informed me that the agreement was not completed, and that was only a few weeks ago. Our complaint against the Administration is that this was done, and done in the way it was. We have had members stating how efficient Co-operative Bulk-handling is.

The CHAIRMAN: The hon. member is getting away from the amendment.

Hon. J. T. TONKIN: I find it exceedingly difficult to interpret what you, Sir, think is right in this connection. You agree that the amendment deals with the administration and you also agree that the Minister for Agriculture administers the Bulk Handling Act, which controls bulk-handling, yet immediately I say a word on bulk-handling you stop me. The extraordinary thing is this: If you were to say to me that the Bulk Handling Act and Co-operative Bulk-handling have nothing to do with the department, I would have to agree, but they have everything to do with the department because the Minister in charge of the department administers the Bulk Handling Act, and he gave to Co-operative Bulk-handling the operational facilities which you will not allow me to discuss.

The Minister for Agriculture: We gave Co-operative Bulk-handling nothing. We leased the facilities to them.

Hon. J. T. TONKIN: The Government handed the facilities over without an agreement. Surely, the Chairman will agree that, so far, I am dealing with assets belonging to the State that the Minister recommended should be handed over to Co-operative Bulk-handling. That is relative to the administration of the department.

The CHAIRMAN: The hon. member must realise that the debate on the appro-

priation for the department is much more restricted than is the general debate. Our Standing Orders provide that the general discussion on the whole of the Estimates is on the first Vote, and that is the proper time for the general discussion to take place.

Hon. J. T. TONKIN: I agree.

The CHAIRMAN: Then the hon. member must realise that his opportunity is restricted.

Hon. J. T. TONKIN: But this is a discussion on the motion by the member for Fremantle to reduce the Vote.

The CHAIRMAN: That is so.

Hon. J. T. TONKIN: As a protest against the administration of the department. Will you not allow me to state any reasons why the Vote should be reduced?

The CHAIRMAN: No. I will not.

Hon. J. T. TONKIN: Do you expect a member to move that the Vote be reduced and let it go at that? I submit that it is ridiculous to impose that restriction upon a member. If you accept an amendment that a division be reduced, surely you have to accept some argument why it should be reduced.

The CHAIRMAN: It is quite open to the hon. member to give any reason so far as it relates to the department.

Hon. J. T. TONKIN: You say that, but immediately I give reasons you stop me.

The CHAIRMAN: The hon. member is getting on to items which are outside the Estimates.

Hon. J. T. TONKIN: I am not. These Estimates cover the administration of the department.

The CHAIRMAN: They do not cover the operations of Bulk-handling.

Hon. J. T. TONKIN: With all due respect, I submit they do, because the Minister in charge of the department administers the Bulk Handling Act. He has certain obligations and responsibilities under the Act which he is expected to carry out.

The CHAIRMAN: The hon. member will have to speak to the motion or resume his seat.

Hon. J. T. TONKIN: I am endeavouring to speak to the motion. Before I started

to do so, I asked you to explain the limits to me, but you declined to do so, for a very good reason I have no doubt. Now, when I am proposing to show why I object to the administration, you will not allow me to do so. If your desire is to stifle discussion by stopping me from saying what you know I desire to say, I shall perforce have to give up.

The Premier: You will have an opportunity on the Loan Estimates.

The CHAIRMAN: I think the hon. member should discuss this matter on some other item.

Hon. J. T. TONKIN: That has not been the custom in this House in past years. I have read a few "Hansards" and I have no doubt you have, too. I have seen this sort of thing happen more than once, whereon a motion to reduce a vote the debate has been just as wide as the Vote on the general Estimates; but if you want to make a precedent and establish a new procedure, who am I to deny you that?

The CHAIRMAN: I would be interested if the hon. member could give me an instance where a general debate has taken place on an amendment after the general debate on the Estimates has been completed.

Mr. MARSHALL: I am afraid I have to differ with you, Sir, on this matter. On the general debate, the whole of the administration of a department is open to discussion. As an example, take the department of the Minister for Mines and Health. A member can discuss health matters under the Mines Vote, because the Health Department is administered by the same Minister.

Hon. J. B. Sleeman: Quite right.

Mr. MARSHALL: The Vote for State batteries does not come under the Mines Vote, yet it is open to members to discuss the State batteries on the Mines Vote, because these come under the jurisdiction of the Minister for Mines. That is a well established procedure, as all authorities upon Parliamentary procedure admit. The Committee having disposed of the general discussion, items are taken and whatever is indicated in an item is open for discussion under that item. I am not prepared to pass an opinion on this particular matter because I have no experience in regard to the Agricultural Department, but Item 2

refers to "General expenses of administration throughout the department." That is the whole lot, and I would put it to you, Mr. Chairman, that you are getting particularly close to the danger point when you set out to prevent a member from speaking on a subject which the item is comprehensive enough to include. I am afraid you are imposing an unfair restriction and one which is against all Parliamentary procedure of which I know when you prevent a member from continuing a discussion, as you did just now.

The CHAIRMAN: On looking up "May," I think that perhaps I should have taken the motion for the reduction of the amount on Item 2 rather than on the whole Vote.

Hon. J. B. Sleeman: You refused that.

The CHAIRMAN: I think perhaps I made a mistake; and if the hon. member desires to move his amendment under that heading, I am prepared to accept it.

Amendment (to reduce Vote) not proceeded with.

Hon. J. B. SLEEMAN: I move an amendment—

That Item No. 2 be reduced by £100.

I notice that the Minister has been studying his notes earnestly ever since the discussion began and he should be able to tell us about this dishonest thing that took place in the administration of his department, which has handed over to foreigners—I do not mean foreigners as to nationality but foreigners to the department—which has handed over to political friends of the Government something worth £100,000. I want to know the particulars.

Mr. Grayden: You should confer with the member for East Perth about wild allegations.

Hon. J. B. Sleeman: What are you yapping about?

The CHAIRMAN: The question is that the amendment be agreed to.

Hon. J. B. SLEEMAN: If we are going to be ignored on this side of the Chamber I shall have to put something on the notice paper to see whether we can bring the Government to its senses. They are not going to get away with the larceny of £100,000 given to political friends. If the Minister is not going to tell us something about the

administration of the department, I shall move for a Select Committee to inquire into it. The Minister is always talking about people being reasonable. Let him be reasonable now and tell us something about what the department has done. If not, I will be forced to take some other action.

Amendment put and negatived. .

Vote put and passed.

Votes—College of Agriculture, £22,435; Labour, £4,750; Factories, £12,050—agreed to.

Progress reported.

House adjourned at 11.36 p.m.

Legislative Council.

Thursday, 11th December, 1947.

CONTENTS.

	Page
Assent to Bill	2657
Motion: Police, as to non-promotion of Sergeant W. Williams, withdrawn ...	2658
Bills: Mandurah Church Burial Ground, 1r., 2r. (point of order)	2657
Milk Act Amendment (No. 3), 3r. ...	2659
Commonwealth Powers Act, 1945, Amendment (No. 2), 3r.	2660
Health Act Amendment (No. 2), 2r., Com.	2660
Country Areas Water Supply, 2r., remaining stages, passed	2676
Agricultural Areas, Great Southern Towns and Goldfields Water Supply, 2r., remaining stages, passed	2681
Road Closure, 2r., remaining stages, passed	2682

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

ASSENT TO BILL.

Message from the Lieut.-Governor received and read notifying assent to the Inspection of Machinery Act Amendment Act.

BILL—MANDURAH CHURCH BURIAL GROUND.

First Reading.

Introduced by Hon. H. Tuckey and read a first time.

Second Reading.

HON. H. TUCKEY (South-West) [4.34] in moving the second reading said: This is a short but nevertheless rather important Bill, as it provides for the closing of the cemetery at Mandurah. This cemetery is 78 years old and, owing to the extension of the town, is now practically in the middle of the townsite. It is only five or six chains from the Post Office and on every side there are permanent dwellings, whose water supplies are drawn from wells. The land has never been proclaimed as a cemetery site under the Act and there appears to be no authority which can prevent the continuance of burials there.

A new cemetery site has been provided which is outside the township. It was gazetted in 1939 and a board of management was appointed and gazetted for its control. In spite of the provision of this new cemetery, burials still continue to be made in the old ground. The land in question was originally owned by the late Mr. and Mrs. Henry Hall of Mandurah. By a deed of gift, a memorial of which was registered in 1869, the land was conveyed to the Bishop of Perth for use as a church site. I notice that one of the signatures to the document is that of S. H. Parker, solicitor, Perth. That is 78 years ago. In those days the land was considered to be in the bush, as there was no townsite and only a few houses had been erected along the water front.

Point of Order.

Hon. C. B. Williams: I am sorry to interrupt, but Mr. Simpson has pointed out to me that the Bill has not been printed correctly. It is stated that the first reading is on the 11th November, whereas it should be the 11th December. I am afraid Mr. Tuckey will have to go over the ground again.

The President: It is a printer's error and can be corrected in Committee.

Hon. C. B. Williams: That is all right.

Debate Resumed.

Hon. H. TUCKEY: I had already checked up on that point. For some time after the present cemetery was gazetted and opened, it was considered that no burial could take place in the old ground without