

Further, it is intended that the bonuses to be paid can be varied as between districts, but not within districts. The necessity for the granting of a uniform bonus means that an extra inducement cannot be held out in some districts without there being placed upon the fund a burden far heavier than it can bear. So that it will be possible to use the funds to give a special inducement in some districts, the board is being given authority to vary the bonus in the way I have mentioned. Also it is proposed that we may prescribe certain features as vermin in different places. It will be possible to prescribe a certain animal as vermin in one district and not in another, where it is not necessary to do so. As a result, we will differentiate between districts in the prescribing of vermin, and also in payment of bonuses for the destruction of that vermin. Whilst this is not a straight-out recommendation of the Royal Commission, I consider it certainly is within the spirit of its recommendations.

The number of amendments in the Bill is not large, but they are such as will enable the State to deal more effectively with the menace than has been possible so far. With the two exceptions I have mentioned, the amendments are in accordance with the recommendations of the Royal Commission. I regard the work that it did as being of great value to the State. The members of the Commission spent a lot of time and did not skimp their work in any way. They gave a good deal of study to the evidence, but it is apparent that they were in difficulty in dealing with a number of contentious matters upon which there was a deal of difference of opinion. It was not always possible for them to make a recommendation that would deal with a particular point. So, as I have said, their recommendations are, in some cases, more to be inferred than clearly understood. Many of the recommendations are well stated and, with the two exceptions I have already mentioned, I agree with them. I have dealt fairly completely with the Bill. It is one which, in Committee, will no doubt bring out differences of opinion as to the measures to be taken. I move—

That the Bill be now read a second time.

On motion by Mr. Watts, debate adjourned.

House adjourned at 9.58 p.m.

Legislative Council.

Tuesday, 5th October, 1946.

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

QUESTIONS.

GOLDFIELDS HOUSING.

As to Permits to Build and Homes Erected.

Hon. H. SEDDON asked the Chief Secretary:

1, What number of houses have been built in the Kalgoorlie-Boulder district under the Workers' Homes Scheme since June, 1935?

2, How many houses have been built elsewhere on the Goldfields under the Workers' Homes Scheme during the same period?

3, How many houses have been built under the Workers' Homes Scheme—

(a) In the Kalgoorlie-Boulder district since June, 1945.

(b) Elsewhere on the Goldfields since June, 1945?

4, How many permits have been issued for house building—

(a) In the Kalgoorlie-Boulder district to June, 1946.

(b) Elsewhere on the Goldfields to June, 1946?

5, How many permits have been issued for house building—

(a) In the Kalgoorlie-Boulder district since June, 1946.

(b) Elsewhere on the Goldfields since June, 1946?

The CHIEF SECRETARY replied:

1, 76.

2, 4.

- 3, (a) 20—all in course of construction;
(b) Nil.

4, (a) and (b) Prior to June, 1946, no record was kept of number of permits issued to this or to any particular district.

- 5, (a) 29; (b) 7.

ELECTRICITY SUPPLIES.

(a) *As to Cost of Collie Station.*

Hon. A. THOMSON asked the Chief Secretary:

1, What is the estimated cost of buildings, machinery and plant for the power station to be erected at Collie for the South-West Power Scheme?

2, What is the estimated productive capacity?

3, How much water is required annually for the proper running of the Collie station?

The CHIEF SECRETARY replied:

1, Estimates for new section not yet finalised.

2, An installed generating capacity of 12,500 kilowatts.

3, Total water pumped, approximately 500,000,000 gallons.

(b) *As to Cost of South Fremantle Station.*

Hon. A. THOMSON asked the Chief Secretary:

1, What is the estimated cost of buildings, machinery and plant for the South Fremantle Power Station?

2, What is the estimated productive capacity?

3, How much water is required annually for the proper running of this station?

The CHIEF SECRETARY replied:

1, Estimated cost of buildings, machinery and plant of first section £2,874,964.

2, The installed generating capacity of the first section, 50,000 kilowatts.

3, Circulating water taken from ocean by first section, approximately 17,600,000,000 gallons.

BILL—MARKETING OF BARLEY

(No. 2).

Read a third time and returned to the Assembly with amendments.

BILL—TRAFFIC ACT AMENDMENT. (No. 1).

Second Reading.

THE HONORARY MINISTER (Hon. E. H. Gray—West) [4.37] in moving the second reading said: The most important provisions in this Bill are those by which it is hoped to curb the actions of irresponsible and reckless persons who are a menace to the safety, on the open road, of their fellow-citizens. I refer to the hit-and-run driver and the drunken driver, the consequences of whose actions have been demonstrated regularly in the Press for some considerable time. There are a number of other provisions of varying degrees of importance in the Bill, and I intend to deal with all amendments *seriatim*.

It is proposed to insert in the Act a provision regarding the licensing of taxi-cars and the opportunity is therefore taken in the first amendment to define the meaning of the word "taxi-car," an interpretation that is not as yet included in the Act. The definition suggested in the Bill is "a motor vehicle plying for hire or reward and licensed to carry not more than seven passengers at any one time." I believe members will agree that seven passengers is the maximum that should be allowable, from the point of view of comfort and safety. The object of the second amendment is to repair an omission in that part of the Act dealing with the licensing of vehicles, which provides for penalties where any vehicle described in the Second Schedule, which is in use on the road, has not been licensed by the owner.

The Act specifies what penalties shall be imposed in such cases where the annual license fees are less than £1 and over £1, but it does not state the amount of penalty required where the license fee is £1 exactly. This omission is rectified by the Bill, which proposes that the penalty where the license fee is £1 shall be equivalent to that where the license fee is under £1.

The next amendment is designed to improve existing legislation in regard to the licensing and operating of taxi-cars. At present a person desirous of obtaining a license to operate a taxi-car may have his claim rejected by the local authority on the ground that there are sufficient taxis plying in the district. The applicant, under

present legislation, is not debarred from endeavouring to obtain a license in another local authority's district and, if he were successful, he could return and operate in the district where he was originally refused a license. The amendment is designed to obviate the possibility of any occurrence of this nature.

It provides that a taxi-car license shall be effective and operative only within the district of the licensing authority which issued the license, but that the license holder may apply for permits from local authorities to operate in their districts for a specified period or periods. If the license holder is engaged to transport passengers from the district in which he is licensed to another district, or has to pass through another district on a trip which starts and finishes in the district for which he is licensed, he will not require a permit from the licensing authority of the other district. I think members will agree that this is perfectly fair.

The amendment will give each licensing authority the power to decide how many taxi-cars it is equitable to allow in its district, taking into consideration the demand in the district for such a type of business, and giving those persons licensed an opportunity to make a reasonable living without the fear of pirating tactics by operators whose vehicles have been licensed in other districts and who may be residents of other districts.

We propose to repeal Section 9 of the Act which gives owners the option of licensing their vehicles for either a full 12 months ending on the 30th June of each year, or for the first half-year or second half-year of this period, or for a quarter, or for any unexpired portion of one of these terms. In the place of the repealed section, the Bill provides for the insertion of a new section which will allow owners to register their vehicles for periods of either three, six or 12 months, whichever they may prefer, the term to commence on any day throughout the year.

No provision has been made for a nine months' licensing period. The decision not to include this term was actuated by figures that were obtained of the number of vehicles licensed in the metropolitan area. During the last licensing year, 33,173 vehicles were licensed, and of this number only one was

registered for nine months, 22,191 were registered for the full year, 7,761 for six months, and 3,220 for three months. It is clear that, if the nine-monthly period is not favoured under the present system, it will be even less availed of should the amendment become law.

One virtue of the proposed new method of licensing will be that a person applying for a license before the end of a quarter will not be required to pay at least a quarter's license fee as is necessary at present. This, of course, does not apply to purchasers of new cars who, under present legislation, can be granted a full year's license by paying one-twelfth of the prescribed annual fee for each unexpired month or part of a month of the current licensing year.

I understand that some local authorities in country districts do not desire a change from the present system. They point out that a considerable percentage of their annual revenue is derived from vehicle license fees, and that the present licensing system enables them accurately to estimate their next year's revenue. They state that the method proposed by the Bill will make it more difficult for them to arrive at a satisfactory estimate. This, however, should be by no means an insuperable problem. Each local authority would possess a good working knowledge of the number of vehicles in its district, and this would be of assistance in forecasting the revenue that might be expected. The Government is more concerned about the advantages that will accrue to motorists, and it is considered that to give people the opportunity to license their vehicles from whatever day they may wish will outweigh any small disadvantage that may result to licensing authorities. I have no doubt that local authorities would experience little difficulty in overcoming any such handicap, as it is apparent that the effects of the amendment would only be felt gradually.

This proposal will not affect owners of vehicles already on the road, the licenses for which will expire on the 30th June. With the gradual replacement of these vehicles, the congestion around the 30th June, caused by the rush to renew licenses, would slowly ease, but little effect would be felt for a considerable time. To eliminate this congestion, which receives considerable publicity about the end of the financial year, the Bill

proposes to give licensing authorities the power to stagger the periods of licenses as from the 1st July, 1947.

It will be optional and not mandatory for licensing authorities to do this. They can please themselves whether they do so or not, but in centres where acute congestion is caused, it is obvious that the proposal, if passed by Parliament, will be adopted, as it will benefit both the authority and the licensee. Under this system, the issuing of licenses would be spread over the year, which would overcome the rush and delay experienced during June and July each year. The licensing authority, when issuing a license, will be empowered to grant it for any period of months it may choose, the maximum term being that requested by the applicant. The issue of licenses for these varying periods will be done only once, as thereafter they can be granted for three, six or twelve months, whichever the licensee wishes, as the desired system of staggering will then be in operation. This proposal has been discussed with officials of the Traffic Branch, Public Works Department and Royal Automobile Club, who, without exception, strongly support it. I hope the House will regard it with favour, as its sole reason is to prevent the unseemly congestion that occurs at certain periods and has given rise to much publicity.

Any person may obtain a license for a road tractor or a trailer for a period of one month or two months as from the date of application. Under existing legislation, trailers may be licensed for from one to three months, but road tractors have to be licensed similarly to other motor vehicles. This is considered inequitable. The concession for trailers was made for the reason that these vehicles are used for only a short period of the year for the purpose of carrying the harvest or wool. As road tractors are used to provide the motive power for the trailers, it is considered they should be in the same category so far as the licensing period is concerned.

The next amendment proposes that, as from a date to be fixed by proclamation, the 25 per cent. rebate on license fees allowed on petrol-driven vehicles shall be cancelled. This rebate first came into effect as from the 1st January, 1942, as a consequence of petrol rationing, it being felt that as motorists were restricted in the use

of their vehicles owing to rationing, they should be entitled to a reduction in license fees. Vehicles propelled by fuel other than petrol were not included in this consideration. It is not intended that this amendment shall be put into operation until such time as motorists are able to obtain reasonable supplies of petrol and the tyre position has improved.

In conformity with the provision for the licensing of vehicles, we also propose to allocate staggered periods when granting drivers' licenses, this also to come into effect in 1947. Any licenses then renewed will be issued for a period of from six to 18 months, as decided by the licensing authority. After this period of adjustment the license will then fall due at 12-monthly intervals, the desired system of staggering by then having been brought about. Any person applying for a license prior to 1947 will be granted one for a period of 12 months as from the date of issue. This amendment will do away with the congestion and delay caused by drivers' licenses all falling due on the same date.

The two next amendments are those very important ones to which I referred in my opening remarks. They are designed to provide adequate punishment for and a deterrent to those callous persons who have been found guilty of hit-and-run offences, and to that irresponsible citizen, the drunken driver. There is no need for me to elaborate on the enormity of the conduct of these types of offenders, as the consequences of their behaviour have been forcibly brought home to all persons in recent months. There has been a spate of these offences and it is obvious that the penalties fixed by the Act are inadequate.

It is a mournful fact that in the past five years 442 persons have been killed and 2,642 seriously injured in road accidents in Western Australia. It is also a sad commentary that last year the fatality rate in this State was one person killed in every 5,334 persons, compared with the rate in New South Wales of one to every 7,856 persons. In 1945-46, 91 persons were killed in Western Australia and 615 injured in 4,086 road smashes. This number of smashes was greater than in any previous year, and it is possible that unless immediate punitive action is taken, this ghastly record will continue. I do not mean to say that more

severe punishment will eliminate the evil, but I do state that it should help to minimise the present appalling rate of accidents.

Beyond doubt, the majority of these accidents could have been avoided, and the victims of recklessness and thoughtlessness might now be alive and well, instead of dead or maimed. From the 1st January to the 30th September of this year, 67 people have been killed, and 503 injured, while 3,843 traffic accidents have taken place in the metropolitan area. Fatalities caused by road accidents in the metropolitan area reached their peak under blackout conditions in July, 1942, when 15 persons were killed. In April, 1941, and August, 1945, there were 14 killed, and in May, 1937, September, 1942, and July, 1946, 12 lives were lost. In July, 1946, 527 accidents were reported in the Perth traffic area, this being the greatest number on record. In August there were 466—still far too many. In August, drivers or riders of motor vehicles were deemed culpable in 93 instances of carelessness, negligence or inefficiency; 60 did not exercise due care at intersections, 44 reversed without taking necessary precautions, and 16 were guilty of hit-and-run incidents.

Hon. A. Thomson: Is there any record of the number of motor cyclists who have been responsible for accidents? Have you the percentage?

The HONORARY MINISTER: That would be in these totals.

Hon. A. Thomson: It would be interesting to know how many there were.

The HONORARY MINISTER: If the hon. member wants me to get the information, I will try.

Hon. A. Thomson: I think it would be advisable.

The HONORARY MINISTER: I will make inquiries to see whether it is available. Pedestrians were held responsible for 30 accidents, or just over 6 per cent. of the total; these were classified as 17 cases of crossing roads carelessly and 13 of running across roads. The 16 hit-and-run accidents in August were fewer than those of July, which totalled 22, the highest on record, the greatest previous monthly figure being 17. It has been estimated that during July the record number of 527 accidents in the Perth traffic area resulted in damage to over 900

vehicles. On the basis of the Royal Automobile Club's estimate that the average cost of repairing each vehicle would be £25, the material damage to vehicles in July would be valued at £22,500.

During September, 1946, nine people were killed and 44 injured in the metropolitan area, and 429 accidents were recorded. Carelessness and negligent driving were the cause of 210 of these accidents, and seven were attributable to drunken driving, through which one person was killed and two injured. The total of 12 hit-and-run incidents was greater than the average. This record of negligence and recklessness is appalling and constitutes a blight upon the history of Western Australia. Every effort is being made by the Government and the responsible authorities to curtail this accident incidence, and the proposals in the Bill to increase the penalties should help as a deterrent.

The Act at present provides a penalty of £50 or a maximum term of imprisonment of six months for a person driving or riding a vehicle or animal which is concerned in an accident as a result of which personal injury or material damage is caused, should the driver or rider fail to stop or refuse to give his name and address and other particulars. The court, at its discretion, may also cancel or suspend the guilty person's license or disqualify the offender from holding any license under the Act for a period. It is proposed by the Bill to delete the penalty of £50 or a maximum of six months' imprisonment, and in its place to award a term of imprisonment of a minimum period of three months and a maximum of twelve months to any person convicted of failing to stop after being concerned in an accident in which a person is injured.

It will be noted that the penalty on conviction is imprisonment without the option of a fine. It is intended, however, that this drastic punishment shall be meted out only to persons who deliberately drive away in the full knowledge that an accident has occurred. A proviso is included giving the court power to award a fine not exceeding £100 where it is satisfied that the convicted person was not aware of the accident or where there were special reasons why imprisonment should not be ordered. I think that proviso is necessary because there have been instances of persons who have had a blackout and have not come to their senses

until they were away from the accident. All motor drivers who have had a lengthy experience—and I have—have met with cases of that sort. At the same time I think the punishment provided in the Bill for the motorist who deliberately drives away after an accident is well deserved.

The House will realise that in certain circumstances it would be advisable not to award a term of imprisonment and that all mitigating factors should be taken into consideration. The court should have the power to assess the penalty according to whatever mitigating factors are present. It will be observed that no minimum fine is provided for. This will give magistrates the opportunity to take full advantage of the circumstances relevant to the case. The present penalty of £50, or imprisonment for a term not exceeding six months, will apply in the case of a conviction for other offences, such as failing to stop after causing material damage or refusing to provide particulars of name and address, etc.

Insofar as persons convicted of drunken driving are concerned, it is proposed that, in addition to the penalty imposed on conviction, which is a fine of £50 or imprisonment for three months with or without hard labour, the offender's driving license shall, on the first offence, be suspended for three months. If that person is found guilty of a second similar charge he will lose his license for six months, and in the event of a third offence the license will be cancelled permanently. These suspensions and cancellations will be mandatory. The penalty imposed by the Act, together with the temporary loss of a driving license, will be a more adequate punishment than that which applies at present.

No-one can dispute that the drunken driver is the greatest menace on the road today. A motor vehicle in the hands of such a person is a potential danger to the life and limb of every person in its vicinity. A person whose conscience is atrophied to such an extent that for his own pleasure he is prepared to be a risk to the lives of his fellow-individuals is deserving of little sympathy or leniency. During the 12 months ended the 30th June, 1946, there were no fewer than 69 convictions for drunken driving in the Perth traffic area, and 15 in the Fremantle district. Each one of those per-

sons was a menace to the safety of his fellow citizens and to that of children.

Provision is also made in the Bill for the promulgation of regulations to limit the number of hours to be worked continuously by, and to prescribe the working conditions of, drivers and conductors employed on passenger vehicles; also to provide for the employment of conductors on omnibuses and to regulate the queueing of passengers. These regulations when made will, of course, be required to be laid on the Table of both Houses of Parliament, either Chamber having the power to veto any of them. The principal aim of the proposed regulations is to ensure that no driver or conductor is required to work an unreasonable spread of hours. A driver—this applies to a lesser extent to a conductor as well—who becomes fatigued through over-long hours is a potential danger to passengers and to other users of the road. This affects in particular the owner-drivers who in their attention to their business might possibly be inclined to work for excessive periods. I might add that the State Transport Co-Ordination Act provides that drivers of commercial goods vehicles shall not drive in excess of certain specified periods, and this provision has not given rise to any complaint from those people.

In order to ensure that these proposed regulations will not run counter to any award of the State Arbitration Court, a proviso is included stating that if such a conflict should occur, the provisions of the award shall prevail. It was at first intended to specify the types of buses on which conductors must be employed, but in view of the fact that it is possible that new styles of buses may be on the road in the not too distant future, it was thought preferable to generalise instead of to particularise. This will enable the authorities to provide without delay for the employment of conductors in any new type of bus that may be introduced. There is no intention of compelling the owners of small buses operating in less populous districts to employ conductors, as it is realised that this is not warranted and also might prove a financial strain to the owner. If any Government decided to compel the employment of conductors on such buses, Parliament could, if it wished, disallow the regulation.

Members will agree that there are many types of buses on which it is essential that there should be conductors to attend to the collection of fares, etc., and on which the drivers should have no distraction to direct their concentration from the care of their vehicles. A great responsibility rests on the shoulders of a bus driver, and if he is required on a busy route to take fares, etc., and to maintain his schedule, there is always the possibility of an accident occurring. With the exception of the instances I have quoted, a driver should have no other duty but to drive his vehicle. It is thought advisable to include in the Second Schedule to the Act the definition of "external power vehicle". This applies to electrically driven vehicles, a few of which are being used in the metropolitan area.

In conclusion, I would like to state that the Bill represents an endeavour to improve conditions for vehicle owners and for the public generally, and to make the roads safer for pedestrian and mechanical transport. A great deal of thought and very serious consideration have been given to its preparation, and the Government feels that if passed the measure will represent a progressive step in the control of traffic and in road safety. I move—

That the Bill be now read a second time.

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

BILL—TOTALISATOR DUTY ACT AMENDMENT.

Second Reading.

Debate resumed from the 3rd October.

HON. W. R. HALL (North-East) [5.5]: This is a very good Bill so far as metropolitan clubs are concerned, but it is likely to have a serious effect on country clubs. I think it is a little premature for the reason that more consideration should first have been given by the Government to those clubs that will be affected by such legislation so that they might make some provision to meet their obligations for future meetings. I wish to be fair to those who patronise racing and trotting events as well as to the clubs themselves. I am fully cognisant of the fact that people who pay entrance fees to attend the various meetings are those who keep the sport going. They are entitled to their full measure of winnings from any investments

they care to make on the horses. If this Bill is carried, however, it will mean that clubs outside the metropolitan area, at any rate, will lose considerably.

I know that various members have been circularised by different clubs, and I would therefore like to quote a few facts and figures to show how this measure will affect Goldfields clubs generally. The Government has not endeavoured to find a remedy for the position that is likely to occur. By that I mean it should have given consideration to reducing its part of the tax so that the clubs concerned might be reimbursed to some extent. From October, 1945, to August of this year the Kalgoorlie Golden Mile Trotting Club held 20 meetings. Of those 20 meetings a profit was made on only two. The profit on one meeting was £32 13s. and on the other £74. The total amount received by the club from fractions during that period was £692 15s. 8d. The tote duty came to £1,354, and the net loss to the club for the 20 meetings was £1,083 4s. I understand that the parent body in the metropolitan area does subsidise country clubs to some extent, and that the trotting club in Kalgoorlie has recently been subsidised by way of amenities for the people who patronise its meetings.

Hon. C. B. Williams: The body in Perth owns the Kalgoorlie club, lock, stock and barrel.

Hon. W. R. HALL: That is news to me.

The PRESIDENT: Order! The hon. member may proceed.

Hon. W. R. HALL: I have indicated the number of meetings held and the loss which has been sustained. That is not to say that the club is going to show a loss in the future. There are certain amenities which may make up for the losses that have been sustained. These outside clubs are perturbed by the thought that if they were to increase their gate charges it would end in their being obliged to close up altogether. I do think that if they reduced the gate charges people would be more inclined to patronise the meetings. A reduction in entrance charges would give both the public and the clubs an opportunity to derive greater profit from the fractions than they do at present. If the Bill as it stands is put into operation it will mean that country clubs will, in round figures, secure a return of only half of the fractions they have been receiv-

ing in the past. It will be possible for them to get up to 5d. and for the public to receive the 6d. fractions. In fairness to all concerned, the Government should have given some consideration to reducing the tax that is paid into general revenue. That would in some way constitute a reimbursement for the money that the clubs will lose in the fractions. I wish to give a few figures relating to the Kalgoorlie Racing Club, which held six meetings as from March of this year onwards.

Hon. A. L. Loton: Trotting or galloping?

Hon. W. R. HALL: I refer to the galloping club. The money invested at those meetings amounted to £5,839 15s. The club received £187 5s. 6d. by way of fractions, an average of £31 4s. 3d. per meeting. Considering all things, that is a fairly small amount. I should say there are other ways of raising money if the clubs are to lose half their fractions, and they could try out other means of inducing people to attend their meetings. People who patronise those meetings expect to enjoy racing of a high standard and should be provided with amenities such as those which exist on the Goldfields.

The Kalgoorlie Racing Club has one of the best courses I know of. Once people pay to pass through the gate they are entitled to whatever is due to them as a result of their investments, whether it be 5s. or 10s. I point out that the Kalgoorlie Racing Club has not been in a very strong financial position. I hope therefore the Government will give some consideration to the amount of tax that it derives from the sport. The monthly meetings of the Kalgoorlie Racing Club have yielded a profit of only £31 10s. 3d., compared with a profit of £355 last year. The profit on the annual meeting during August and September was £2,155 compared with £2,777 for the year before when the club raced first. When the Bill is in Committee I hope some amendments will be considered along the lines I have indicated.

HON. E. M. HEENAN (North-East) [5.15]: The Bill, like many others, has features that must commend themselves to everyone but when we try to apply this measure to particular instances we see that it may react rather harshly upon country clubs.

Hon. C. B. Williams: How much do you pay a year to the Kalgoorlie club as a racing member?

The PRESIDENT: Order! This is not the time to ask questions.

Hon. C. B. Williams: The hon. member will not tell me.

The PRESIDENT: This is not question time.

Hon. C. B. Williams: No, but Mr. Heenan is delivering his speech.

The PRESIDENT: Order! This is not the time for the hon. member to speak.

Hon. C. B. Williams: Very well.

Hon. E. M. HEENAN: In the course of his speech Mr. W. R. Hall set out the position of the Kalgoorlie Racing Club and the Goldfields Trotting Club. I am a member of the committee of the former club.

Hon. C. B. Williams: Hence my question.

Hon. E. M. HEENAN: The members of the Kalgoorlie club feel that this Bill will affect their revenue by causing a reduction.

Hon. C. B. Williams: Utter rot!

Hon. E. M. HEENAN: To what extent that will be so I find it hard to estimate but if passed this legislation will certainly reduce the club's revenue. Before dealing with that aspect further I would point out to the House that the Kalgoorlie Racing Club is in rather a unique position. It was founded about 50 years ago when money was plentiful and people were in a position to build on grand lines. They certainly constructed a racecourse at Kalgoorlie and provided amenities that were not only a credit to the Goldfields but made the Kalgoorlie Racing Club known throughout Australia. In the course of time the buildings and other amenities deteriorated and the Goldfields district itself passed through a very lean period. The position became so bad that the continuance of the club was in the balance for many years. At the present juncture it is faced with the imminent necessity of reticulating the whole course. The pipes and fittings that were installed 40 or 50 years ago have worn out.

Hon. A. Thomson: Possibly they have corroded.

Hon. E. M. HEENAN: The running rail is in a dangerous condition and the committee is faced with an anticipated expen-

diture of from £1,500 to £2,000 as soon as the necessary materials can be made available. An application was recently made for the necessary supplies but, of course, could not be granted. The Kalgoorlie race-course is not merely a place where people go to witness races but is one where the schools conduct their sports and where certain organisations hold their annual field days and picnics. It is one of the loveliest spots on the Goldfields and enjoys its popularity simply because of the great amount of money spent by the club in keeping the lawns in order. Last year the watering of those lawns cost the Kalgoorlie Racing Club £634 and in the previous year the expenditure under that heading was £737. Even that amount spent on watering the lawns did not keep them and the course itself in the condition we would like them to be, and that expenditure will certainly have to be increased in the future.

For the year that ended on the 28th February last the club lost on its transactions no less than £528. Members will appreciate that it is during the summer months that the course has to be kept in order. Race meetings have to be held fortnightly because racing is a business for quite a lot of people and the meetings have to be held at regular intervals to give them an opportunity to earn a living. During the summer months people do not patronise the meetings in very large numbers, yet that is the time when the club has to spend the greatest amount on the upkeep of the grounds. I do not desire to weary the House with this story. The prospects on the Goldfields are certainly very bright and I am sure that the racing clubs will share in the general prosperity which is imminent on the fields. I have cited the Kalgoorlie club because its position is typical of that confronting other similar bodies. There is a racing club at Leonora, which is living a hand-to-mouth existence.

Hon. C. B. Williams: There is one at Norseman and another at Esperance.

Hon. E. M. HEENAN: They are in the hon. member's province and he can deal with them.

Hon. C. B. Williams: I will.

Hon. E. M. HEENAN: Members will appreciate that the Kalgoorlie Racing Club has a very hard task to deal with in making ends meet. It provides a course that is a

great boon not only to the racing folk but to the children who reside in the district. In August and September people from all over Australia are attracted to the course for the racing carnival with the result that many residents of Kalgoorlie benefit from the resultant business. In order to function successfully the club has to maintain its stakes. They are certainly small enough but the club's constant aim is to maintain the stakes as high as it possibly can in order to induce owners to race for them and to keep the racing as clean as possible. I freely admit that the Bill will certainly have the effect of securing to investors bigger returns on their totalisator transactions, and I feel that those who patronise the tote should in an indirect way contribute something towards the upkeep of the course.

Hon. C. B. Williams: They contribute 13½ per cent. without any stealing.

Hon. E. M. HEENAN: If more money is taken from the Kalgoorlie Racing Club, I do not know how it can be made up.

Hon. C. B. Williams: I will tell you how in a minute or two.

Hon. E. M. HEENAN: I think it a fair and broad statement to make when I say that the Kalgoorlie club has contributed a good deal towards the enjoyment and happiness of the people on the Goldfields. The affairs of the club are well conducted and if it is deprived of some of its revenue which it will not be able to make up, the general community will be the poorer in consequence.

I appreciate the Government's point of view and can readily agree that in the metropolitan area there are racecourses, trotting grounds and other attractions that can cater for thousands of people at a time. On the other hand at the racecourses and the trotting ground—I have been there on occasions—the attendances are so large that one has to struggle to get a ticket on the tote. A different state of affairs exists in the country centres. People, especially on the Goldfields, live a pretty hard life in many ways and their existence is not nearly as pleasant as that enjoyed by those who reside in the metropolitan area, with its lovely racecourses and trotting ground and its beaches. Anything that will penalise the country people from the standpoint of amenities should be carefully considered. I know very well that the Government has

not the slightest intention of penalising the people on the Goldfields, but indirectly the Bill may have that effect. I trust the Minister will find some way of avoiding that position.

HON. C. B. WILLIAMS (South) [5.28]: Members have listened to two speeches from members representing the North-East Province and now they will hear one from a representative of the South Province. I do not know that either Mr. Heenan or Mr. W. R. Hall can tell members more about the Kalgoorlie and Boulder racing clubs than I or you, Mr President, can.

Hon. W. R. Hall: They did not try to do that.

Hon. C. B. WILLIAMS: Does not the hon. member know that interjections are disorderly! I will give way to no-one in my desire to keep the Kalgoorlie and Boulder clubs in the condition they have been in for the last 37 years. The racecourses have been a wonderful asset for the community and, with the exception of Victoria Park and the municipal baths, constitute one of the few attractions for the people. I will tell Mr. Heenan what can be done about this matter. The Government has 13 Labour supporters from that part of the State. The Kalgoorlie club has received from £350 to £400 a year from the fractions, which was not dishonest but was a necessity under the Act, and if the money is to be taken away from them under this legislation the Government could grant them the equivalent as a rebate on the cost of water used in maintaining the course and lawns in order. It would cost the Government nothing. That would be one way of dealing with this question of fractions.

In every State of the Commonwealth the investors on the totalisators have been paid to the 6d., 9d. or 1s. while in Western Australia they have been paid to the nearest 1s. I have received a letter from Mr. Fleming of the Kalgoorlie Racing Conference. I have not acknowledged it because I do not agree with his contention. I will acknowledge it now. The whole answer is to be found in the Kalgoorlie racing. I asked Mr. Heenan a question by way of interjection, but received no answer. I did not altogether expect an answer, but I thought he might be straightforward—perhaps I should not put it in that way—and let the

House know the true position. For 3s. a meeting a member can take himself and his wife to a race meeting, and included in that amount is a race-book. The ordinary person who goes to a meeting must pay 10s. for himself and his wife and, in addition, pay for a race-book.

Hon. C. F. Baxter: At Kalgoorlie?

Hon. C. B. WILLIAMS: At Kalgoorlie or Boulder. The two are interwoven. After war broke out, Boulder had to conduct its races at Kalgoorlie. There are 26 meetings per year, plus the annual round of five days. It costs a member £2 5s. 6d. a year to attend all of those meetings.

Hon. C. F. Baxter: What about the general public?

Hon. C. B. WILLIAMS: The ordinary person pays 10s. a meeting.

The PRESIDENT: Order! This is purely personal.

Hon. C. B. WILLIAMS: It is not personal, Mr. President. I do not pay at all to attend races on the coast, as I do not go. I am drawing attention to Mr. Heenan's remarks. He said that the Kalgoorlie and Boulder clubs would be hard-pressed if the fractions were taken away from them, the fractions which should have gone to the people when they were paid their honest dividends. As I said, there are 15 race meetings at Kalgoorlie. The annual round is a social event and the ordinary people pay in the vicinity of 16s. to attend, plus an additional 2s. or 2s. 6d.—I am not sure which—to the birdcage and 1s. for a race-book. A member of the club can attend each meeting for 3s., and he gets also—I forgot to mention it earlier—two ladies' tickets, plus a committee bar free.

Hon. W. J. Mann: He may be a teetotaler.

Hon. E. M. Heenan: You are mistaken.

Hon. C. B. WILLIAMS: Mr. Heenan is a lawyer and I would ask him not to interject. The committee bar is free to the committeemen and to the persons whom they take there. I know there is also a members' bar where the drinks must be paid for.

Hon. E. M. Heenan: You are making a misstatement.

Hon. C. B. WILLIAMS: If I am, then it is only in the past two years that an altera-

tion has been made. I have had a drink in the bar at the Kalgoorlie racecourse on more than one occasion. I can also tell Mr. Heenan where the members' bar is situated; we pay for drinks when we go there. If the hon. member thinks I am making a misstatement, let him check up on the position. Persons reading the newspapers will have noted that some bookmakers are now becoming air-minded. They field in Perth on a Saturday, fly to Kalgoorlie on Wednesday and return by air on the following Saturday either to Perth or York and field again. What is wrong with charging them an extra £2 2s. a meeting? They are the men who take it out of racing. That remark applies to places other than Kalgoorlie and Boulder. It applies to the W.A. Turf Club in Perth and to the W.A. Trotting Association in Perth. Why not compel the bookmakers to pay an extra couple of guineas? They are not necessary.

I have received a communication from the Trotting Association on the Goldfields in which it says that it is losing £30 a week at an ordinary meeting. It would only need the additional fee to be paid by 15 bookmakers to make up that loss. Then the 300 members of the Kalgoorlie club might put in an extra guinea each. I understand there are 300 members but Mr. Heenan no doubt will not tell me that that is correct. These payments would speedily wipe out the deficit. The Kalgoorlie and Boulder clubs race on a Wednesday. Mr. Heenan made a great speech about what wonderful events those race meetings were. They are not. He knows the races are held on a Wednesday and that the mines close on Saturday afternoon.

The vast majority of the people in Kalgoorlie and Boulder are working on the Wednesday afternoon and therefore do not get a chance to go to the races. The miners cannot attend unless they are on night-shift. When on the afternoon shift they commence at 3 o'clock, while the day-shift men do not cease work until about 3 p.m. I will support anything for the betterment of our outer districts, but I wish to point out a great disparity. As I said, the members of these clubs pay £2 5s. 6d. a year for their sport while the ordinary person has to pay £8 per annum, in addition to 26s. for race-books. I want to be fair.

I saw the trotting sport commence in Kalgoorlie. It is owned, lock, stock and

barrel, by the W.A. Trotting Association, even to the last concrete pillar that was put in the other day. I am not saying that the W.A. Trotting Association has not done good work for the Goldfields club, but this has been the fourth resurrection of trotting on the Goldfields in my time, if not the fifth. Who is to blame? The course is centrally situated and the tram-fare to it is 3d., I think. The trotting people themselves are to blame. We need not discuss the amenities. We know there is a nice bar, but there is also a bar outside the trotting grounds where a man can get a pot of beer for the same price as he pays for a small glass at the course. The amenities on the coast are no doubt extremely good, except when there is a beer shortage.

The people who have sent me the letters to which I have referred are asking me to be a cheat. They ask that we should continue to allow them to carry on as they have done. At present they take 13½ per cent. of some poor mug's money, and he finds, if the horse runs into a place, that he receives 4s. for his 5s. Why? I do not know. Some authority on betting may be able to supply the answer. I do not know what the odds are. The club takes 13½ per cent., in addition to the fraction. The Government has been implicated in this business long enough. It takes 7½ per cent. of the fractions and gives the club 92½ per cent. of illegal money, money which definitely belongs neither to the club nor to the Government. The Government is proposing to reduce the fraction to 6d., but still that will allow the clubs to deduct 5½d., of which 7½ per cent. will go to the Government and 92½ per cent. to the club. In my opinion, the whole amount should go either to the Government or to the punter.

Some argument occurred in another place as to whether the person was an investor or a punter. In my opinion, he is a punter. I believe, although I stand open to correction, that last year in Victoria £1,000,000 was distributed among the public hospitals of that State—not amongst the race clubs—out of the fractions retained from the totalisator. The cost of 3s. per meeting to which I referred previously may be halved, because I understand there is reciprocity between the Kalgoorlie and Boulder clubs; so that would reduce the cost per meeting to

ls. 6d., but I do not wish to dwell on this point. Mr. Heenan painted a bright picture of the Kalgoorlie club. Perhaps Mr. Heenan will tell me how long that club discontinued racing and left it to the Boulder club. The Kalgoorlie club sat back for two or three years and did not race at all. Is that not true? The hon. member does not reply, so I take it for granted that it is true, as indeed it is.

The PRESIDENT: Order! The hon. member, I take it, would not permit an untruth to be told?

Hon. C. B. WILLIAMS: Not willingly or knowingly. I am not here for that purpose. I have no desire to bolster up the case. It is quite clear. The public have been taken down for thousands of pounds, and then we get letters such as I have received. I shall quote from portion of one of them, as follows:—

The fractions as at present constituted have been available to clubs, both galloping and trotting, for very many years. Stakes, gate charges, etc., have been arranged on that basis.

Is not that remarkable? On the amount which the clubs take from the public! The quotation continues—

In order to recover the loss that will be sustained by the reduced fractions, it will be necessary to first increase the entrance charges and next reduce the stakes and subsidies paid to country clubs.

It is only recently that the club in question started to pay those subsidies to any extent. Incidentally, I would point out that the same club paid off an overdraft of £50,000 and donated £100,000 to charities. Yet it says that if the Bill passes it will be compelled to reduce its stakes! That is ridiculous. The club wrote to members of this House knowing that this Chamber has stood up for the privileged. It is an insult to the members of this Chamber.

The PRESIDENT: Order! If the hon. member feels that he has been insulted, he has his remedies. He must not make those statements.

Hon. C. B. WILLIAMS: And the club in question could increase the fees payable by the bookmakers by two or three guineas per meeting. There are some 50 or 60 bookmakers. At two guineas per meeting that would amount to £100 or £120 a meeting, or nearly £6,000 a year. Yet this club says that it will be forced to reduce its stakes and

raise entrance fees if the paltry fractions are taken away from it. The people who put their money through the totalisator are really those who support galloping and trotting races, yet 13½ per cent. of their investments on the tote are taken away from them. I do not know what the bookmakers are charged.

When I go to the trots or the races at Kalgoorlie, Boulder or Perth, and have a dollar place bet on a horse it might return me 6s. when it should pay 6s. 6d. or 6s. 9d. The impudence is that I have to contribute my little 9d. fraction, and yet we are told that the only one who is going to be hurt is the winning punter. Is this House going to listen to the representations of the outside districts? Mr. Heenan mentioned that Norseman and Esperance are in my province. I do not know anything that I can do to help the Norseman Racing Club. Certainly I have had some good times there and also at Esperance, but that does not affect the issue. If people want sport they have to pay for it. One section of the public going to the races should not be penalised more than another, which is what the opponents of the Bill want. Some people bet only with the bookmaker, and what does he pay? He pays about 1d. on each ticket.

Hon. A. Thomson: It is 3d. in one place and 1d. in the other.

Hon. C. B. WILLIAMS: I assume the bookmaker is honest with the nod bets and pays his 1d. or 3d. on them. A man might back four or five horses in one race, but the position is the same. That is a legal charge imposed by Parliament. Another phase of the Bill, with which all Western Australians who are State-righters must agree, is the clause which appears to be giving to the State a little more money. I have not gone very thoroughly into the measure but apparently, because the money has to go to the Commissioner of Stamps instead of the Commissioner of Taxation, we might be side-stepping the Commonwealth Government a bit. Members do not like handing money over to the Commonwealth Government and here we have the opportunity to avoid doing so. It is not right to take money from the people who invest on the tote to provide members of racing clubs with cheap admission and cheap everything. They should pay for what they get.

There is one thing to be said about the W.A. Turf Club, and I will say it, and that is that Mr. Winterbottom, the Chairman of that body, expressed himself on this matter, but he did not put forward any of the tripe that racing would go out. I do not know what is the membership fee of the Kalgoorlie club or the Boulder club; perhaps Mr. Heenan could tell us. If it is £1 a year it would mean a revenue of at least £300 or £400. Those clubs could wait on the Government and ask for cheaper water. The idea was that racing clubs should be encouraged, but not that the public, investing on the tote, should be taken down for their fractions. It is wrong for a person, after putting 5s. on a horse, to receive back only 4s. when it wins. I support the Bill in its entirety and hope the House will not be misled. When we recall the amenities that the members of these clubs have, we realise that this sport is too cheap. I doubt whether the members of the W.A. Trotting Association pay 1s. a meeting, and they have a free bar and free everything.

HON. A. THOMSON (South-East) [5.50]: I am going to support the second reading of the Bill and my main reason for so doing is because it makes provision for the moneys to be derived from the totalisator to be a direct contribution to the State as stamp duty and not have to go through the uniform taxation process. At the moment, however, I am in rather a quandary as to what is the correct thing to do ultimately. The Chief Secretary did give us some figures, when he moved the second reading, but they are not at the moment available to us. Before the House is asked to cast a deliberative vote, members should have before them a proper statement of the amount of money involved in the fractions. It is proposed, by the Bill, to reduce the fractions from 1s. to 6d.

Before I cast a deliberative vote I would like to know whether that will do an injury to the racing clubs, whether the amount of money that the Government would derive by way of the 7½ per cent., plus 2½ per cent., will mean an increase to the Treasury of Western Australia or whether the man who is investing on the totalisator is being fleeced in a manner considered to be not legitimate or fair. We have not been supplied with the figures showing the amount actually involved. We know the total in-

volved with the shilling, but we should be in a position to know what amount is involved under the Bill. That information will materially affect my vote. I have a certain amount of sympathy for the remarks of Mr. Williams and I have certainly to consider gravely the position of the country clubs.

I am in favour of the clause giving the Treasury the opportunity to handle this money instead of passing it over to the Commonwealth Government and having it later handed back to us, but I would like to know what the fractions will amount to. From the literature supplied to us we have been told that it will mean a severe loss to certain clubs. I have visited Kalgoorlie and realise that the racecourse there is a thing of beauty in an arid area. The water used on it has made possible green lawns and gardens with the result that the children and the adults of the district are able to enjoy the benefit of that place. It is a definite advantage to an outback area. I support the Bill mainly because of the clause giving the State direct control of the money, but I would like the Chief Secretary, when replying, to give us some idea of the effect it will have on the clubs and upon the investing public.

HON. A. L. LOTON (South-East) [5.55]: I am going to speak on behalf of the small clubs in the country areas. No member has yet mentioned that many of these clubs guarantee to the investor his money back, and in many cases where there is a run of favourites—that often takes place at small meetings where heads are put together—the clubs concerned are involved in considerable loss. For that reason they are entitled to their fractions as at present.

The Chief Secretary: What clubs are you referring to?

Hon. A. L. LOTON: Those at Narrogin, Wagin and, I think, the Albany Racing Club as well as one or two trotting clubs. The Narrogin Trotting Club guarantees the money back, and so does the club at Katanning. I am not certain about the Albany Racing Club. At some meetings it gives that guarantee, and at some it does not. The people who attend these fixtures are not compelled to go. They certainly pay to enter, but when they get inside the grounds they do expect some amenities. They appreciate having lawns, gardens and

seats, and they must realise that when the taxing authorities have taken their share of the admission charges, not a great deal is left for the club. Nearly all the small clubs along the Great Southern line have honorary officials, including even those who work in the totalisator booth. They do the night's work just to help the club, and in many cases they are financial members of the club. Mr. W. R. Hall pointed out that the club at Kalgoorlie, after its race meetings, has averaged a profit of £31, which is not a lot of money. Mr. Williams said that the Kalgoorlie club should be able to get its water free. If it does I am certain that many other clubs will ask for the same concession.

Hon. C. F. Baxter: They had it at one time.

Hon. A. L. LOTON: Possibly, but I cannot imagine their getting it just at present. For that reason I support the second reading, but I hope some amendments will be put on the notice paper.

On motion by Hon. C. F. Baxter, debate adjourned.

BILL—LEGISLATIVE COUNCIL REFERENDUM.

Second Reading.

Debate resumed from the 1st October.

HON. H. SEDDON (North-East) [5.58]: I would like to contribute a few remarks to the debate on this Bill because it does propose to adopt the principle of taking a referendum of the people of Western Australia. The referendum is to be taken on a constitutional alteration. One would think that if the Government was concerned with revising the Constitution of Western Australia, it would approach the question in a somewhat different way. In recent times several events have occurred which have led many people to wonder whether there should not be a big improvement made in our Constitution.

We must realise that the position of all the States, and especially that of Western Australia, has been materially affected by the fact that the uniform tax measure, introduced during the war, has now, by Federal action, become a permanent part of the relationships between the States and the Commonwealth Government. Therefore, since finance is government and government is

finance, the whole position of Western Australia is most materially affected. In fact, many people would be inclined to say, "Has the position of Western Australia now become such that its sovereignty is a sovereignty only in name, and that its Government is simply an institution to carry out the wishes of the Commonwealth Government, because that Government, by controlling the finance, will obviously control the State's activities?"

Now that the Commonwealth Government has taken away the whole of the income taxation it has left us very little in the way of finance. Therefore, if we are to have a referendum dealing with the Constitution of Western Australia, why not take that aspect into consideration and ask, "Should not the whole of the Constitution of Western Australia be submitted to the people by way of referendum after it has been considered and after questions have been drafted by persons who know something about constitutional matters?" In this Bill we are simply placing a bald party question before the people of Western Australia and asking them to vote on it. We are going to ask people, who neither know nor care what the Constitution of the State is, to vote on it.

The referendum is to be taken, first of all, on the franchise of the Legislative Council. It is to be taken by a compulsory vote. Various definitions of "democracy" have been promulgated from time to time but I have yet to find a definition that includes compulsion on the person who exercises the franchise. To my mind the very fact that we are to compel these people to vote—many of them on a question about which they do not care and on which they are totally ignorant—means that we are to accept a verdict which will not be in accordance with the principles of democracy, which rest on an intelligent expression of opinion. We have on our statute-book an Act governing the liquor industry. In it provision is made for the taking of a vote on the question of whether the position shall stand as it is or be altered, but in order to effect an alteration the vote is not effective unless carried by a three-fifths majority.

Here is a Bill that proposes to alter the whole Constitution of Western Australia, and provides for the question to be decided by a simple majority. Why discriminate? On such an important question as the alteration of the Constitution of the State there

should be some safeguard to provide that the majority shall be a very substantial one. In my opinion, the whole question is one of putting into operation an appeal to the prejudice that has been raised against this House, and it is obviously a party question. It should therefore be approached as an attempt to commit the people of Western Australia to a state of affairs and a vote the implications of which many of them do not realise.

It is obvious that if this vote is carried there will be placed on the Government an obligation to carry out the will of the people. If the will of the people were that the Legislative Council should be abolished, the Government would be compelled to bring in a Bill to that end. I wonder if the people of this State realise that by voting in that way they would be committing themselves to totalitarian government, because that is what they would be doing.

The Chief Secretary: What do you mean by "totalitarian government?"

Hon. H. SEDDON: One that will be able to do exactly what it likes.

Hon. C. F. Baxter: It does a fair bit of that now.

Hon. H. SEDDON: Yes, but in the bicameral system there is a check on it, and if we abolish that system we will establish one of direct control by one Chamber, which will enable that Chamber to do exactly what it likes. We would therefore be establishing, in these days when totalitarianism has made such tremendous strides, a very dangerous innovation. We have had experience during the war of the regimentation imposed on the people owing to the necessity to institute more or less totalitarian control and now, 18 months after the war, we are faced with the spectacle of Governments trying to find excuses to continue such control, because they realise that it means power—and they are after power and control of the people. Democracy is diametrically opposed to that. For those reasons, I intend to vote against the measure. I think it is an attempt to hoodwink the people of this State into doing something that they will not be able to undo, the danger of which will only become apparent when it is too late. I intend to oppose the Bill.

On motion by Hon. V. Hamersley, debate adjourned.

ADJOURNMENT—SPECIAL.

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

That the House at its rising adjourn till Thursday, the 10th October.

Question put and passed.

House adjourned at 6.8 p.m.

Legislative Assembly.

Tuesday, 8th October, 1946.

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

QUESTIONS.

CEMENT.

As to Requirements for Reservoirs, Housing, Etc.

Mr. WATTS asked the Minister for Works:

1, What is the estimated quantity of cement required—

(a) in the next 12 months;

(b) for the period of 12 months next thereafter.

in respect of the proposed retaining wall additions to Mundaring Weir, Wellington Dam, Stirling Dam, and any other similar works now contemplated by the department?

2, What is the estimated quantity of cement required during the same periods as (a) and (b) above for—

(a) housing requirements;

(b) public works and buildings;

(c) other purposes capable of estimation?