ter in his reply to cover certain queries which affect matters in my electorate. I intend to discuss only the matter of water. I know there are a number of places where water might appear to be more important than in my electorate. But in connection with the flax industry at Boyup Brook, I would point out that this is an important industry not only to the State but to the Commonwealth generally. It is the biggest flax mill in Australia. Normally it produces about one-fifth of Australia's flax production. This year's crop will be about one-third of Australia's flax production. Therefore, it is important not only to the State but to the Commonwealth generally that it should operate, and operate efficiently. When the mill was established a large dam was built and it was hoped that that would supply sufficient water not only for the town but also for the mill itself.

It is the only mill in Australia where they have what is known as tank reting facilities which take a large amount of water. The catchment area associated with that dam has fallen very far short of the requirements, and although this year's rainfall is about normal for that area, the dam is about only a quarter full, with the result that the flax mill will be forced to use water from the Blackwood River, which is not satisfactory. In fact it means that the quality of fibre produced is lower and is down to about two grades, which is approximately £24 per ton to the mill in return. I would like the Minister to give consideration to that matter. If nothing can be done about the catchment area, though I think it would be a far more satisfactory solution, perhaps some consideration could be given to the treatment of the river water if that is possible. I would like to emphasise that the rainfall in my electorate is very steady one of 24 inches, and any money expended on catchments there would be guaranteed to show a regular return in the form of greater conservation every year.

I now turn to the water position in Bridgetown. I hope that we are not going to witness the apparent paradox of the railways continuing to cart water every summer to Bridgetown, which has a rainfall of 35 inches. It certainly may not have had the heavy storms we associate with it this year, but I hope that we are not going to continue this paradox of carting water to Bridgetown, particularly as a survey of Mill Stream is most promising—about 400,000 gallons of water a day last summer were running to waste. I do hope the Minister will be able to give us some indication of the progress he hopes to be able to make in the current year as to the utilisation of that water.

The matter becomes rather more pressing really, because any increase in the activity of tin-mining in Greenbushes will also depend to an extent on the question of harnessing the water of the Mill Stream. I know the Minister has been down there and that he is sympathetic towards the problems I have posed him, but I do hope he is able to give us some satisfactory assurance. In connection with Donnybrook, the board is at the stage when it now requires a test pump. The pump is to be forthcoming shortly and I hope that it does not get diverted to another town, as did happen on a previous occasion. I trust that the Minister will be able to give some information on these matters.

Progress reported.

ADJOURNMENT—SPECIAL.

THE PREMIER (Hon. D. R. McLarty—Murray): I move—

That the House at its rising adjourn till 2.15 p.m. on Tuesday, the 5th December.

Question put and passed.

House adjourned at 6.10 p.m.

Legislative Council.

Tuesday, 5th December, 1950.

CONTENTS.

The PRESIDENT took the Chair at 3 p.m., and read prayers.

INACCURATE DIVISION LIST.

As to Correction in Minutes.

The PRESIDENT: In connection with the Minutes for Thursday last, I wish to make a correction regarding a division on the State (Western Australian) Alunite Industry Act Amendment Bill. The division on the second reading of the Bill has been incorrectly recorded. The name of Hon. L. A. Logan should be deleted from the list of noes and the name of Hon. A. L. Loton substituted. The correction will be made in the Minutes when they are reprinted.

QUESTION.

RAILWAYS.

As to Passenger Service, Kalgoorlie-Boulder.

Hon. G. BENNETTS asked the Minister for Railways:

(1) Is the Minister aware of the hardships that will be imposed on family units by the cancellation of the train service between Kalgoorlie and Boulder which connects with the Goldfields express?

(2) Will he institute inquiries to see if any arrangements can be made with the local transport board to carry out this service with one of its local buses?

The MINISTER replied:

(1) With the introduction of a road truck service for transport of parcels and goods in less than truck lots, it is not considered the demand will justifying continuance of the passenger service.

(2) Yes.

BILL—PERTH TOWN HALL.

Received from the Assembly and read a first time.

BILL—AGRICULTURE PROTECTION BOARD.

Conference Managers' Report.

The MINISTER FOR AGRICULTURE: I have to report that the managers have met and agreed as follows:—

> Amendments Nos. 1 and 2 have been deleted. Amendment No. 6 has been agreed to. It was considered that, owing to the large expenditure of Government money, a majority of departmental officers on the board was desirable. With reference to Amendment No. 6, it was considered that the owner should grant permission for the trapping of rabbits to any person if he so desired.

I move—

> That the report be adopted.

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

Assembly's Further Message.

Message from the Assembly received and read notifying that it had agreed to the conference managers' report.

BILL—SEEDS.

Second Reading.

THE MINISTER FOR AGRICULTURE (Hon. G. B. Wood—Central) [3.11] in moving the second reading said: While not a very contentious measure, the Bill I am submitting is very important from the standpoint of the agricultural industry. For many years there has been no uniformity as between the States with regard to seeds and the sale thereof. In 1948 a conference of State Agricultural Department officers was held in Launceston to consider this question and those in attendance came to the conclusion that it was necessary to have legislation, as nearly uniform as possible, passed by the several States to deal with agricultural seeds. The outcome of the conference is to be found in the Bill now presented to the House.

Tasmania and, I think, one or two of the other States have already Seed Acts on their statute books, and the Bill I am submitting follows much along the lines of the Tasmanian legislation. The recommendations of the conference were adopted by the Standing Committee of the Departments of Agriculture and also by the Agricultural Council, which meets periodically at Canberra. In addition, it is considered advisable by seed merchants and farmers' organisations to secure uniformity as applying to merchants dealing in seeds.

A year or two ago we were confronted with the position that arose in consequence of varying regulations governing the importation of seeds. When all the States pass the necessary legislation there will be uniformity in that respect and it will be much easier for all concerned. The old Agricultural Seeds Act of 1923 is outmoded and will be repealed by the Bill, which will provide machinery to deal not only with seeds but seed contents and germination as well. It will be remembered that not only may seeds of noxious weeds be present but the necessity also arises to prevent the sale of seed infested with certain diseases or possibly affected by certain pests such as red mite, lucerne flea and so on.

The Bill will give added authority to the seed certification scheme which has reached large proportions in its activities. Considerably more than 1,000 tons of seed were certified last year, principally subterranean clover. An immense business has developed in Western Australia with regard to the sale of certified clover seed, most of which is despatched to the Eastern States just as, of course, seed is imported from there for use in Western

Australia. The Bill becomes all the more important in view of the fact that we have already passed what might be regarded as complementary measures in the Agriculture Protection Board Bill and the Noxious Weeds Bill. It is proposed that the inspectors under the Noxious Weeds Act shall be appointed to act under this measure and that will save overlapping and expense.

One other important phase is that a great deal of money will be spent in connection with the eradication of noxious weeds. It would be futile to adopt that course and at the same time redistribute the seeds of noxious weeds through the use of inferior subterranean clover and other seed. That is why the Bill must be regarded as supplementary to the other measures I have mentioned. I have no doubt that the Bill will receive the approval of members. I understand a few small amendments will be proposed. In fact, I have one myself, the object of which is to deal with an amendment made by another place which altered a clause without making it read sensibly. The object of my amendment will be to rectify that error. I move—

That the Bill be now read a second time.

On motion by Hon. A. R. Jones, debate adjourned.

BILL—LUNACY ACT AMENDMENT.

Second Reading.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland) [3.18] in moving the second reading said: In introducing this Bill I first wish to inform the House that it does not purport to be a comprehensive amendment of the law relating to lunacy. To achieve such an object it is necessary to study carefully legislation from every possible source. After consulting all such available authorities, the next step would be the preparation of a comprehensive Bill designed to deal not only with lunacy in the manner set down in the existing Act or in the Mental Treatment Act under which the Heathcote Reception Home was established, but also with the general and widespread problem of mental deficiency concerning which, in this State, we have no legislation.

As members will agree, the mere passing of a mental deficiency Act would have little or no effect until such time as it was possible to provide schools in which mentally handicapped persons might be educated and trained in handicrafts, so that the more advanced might eventually become more or less independent units of the community, and all of them trained to the limits of their capacity. The Government realises the necessity of moving towards this objective with as much speed as possible, but the complexities of post-war building requirements have rendered it impossible to embark on the necessary building programme.

However, it is hoped to introduce a comprehensive Bill during the next session of Parliament. As I have indicated, owing to the building situation, this will not provide an immediate solution to the problem. It will, however, chart the course which must be followed towards an adequate handling of a problem which is of greater extent than most people realise and which is of considerable complexity. The parent Act, which was passed in 1903, and subsequently amended on two occasions only, is based on British legislation. Certain other legislation passed since 1903, however, also affect the principal Act, these including that referring to the administration of the Heathcote Reception Home under the Mental Treatment Act.

The parent Act seeks to deal with the many complexities incidental to the care and treatment of the mentally afflicted. It provides, among other things, for the procedure to be followed when declaring a person insane or incapable; for the administration and management of the estates of such persons; for inspections, transfers, discharges of patients and, generally speaking, all matters affecting human relationships in caring for those who are so grievously afflicted. The Act is administered by the Inspector General of Mental Hospitals who is provided with many onerous responsibilities. Very important responsibilities are vested, too, in a board of visitors. The mental hospitals which operate under the Act comprise the Claremont Mental Hospital, Lemnos Hospital, Greenplace and Whitby. Heathcote Reception Home, as I have already mentioned, is subject to the Mental Treatment Act.

At the present juncture there are 1,567 receiving treatment at these hospitals, these being placed as follows:—

Claremont Mental Hospital	1,312
Lemnos Hospital	75
Greenplace	20
Whitby	40
Heathcote Reception Home	120

The combined staff at these institutions totals 475. Last year the administration of these hospitals involved the Government in an expenditure of £317,000 and it is estimated that this year the outlay will have increased to £347,000. In order that I may explain the Bill clearly and adequately, I feel it is necessary for me to refer briefly to the report of the Royal Commissioner who investigated certain allegations concerning the Claremont Mental Hospital. In his report the Royal Commissioner made four recommendations, to which the Government has given full attention. The first recommendation, that a responsible records officer and a personnel officer be employed, has been approved by the Government and the personnel officer has been appointed. An appointment was made,

also, to the position of records officer, but the appointee withdrew and a further selection is being made.

The second recommendation was that further endeavours be made to secure the services of extra medical officers. In this regard it has long been recognised that the medical and technical staffs at the mental hospitals have been inadequate, but circumstances have prevented recruitment. Prior to the Royal Commission, the Government had approved of the addition of two psychiatrists to the staff of the mental hospitals. Unfortunately, repeated strenuous efforts to obtain these two doctors were unsuccessful, and it eventually became necessary to offer an increased salary. This inducement had the desired effect and it is expected to finalise the appointments in the immediate future. These appointments will complete the medical staff of the mental hospitals, which will then comprise an Inspector General and eight medical officers.

In addition, the Government has approved of the appointment of three welfare officers, who, as their titles denote, will attend to the welfare of patients, particularly those who receive out-patient treatment at Heathcote. Properly qualified applicants are being sought for these positions. When appointed, these officers will be responsible to the medical superintendents and, when they have commenced duty, the immediate supervision of the welfare of the patients should be adequate. I propose to refer to these particular appointments later in my speech.

The third recommendation of the Royal Commissioner requires that the parent Act and the regulations should be carried out strictly. Under existing circumstances this has been difficult, as many of the provisions of the Act and regulations are obsolete and impracticable. However steps are now proposed in the Bill to amend some of the more glaring anomalies.

The fourth and final recommendation of the Commissioner was that the recommendations submitted by Dr. Thompson in his report of February, 1949, should be given careful consideration. Dr. Thompson's recommendations were fairly lengthy and I do not propose to discuss them fully. Suffice to say that Dr. Thompson's recommendations were made 12 months before the appointment of the Royal Commission, and a substantial number of his recommendations were being put into effect prior to the allegations in the Press concerning the Claremont Mental Hospital. In addition, the balance of Dr. Thompson's recommendations are being carried out as quickly as circumstances will permit. The Royal Commissioner's conclusion was that the conduct complained of at Claremont was possible because of the lack of adequate supervision, this being due to shortage of professional staff. This shortage is now well on the way to extinction.

I turn now to the Bill, which is comparatively short and simple and, as I have explained, is not designed to rectify all the deficiencies and omissions in the Act. These, it is proposed, will be the subject of legislation to be introduced next session. However, there are certain matters which require immediate attention, and it is for this reason that the Bill has been brought down. In the first place the Bill seeks to provide a definition of the words "restraint" and "seclusion." The Act at present prescribes that certain action shall be taken, where it is found necessary, to place a patient in restraint or seclusion, but nowhere is defined what is meant by these terms. The amendment refers to those instances where superintendents of hospitals have to apply mechanical restraint, such as the use of straight-jackets. Fortunately, these cases occur very rarely nowadays. The amendment defines clearly what is meant by the term "restraint."

The Act also requires the Inspector General to report upon patients held in seclusion. A definition of "seclusion" is necessary, otherwise the Inspector General might have to report upon every patient placed in a single room for whatever reason, and even if under continual observation. The next proposal in the Bill provides that a person under the age of 21 years may, on the application of his parent or guardian, and with the written consent of two justices, be received and lodged as a boarder in a hospital under the Act. This provision is similar to that appearing in the Mental Treatment Act, which permits the admission of a minor as a voluntary patient on the consent of a parent or guardian. By a ruling of the Crown Law Department, minors have been accepted at the Claremont Mental Hospital as voluntary boarders. The amendment, therefore, merely legalises the existing procedure.

An important proposal is that which sets out that in respect of any mental or reception hospital, the Minister may establish out-patient clinics for the treatment of nervous or mental disorders. It further provides that any person voluntarily attending at any such clinic who appears to the Medical Superintendent to be in need of in-patient treatment of short duration may, on each person's request, be admitted to the hospital as an in-patient for a period not exceeding two days. This proposal will encourage early treatment of cases without the necessity for residential care, and will facilitate aftercare treatment of discharged patients without legal formality, which at present involves the completion of legal papers and comprises the only method of admission. The procedure is in conformity with medical thought in Britain, America and other advanced countries.

In another part of the Bill there is a provision for the appointment of welfare officers, whose duties shall include the making of reports upon the welfare and comfort of patients, including out-patients, to the Minister and the Inspector General. The appointment of such officers has been recommended by the Inspector General on a number of occasions over a period of years. For various reasons appointments were not made and while provision in the Act is not an essential prerequisite to their appointment, which could be made under the Public Service Act, reference to them in the Act will very clearly indicate the desire of the legislature that such officers should function in mental hospitals. The appointments will permit greater attention to the welfare and comfort of patients and the appointees will be enabled to make their reports direct to the Minister and to the Inspector General.

The next proposal seeks to remove a section of the Act which imposes on the Inspector General routine duties of an impracticable nature. For instance, he is required to visit every hospital for the insane and every licensed house at least once in every three months, and every reception house and public hospital and any wards or cells in a prison as often as he thinks fit. On these occasions, he is required to enter in a book a minute of the condition of the hospital, etc., the patients therein, and any other remark which he may deem proper. Other duties imposed by this section are those which the Minister may direct.

At the time the Act was passed there were probably not more than 300 patients in the mental hospitals. There was no special acute cases hospital, such as Heathcote, which with modern treatment has proved so efficacious. In those days there were some privately conducted institutions, while today there is none. The Act was passed when typewriters, if invented, were not in general use. It therefore referred to entries in books which, in modern practice of record, would certainly not be usual or desirable. The practice of having typewritten records has so far been adopted that hand-writing for such purposes has long since been forgotten. The failure to keep records in the archaic fashion required by the Act was one of the features which provoked criticism by the Royal Commissioner during the recent hearing. The Bill, therefore, removes this requirement from the Act and permits the adoption of modern methods.

The requirement that the Inspector General inspect every three months has become in practice almost impossible for the Inspector General to accomplish. The Bill, therefore, provides that the Inspector General shall once at least in every year and whenever he is required by the Minister to do so, inspect all mental hospitals, that he shall see the patients therein and fully report to the Minister on the patients, the buildings and the grounds, etc. This proposal does not, in any way, lessen the responsibilities of the Inspector General who, in his regular visits to institutions, also attends to such matters as arise in connection with patients, buildings, etc.

There are similar provisions in the Bill relating to the duties of the board of visitors, which were also referred to when the Royal Commissioner was here. These are clearly defined in Section 95, but these, too, provide duties which have become almost impossible of performance by the board of visitors. It is proposed to repeal this section, to bring the functions of the board within the scope of what is practicable for it to accomplish and to use the board to the best advantage in the interests, welfare, comfort and protection of the patients.

I have mentioned that some of the duties imposed by the Act are almost impossible of performance. It might even be said that some of them are undesirable. For instance, it imposes financial tasks, such as inquiring about the moneys paid for maintenance of patients and it makes the board a board of management by giving it powers to instruct the Inspector General as to the management of the institution. These are not regarded as functions of the board and the board itself has asked for their deletion. The board has never been able to perform this duty and its constitution is not such as to make that responsibility desirable. The board, however, retains power to recommend to the Minister upon any question of management which it thinks fit.

The Bill varies the method of recording the board's reports but retains the transmission of such reports directly to the Minister and the tabling of the reports in Parliament. There is also a proposal that where the board so desires, though it has never asked to do so, it may call to its assistance any psychiatrist selected by it for the purpose of examining a patient. This is a new provision. The obligation to inspect and report upon the condition of all patients has not been reduced in the slightest by the proposals in the Bill. What is sought is the provision of a more realistic procedure in relation to present conditions, this applying also the provisions in respect of the duties of the Inspector General.

The Act provides for a charge to be made against patients or their relatives for the maintenance of the patients in hospital. Last year, an arrangement was entered into with the Commonwealth by which the Commonwealth has assumed this responsibility by the payment to the State of 8d. per day for each patient. The section of the Act referring to charges, is, therefore, being repealed. Provision has been included in the Bill by which patients or relatives who demand special nursing attention beyond that normally given to the patients may be supplied with that additional service upon condition that the cost thereof

is paid by the relatives. The Bill further provides that the relatives may be recouped from the estate of the patient. As an example of what could happen, I instance a relative who is prepared to take a difficult patient to his home for a period which would involve the attention of a special nurse or an attendant. Arrangements could be made for reimbursements from the patient's estate. This proposal is considered by the Inspector General to be an improved step in the care and treatment of mental patients.

There is a section in the Act which sets out that any superintendent, officer, servant or other person employed in a hospital for the insane, etc., who strikes, wounds, ill-treats, or wilfully neglects any patient confined or detained therein, shall for each such offence be liable to a penalty or imprisonment. While the word 'strike" may have had a clear interpretation when the Act was passed, there is uncertainty now regarding its meaning. It is proposed to delete the word "strike" and substitute "assault" therefor. The latter undoubtedly includes the intention of the former and accords with the provisons of the Criminal Code. This amendment has been recommended by the Crown Law Department.

That briefly, is an explanation of the provisions in the Bill, all of which are designed to facilitate early treatment and greater care in the welfare and comfort of patients, and, at the same time, bring within practical scope the functions of the Inspector General and the board of visitors. As I have explained, the Bill does not seek to remedy all the deficiences in the existing Act. Such a Bill would require more thought and consideration than could be given in the time that has been available. It involves a close examination of legislation in other parts of the world, details of which are in hand, with a view to the introduction of a comprehensive measure next session. I move—

That the Bill be now read a second time.

HON. E. H. GRAY (West) [3.43]: I support the second reading of this measure as I think it is a step in the right direction and offers an excellent opportunity for effective improvement in the administration of the institutions in which these unfortunate sufferers are confined. It is a pity that the Bill should be brought down so late in the session because it is imperative that we should study carefully all the provisions of such a measure before passing it.

During my life I have had one startling experience with regard to legislation of this character. Had it not been for the intervention of a medical practitioner who has now passed away, a young boy would, on that occasion, have been placed in an asylum without cause. That experience has always made me alert when scrutinising amendments to measures of this type. As the Minister has said, this Act was passed in 1903 and has been amended only by a Bill introduced in 1920.

I agree with all the provisions in the Bill, with the exception of Clause 4, which seeks to amend Section 20 of the principal Act. That section gives to any adult man or woman, who feels that he or she should follow such a course, the right to apply for admission to a mental hospital. As far as I understand, and I think we all know, this section in the original Act has been taken advantage of by a fair number of people and has been very successful. But the proposed amendment in Clause 4 gives the right to a parent or a guardian to have committed to a mental hospital a person under the age of 21 years, provided the parent or guardian gets the consent of two justices. I think that is a dangerous provision.

Hon. L. Craig: Does it not require a doctor's certificate?

Hon. E. H. GRAY: Not according to the Bill. If we study the original Act it will be found that no person can be admitted into a hospital for the insane without being certified by a medical practitioner. There is one section of the Act under which a police officer, for the protection of the public, is permitted to arrest a person of unsound mind, but he must first obtain certificates from two justices before he can do so. We can imagine the case of a young man or a young girl who has reached the age of, say, 19 or 20, and who is under the care of guardians or parents, having some dispute with them in regard to love affairs.

It is possible that a bright young man brought up in the beliefs of a certain denomination may have been bitten by the love bug and fallen in love with a lady of a different denomination. In a case like that, if the parents were bigoted, they would go to any extreme in order to try and stop the match. This would apply, of course, more so with regard to the guardians of a child. In these days young people grow up very quickly and have very definite ideas of their own. There may be times when they are right and there may be times when their parents are right, but I think we will find that very often the parents are wrong.

Therefore I think we should not agree to sending any person to a mental hospital without the certificate of a medical practitioner. Accordingly I propose to move an amendment to Clause 4 which will provide that an application made by the parents or guardians and signed by justices, should be supported by a duly qualified medical practitioner in private practice, stating that it would be in the best interests of such person to be committed to a mental hospital. I think it is a reasonable protection that we should

afford, and that it would be in the best interests of administration and safeguarding the welfare of young people. I hope the Minister will agree to this amendment when I move it in Committee. I support the second reading of the Bill.

HON. J. G. HISLOP (Metropolitan) [3.50]: I support the second reading of the Bill because I think it makes many proposed steps which would be in the interests of the patients and of the institutions. In agreeing to the Bill I think there are one or two aspects which deserve the consideration of the House, and I propose to refer to them as I go along.

One of the main provisions in this measure before us is an alteration in the duties of the board of visitors. This board is a very good one. It is well balanced, and I am sure that everyone who has had anything to do with the members of that body will agree that they carry out their duties to the best of their ability, though not strictly in conformity with the Act. That would be impossible for any board to do, and that is one of the main reasons for this Bill. It is quite obviously not fair to burden a board of visitors of an institution of this sort with responsibilities and duties which it cannot possibly, or humanly, carry out. I think the best way to make it clear to members is to give them some idea of what this board had to do previously. In Section 95 of the Act members will notice that it is proposed to relieve—

Hon. L. Craig: They were relieved by the Minister of certain responsibilities under the Act.

Hon. J. G. HISLOP: Certain responsibilities were not carried out with the consent of the Minister. In the past the Minister has agreed that certain things are impossible to carry out. I understand that not only one Minister, but numbers of Ministers have agreed that this is impossible, but no change has been made. Therefore the board found itself in a position of knowingly not carrying out the provisions of the Act, and it must be very gratifying to it that the present Bill defines its powers more clearly. Section 95 of the Lunacy Act reads as follows:—

> (1) The board of any institution or a majority of such board shall, once at least in every month, and also at such other times as the Minister may direct—
>
> (a) visit such institution with or without any previous notice and at such hours of the day or night and for such length of time as they may think fit;
>
> (b) inspect every part of such institution and every outhouse thereof whether communicating therewith or detached therefrom;
>
> (c) see every patient confined therein so as to give everyone so far as possible, full opportunity of complaint;
>
> (d) inspect and consider, so far as may be deemed necessary, the orders, requests, and certificates relating to the patients;
>
> (e) make such inquiries, examinations, and inspections as are set forth in section eighty-seven of this Act;
>
> (f) enter in the Inspector General's book a minute of the then condition of the institution and such other remarks as they may deem proper;
>
> (g) give instructions to the Inspector General as to the management of the institution, otherwise than in regard to medical treatment of patients, but subject to regulations.

A board meeting once a month in an institution of that kind could not possibly carry out the duties as laid down in the Act. I therefore welcome the attempt that the Minister has definitely made to provide that the board's duties are such that it can carry them out. The proposed amendment directs the board to inspect the institution once every three months instead of every month, and to report on the inspection and, while engaged on it, to give each patient every reasonable opportunity of lodging complaints. It will be seen that previously the directions laid down that the board "shall" every month carry out an inspection. There was no question that the board "may" do so. The proposed amendment directs the board to inspect the institution every three months, which is a much more reasonable attitude.

Hon. L. Craig: It says each month "shall".

Hon. J. G. HISLOP: It states that the board must every month be present at the hospital to visit patients and receive complaints. Naturally the board meets once a month and it would be possible to be present so that the individuals could be interviewed and their complaints received. It would not have been possible to inspect the entire institution every month. I doubt whether the board could visit every portion of the institution every month. But it now looks much more feasible than it ever was before.

One of the most interesting duties of the board is that of discharging patients. This is certainly one of the most important functions of the board, and patients have been discharged. Patients value this board very highly and many of them interview the board each month awaiting discharge. I understand from my previous association with the board that there

are individuals who repeatedly lodge appeals, believing they are being kept against their intelligence, shall we say, and the board has agreed to discharge them, being careful in all such cases, of course, that no patient who is harmful to society is allowed out. Many simple patients have been allowed out and arrangements have been made for their care. The board still retains that power. Another interesting feature of the duties of the board was that it should instruct the Inspector General as to the management of the institution. The members of the board had power in regard to management but it was constituted purely as a board of visitors.

It is only right for this power to be taken from them at their own request, and it is one of the duties that Ministers in the past have accepted as being impossible to carry out, duties which, with the knowledge of the Minister, the board has failed to exercise. A deletion of this provision from the Act will, I think, make the whole set-up very much more workable. This brings to the fore one interesting side of the whole management of this institution. I wonder, when the further Bill is brought down next year, whether the Minister will give some thought to making provision for a board of management. We have seen in the past the difficulties that arise between the medical superintendent of the hospital and the manager of the institution, and it seems to me that it is placing a very difficult task in the hands of a layman to ask him to administer an institution and give instructions to a medical man.

I think there should be a very well defined line between the duties of the medical superintendent and those of the lay administrator. This problem of administration of hospitals, whether they be general or mental hospitals, has embarrassed the authorities over a long period. In the Royal Perth Hospital from time to time considerable discussion has arisen as to the respective duties of the medical man and the layman. There is no doubt that this must crop up in any institution of this type. Countries abroad have long since adopted the attitude of either training medical men in administration, or of training an administrator in medical details so that every person appointed to the task is able to take control of the institution. In the Eastern States schools of the same kind are being established so that both the medical man and the layman can administer a hospital. It might be worth while considering whether some of the responsibility of controlling this institution could not be taken from the Medical Superintendent, who would then be in a position to give a great deal more time to the actual investigation and treatment of patients.

Sitting suspended from 4.1 to 4.30 p.m.

Hon. J. G. HISLOP: In continuing to discuss this Bill in relation to the board of visitors, there is one point which could be amended. If members will look at Clause 9, which embodies proposed new Section 95, they will find that at each monthly visit the board shall include in its minutes a statement of the number of patients at the institution compared with the number at its last previous visitation. It also states that at each quarterly meeting the board shall include a report of its inspection under paragraph (b) of Subsection (1) of that proposed section.

One will realise that this clause has done a lot to alter the method in the entry of notes by the board of visitors. It envisages that the board shall inspect the building at least once in every three months. It appears to me that it would be easier, and much more workable, if the board were permitted to visit portions of the institution when it thought fit at any of its ordinary meetings. The board could include its evidence of that particular visit in the minutes of that meeting. The subsection might read better if we take out of it certain words, thus permitting the board to carry out its work in that way. If we delete the words "at each quarterly meeting" it will read, "and shall include a report of its inspection." The work of the members of the board would be made much more simple if they were permitted to do that.

There is one curious provision which appears in the Bill and I cannot quite see why it is needed. Subsection 6 (a) of proposed new Section 95 states—

> The board may order any patient to be examined by a psychiatrist selected by it, and the psychiatrist is authorised to carry out the examination.

That seems curious to me because the superintendent of the institution has spent his lifetime studying mental diseases and the Inspector General of the Insane is the most highly qualified psychiatrist in the State. If this amendment is agreed to, the board will be permitted to go over the heads of these officers and call in an outside psychiatrist. If such a psychiatrist were called in, he would be in a difficult position and I doubt whether the board of visitors would ever use this power. It is interesting to realise that Dr. Douglas McWhae, who is the chairman of the board of visitors at the moment, is a psychiatrist too. The chairman of the board, the superintendent and the Inspector General of the Insane are all psychiatrists, and I doubt whether the board would refer any case to an outside psychiatrist. It would be most difficult for the board to do it.

There is one other amendment to the Bill which we might consider. If members will read Clause 7, they will see that it amends Section 86 of the principal Act. It states that the Inspector General shall

at least once in every year inspect the patients in the institutions and fully report to the Minister thereon, on the patients therein, the buildings and grounds thereof and the appurtenances and so on. I suggest that that report of the Inspector General should be brought into line with the reports given by the board to the Minister, under Subclause (5) of Clause 9. At the end of that subclause it states—

> Copies of all such reports and recommendations shall, as soon as conveniently may be, be laid before both houses of Parliament.

We have had an example of the Inspector General of the Insane making a long and detailed report to the Minister a year before a Royal Commission was held. Yet, no-one outside the department knew, in full, what the Inspector General had reported. The officers of the institution would be protected if that report to the Minister were also tabled as soon as the Minister could conveniently do so, in both Houses of Parliament. The fact that the Inspector General of the Insane had called attention to the conditions existing would have been known to both Parliament and the public. We would not then have seen the conditions which existed at the time of the Royal Commission.

There is one other provision in the Bill that must be considered and that relates to the admission of a minor on the application of a parent or guardian. This is the clause to which Mr. Gray referred. As far as I can gather, this is no great change from what exists now. At this stage I would say that there is no Act which needs consolidation more than this one. I have endeavoured to co-relate the amendments in the Bill to the principal Act and the various amendments that have been introduced. I am surrounded with copies of statutes for different years and I still cannot find all the pertinent details to enable me to give sufficient thought to the Bill. As the Act stands now, a junior can be admitted on the application of a parent or guardian and by the signature of one justice of the peace.

There are certain difficult aspects about this question. One can see that the department has endeavoured to bring the provision into line with recent findings of the Commission and with the "voluntary boarders" section of the Mental Treatment Act. But, it must be realised that a junior is not truly a voluntary boarder because he does not really understand, in some cases, what is happening to him. I doubt whether this amendment really does what the Bill purports to do. If one reads the original section which this clause amends, one will find that the intending boarder must himself apply to the justices for their consent. This clause states—

> A person under the age of twenty-one years may, on the application of his parent or guardian in the prescribed form and with the written consent of two justices, be received and lodged as a boarder . . .

Yet the provision that the junior must be the person who must apply to the justices for their consent has not been altered. It simply means that if the child is taken along to the justices and he does not ask for their consent, then the justices can do nothing.

Further, I draw the attention of members to the fact that the signing of the documents by justices of the peace is nothing more than a mild protection. While there are some justices of the peace who will read every scrap of documents to see that they are in order, there are others who do not pay such meticulous attention to details, and they take the word of the medical man or probably the parent and say, "Very well. If this is in order, I will sign it." Some are most meticulous and some are not.

One feature of this particular amendment does seem a little disturbing because it states—

> On his behalf his parent or guardian may give any further consent or notice under this section.

So that it can be a continuing consent given by the parent. Above all this, one must realise that when the junior is admitted into the Hospital for the Insane the most experienced people in psychiatry in the State will be in charge of him. No doubt they would discharge the patient if they felt that there was no need to retain him, and this continuing consent by the parent would not have any effect. Therefore, at present the power seems to exist.

There is a cover in having the sound judgment of experienced psychiatrists in the institution, and the individual can therefore be discharged. I wonder whether Mr. Gray's amendment deals with the position fully. It gives added protection in that the child will already have been examined by a medical man. However, I do not think it removes that part which obviously places upon the minor the necessity for asking the justices for their consent. Therefore I do not think that the clause as it stands does what those in authority expect it to do.

There is one clause in the Bill that we must applaud and that is the appointment of welfare officers. People in institutions of this type can be left completely without any devices with which to entertain themselves, and from sheer boredom deteriorate in condition. The appointment of welfare officers is something that everyone of us must welcome, especially in institutions of this nature. A lot is going to depend upon the welfare officers—what their knowledge is and what their reactions to these people will be. Recently I learned that one medical man who had been employed at

the Claremont Asylum had made a considerable study of the welfare of patients and had introduced a number of games, etc., in which the patients could indulge. Considerable progress has been made in that regard and it will be no use appointing welfare officers unless they are given a considerable sum of money to spend and are assisted by the provison of all sorts of gadgets and various devices in order that the patients can entertain themselves. It may be that it can be extended into an occupational centre, and even into a rehabilitation centre for some of these patients.

Again, I do not believe that one will be able to obtain the services of any welfare officer at the usual sort of service salary for a welfare officer's post. One must remember that he will be living in difficult circumstances and doing a difficult job in instituting a welfare centre for these patients. Therefore the salary that will attract the man to do this work, and one which will entice him to stay for a lengthy period, will have to be considerably above the average salary for such classification. I sincerely trust that the Minister will have the courage to pay according to the work that is done. I also hope that the Public Service Commissioner, when he reaches a decision in regard to the salaries, makes them ample for these particular officers.

I now wish to refer to one or two matters that could be dealt with in relation to the future of this institution. I would like to see a much closer connection between Heathcote and the Royal Perth Hospital. It is to be noted from the Bill that we are asking that a minor be admitted into a hospital of this type for treatment. Surely it would be better to have closer liaison between the medical treatment hospital—shall I put it—and the mental treatment hospital, because they are slowly linking themselves together today.

At the Royal Perth Hospital they have not yet the accommodation necessary for those admitted suffering from depression or agitation, and provision of this type of accommodation is urgently required. When it is provided it will close up an extremely large gap that exists at the moment between the Royal Perth Hospital and Heathcote. My own feeling is that Heathcote should be allied to the Royal Perth Hospital and more closely linked than it is today and that its actual link with Claremont Mental Hospital should be lessened.

I believe that the treatment centre for nervous and acute mental diseases will become more closely linked with general medicine as time goes by. When that link is welded it should be possible to provide an honorary staff for Heathcote because I have never been able to realise that a person can be purely mentally ill without there being any physical connection. I think it would improve the treatment generally if an honorary staff were appointed, such as that which renders service to the Royal Perth Hospital, even if it had to be a panel of visiting physicians in order that the medical care of the patients could be given more emphasis than it receives today.

The link between the two must become closer and closer. I believe, too, that the problem of the nursing staff would be settled in no small way. The second thing I would comment on generally is the decision of the Government to provide a large sum of money—if I heard the Minister aright I think he gave the amount as £347,000—to be spent on Claremont Asylum.

The Minister for Transport: That is correct.

Hon. J. G. HISLOP: I would much rather have seen the Government make a decision to rebuild the asylum even though it cost twice that amount of money or, probably, three times that total. I believe that in the long run it would pay handsome dividends. The Claremont Mental Hospital has been built for a long time and it will take a large sum of money to effect purely repairs and renovations, and everybody knows that today alterations to buildings are more expensive than the erection of new buildings.

Then again, the asylum at the moment appears to be right in the path of the development of the City of Perth, and a large block of land situate between the asylum and the coast will be slowed down in its residental development. Therefore, I would much rather have seen the asylum taken out into the country with larger, wider grounds where provision could be made for the occupational and rehabilitation centres, which must inevitably become part of an institution of this sort in the future.

I do not know what are the views of the Inspector General of the Insane in regard to the expenditure of this large sum of money on Claremont Asylum, but it would be interesting if this House could be provided with the viewpoint of those concerned as to whether the provision of a new institution would not be preferable to the continuance of work on the present building.

Finally, I have only one query left. I notice, that in regard to the alteration of the duties of the board of visitors there is a real attempt to make its work possible as against an impossible task, but I find no mention as to the increase of salaries of its members—although I have looked into the multitudinous amendments to the Lunacy Act—and I understand that the salaries paid to the members of this board were fixed a considerable time ago. The proposed alterations in its work will mean more concentrated effort and pos-

sibly a greater number of visits, and I sincerely trust that the salaries paid to these people who constitute the board will be made equitable as compared with prevailing salaries paid for other and similar tasks.

Hon. L. Craig: What are the salaries of members of the present board?

Hon. J. G. HISLOP: I understand that a payment of somewhere about £100 a year is made to some of them, but for a senior consultant medical officer to give up the time that is required to carry out his duties on this board properly, £100 or thereabouts is not a very remunerative salary. I consider we have sometimes erred on the side of accepting too much from individuals, because they feel they are rendering a public duty. I hope that the Minister, in considering the new work and duties which have been laid at the door of members of this board, will give thought also to the provision of salaries which are such as to recompense them for the arduous and strenuous work they do.

I think it is realised that there must be a considerable degree of mental strain upon a board whose duties cover, amongst other things, those of refusing discharges time after time to patients in that institution when they come before them. Its members must give considerable thought and time, and use considerable judgment and commonsense in coming to a conclusion respecting these poor people who feel that they are being detained wrongfully and make application to the board for release. Therefore, I trust that the duties of the board will be considered by the Minister and that its members will be rewarded appropriately. I support the second reading of the Bill.

HON. G. BENNETTS (South-East) [4.55]: I support the second reading of the Bill. I am extremely pleased that the proposed board, apart from its usual monthly visits, will, once every three months, inspect every part of a mental institution where patients are accommodated or employed and also give attention to those other matters appertaining to their welfare. Some time ago we read in the Press about the treatment meted out to patients in the Claremont Asylum, and I will agree that the board, as constituted now, cannot properly make an inspection of the institution on its monthly visits. Therefore, a further inspection to be made once in every three months with statements taken from patients themselves will be a step in the right direction.

Last year I visited the Claremont Mental Hospital to see a patient from the Goldfields who had been there for about eight years. This man was formerly a highly-qualified accountant on the Goldfields. He was a single man and had lived with his parents, and his financial position was extremely good. He was a staunch teetotaller, but subsequently, when his mother died, he went away for a holiday with one of his brothers, who was accustomed to taking liquor. Apparently through the association with his brother, this patient had become erratic as a result of alcohol in his system. I take it that actually he would be suffering from D.Ts., as far as I can understand. From the seaport where he was spending his holiday, he was sent to Claremont Mental Hospital by the local police officer.

I do not know whether such persons are subjected to a medical examination at the hospital before being committed, but anyhow he was detained at the asylum. When I paid him this visit, accompanied by one of my sons, we were placed in a cell with him by one of the officials. When we got into the cell, we found that there was another inmate with him. After being there a certain time, another attendant came in and he expressed surprise that we were admitted to this particular part of the institution, especially in the presence of this fellow inmate of the man we were visiting.

Finally, we were transferred to the reception room to talk to this man, who could speak on a number of subjects and whose memory could take him back many years to matters which we had long ago forgotten. When I left the wards, I went to the doctor and made inquiries about this patient's condition. The doctor told me that a letter had been sent to the patient's younger brother to the effect that if he could care for him, the patient could be released, provided that the brother had a proper place in which to accommodate him and give him proper attention. The younger brother replied that as he had two small children and his wife was delicate and therefore not capable of giving the necessary care and attention, he could not accept the responsibility. By the constitution of this new board, I think it will be the means of segregating a man of that type from other patients who would tend to drag him down to the lowest form of humanity.

It appears to me that when this board is constituted and makes proper investigations into the case history of patients, men of the type I visited will be able to be freed or, if not, will be segregated into groups of their own class instead of being with other types of patients who are not congenial to their own condition. If a patient could be released under the conditions I have mentioned, perhaps a home could be established by the Government in which such men could receive every care and attention with a view to their furture rehabilitation. Perhaps Heathcote would be an ideal institution for that type of treatment.

After such patients had been there for a period and had received adequate and proper treatment, the board would possibly be in a position to recommend their release

so that they could take their rightful place in society. If such patients were not ready for release when they came before the board, they could probably be committed for a further period, and, on showing no signs of improvement, the final recommendation would be perhaps that they be returned to the Claremont Mental Hospital. As a result of the investigations by the Royal Commission and now the introduction of this Bill, I trust that something real will be done in the interests of the poor people who are detained in our mental institutions, and I hope that much good will be the outcome.

HON. W. J. MANN (South-West) [5.1]: I intend to support the Bill. The Government has very wisely brought forward this amending legislation as an evidence of its interest in the problem and with a view to some improvements being effected, in anticipation of the more comprehensive Bill that we are promised for next session.

Members will recall the wide publicity given to the affairs of one of the mental institutions not many months ago, and the wide-spread interest created by some of the allegations made on that occasion. In quite a number of instances intense indignation was expressed, mainly by people who had only a superficial knowledge of the real position, and they demanded all sorts of rigorous action. The inquiry that followed was viewed with more than usual interest and resulted in accomplishing quite a good deal. But it also served to focus public attention not so much on the allegations I have mentioned as on the general position of our mental institutions.

Some of those who followed the investigations by the Royal Commissioner experienced a sense of relief at the findings. Whatever the position was or was not, I am certain that the investigation served a most useful purpose, and we are glad that the verdict of the Commissioner was as published. Every reasonable man and woman experiences feelings of real sympathy, or probably something more than sympathy, for those unfortunates who very often, because of unkind fate, or because of circumstances over which they had no control, have become inmates of mental homes

Because of the distressing atmosphere that normal people feel when visiting these institutions, most folk do not relish going near mental homes at all. Naturally the experience upsets most people, and everyone can understand that it would be so. Nevertheless, we should all be sympathetic towards these inmates and see that the laws are such as to make their lot as comfortable as possible. After all, when once those patients pass through the gates of the institutions, in the majority of cases they become what might be described as members of the lost social legion. They are soon forgotten except by their nearer kith and kin; as to their places in the order of things, they are of no account.

To my mind, there is a compelling reason why not only in this instance but in all other directions where we are charged with the responsibility for the maintenance and comfort of those who are sick, including those who are mentally sick, we should be ever ready to extend help, and we should not hesitate to spend money freely if by so doing we can bring about a better state of affairs. I am afraid that at times we spend a lot of money thoughtlessly, sometimes upon schemes embarked upon without very much investigation. When it comes to dealing with institutions of the type I have in mind, it appears to me that we are rather too prone to become niggardly and begrudge the requisite financial assistance. That it should be so is not much to our credit.

The Bill provides for improvements that have been indicated by previous speakers, and I am sure it will in that respect receive the sympathetic consideration of this House. There is no doubt that down the years, because of circumstances regarding these people who are viewed as of no account in our social system, the time has arrived when reforms are necessary and these should be instituted as soon as possible. We seem to be again making a move in this instance in the right direction, and I hope that with the introduction of the Bill, together with the legislation that we are promised for next session, some still greater improvements at the institutions will be designed.

It was my rather sad experience a little while ago to pay a visit to Mont Albert, one of Victoria's largest mental asylums. I was so impressed with what I saw on the first occasion that I made a second visit on a Sunday afternoon just to get a picture of the lay-out of the whole institution. As members probably know, Mont Albert is an undulating area some miles out of Melbourne. Delightful views are obtained there and from the asylum grounds the mountains could be seen in the distance. I do not know the exact area of the property, but it is extensive. The sections are so arranged that one would scarcely dream that the institution was for mental inmates.

The various buildings stand in garden areas with wide driveways throughout the grounds. I went for a tour round the property and I found it hard to believe that I was in the midst of a mental home. Some of the houses where patients resided were like the old type of better class homes. The buildings themselves were beautifully constructed and well laid out. I was taken through two or three of them and was much impressed with the care and planning that had been devoted to the

furnishing of the premises. There seemed to be quite lacking the depressing atmosphere so apparent in many of the older mental establishments. It was as unlike a place of detention as it could possibly be. Some of the exercise yards were not so well obscured but they were well away from public gaze and so far as was humanly possible, were kept in a condition calculated to maintain such morale as the patients possessed.

Hon. H. K. Watson: Had the institution at Kew been closed down then?

Hon. W. J. MANN: I cannot say. Mont Albert was the place that interested me. I cannot claim to have visited many such institutions because I am like the average run of folk and give them a wide berth. I do not know what the conditions are at Claremont, although I have heard them described in various ways and sometimes as rather grim. In this State we have ample room and many acres within easy motoring distance of the city. I understand that the conditions are rather cramped in some of our institutions, and if that is the experience of the authorities, I think the time has arrived when an area likely to serve the requirements of the State for this purpose for what might be described as all time, should be set aside in the interests of this section of the community. It should be a reserve in a locality and under conditions that are pleasant.

Having seen and talked with officials, nurses and wardsmen, I agree with what has been said about the necessity for having highly-trained personnel. I am not in a position to say just how highly trained were the men I met; but I was assured by the Medical Superintendent that he was very happy with his personnel, and I assume that it would not be easy for a person who was untrained and did not have natural qualifications to find employment in such a place. I understand that these people are well paid, as they should be. If there is a vocation that should be well paid, this one should have a very high priority. I hope provision will be made for training such employees here and that they will give evidence of possessing the desirable qualifications that are necessary. I shall be pleased to support the Bill, and compliment the Government on bringing it down.

HON. L. CRAIG (South-West) [5.18]: This is an attempt to improve the present Act and, as the Minister said, it is a stopgap Bill pending the introduction of a complete measure next year. There are one or two clauses that appeal to me as requiring extra attention. Clause 5 provides that any person voluntarily attending an out-patient clinic can, with the approval of the Inspector General, become an in-patient with his consent, but nothing is said about a minor, who has no power of giving consent.

The Minister for Transport: Clause 4 deals with that.

Hon. L. CRAIG: Yes, I am sorry. It is covered in that clause. Clause 7 deals with the Inspector General inspecting the institution and making a report to the Minister. The clause provides that he shall send a copy of his report to the superintendent of the institution; but I do not think that is a good idea. It may be advisable for the Minister to send a copy of the report to the superintendent, but I do not think it should be the job of the Inspector General, who may perhaps wish to criticise the institution in some way. I think that would affect to some extent the report of the Inspector General.

His task is to report to the Minister, and it seems to me that is where his job should end, and it should rest with the Minister whether the superintendent should be advised of the result of the inspection. The report might be very critical of the superintendent himself, and should not be sent by the Inspector General to the superintendent. Clause 9 provides that the board of an institution shall make an investigation of any individual case. I take it that that should read that the board shall cause to be made any such investigation. That is what the intention should be. Subclause (4) reads—

> The board may at any time make a special investigation of any case, and visit and report to the Minister upon the mental and bodily condition and treatment of any patient in any such institution as aforesaid.

What would be required might be a special investigation by a psychologist. I do not think that the board, many of the members of which would be laymen, should have to make an investigation of a case. I regard Clause 10 as being the most controversial. It says—

> The Inspector General in respect of any institution or the Medical Superintendent of any institution in respect of that institution may agree with any relative, guardian or friend of any patient detained in an institution that the relative, guardian or friend, as the case may be, may provide special nursing attention for the patient—

That is all right. It goes on—

> —and such relative, guardian or friend shall be entitled to be reimbursed all necessary sums expended in the provision of such special nursing attention out of the real and personal property of the patient.

I do not think any friend or relative, or any guardian, unless he is a legal guardian, should be able to use the funds of a patient without the consent of the court. Where a patient has been declared of unsound mind, money is often set aside by a parent who is still alive for the welfare

of that child. The parent may die, and I can foresee a friend using the child as a means of getting his hands indirectly on to the money belonging to the patient. I have had a little experience of this, though not a great deal, and it seems to me that application should be made to the court in such cases. A judge in Chambers would attend to the matter in half an hour. An application should be made to the court by the guardian, the friend or the relative who has control of the child for money to be used, and it should have the approval of the Inspector General.

Hon. N. E. Baxter: This provides only for reimbursement of sums expended on medical attention.

Hon. L. CRAIG: For special attention. It might mean a special nurse and involve a considerable sum of money. A patient might be an inmate of an institution and a friend would go to the Inspector General and say that the inmate should have a special nurse, or perhaps two nurses, at a cost of £15 or £16, or even £20 a week. It seems to me that there should be an application to the court where the property of an inmate is to be used, because as a rule it would be a trust estate. A trust is usually created from which money is expended on a patient.

Hon. N. E. Baxter: There has to be agreement by the Inspector General.

Hon. L. CRAIG: Yes, but there is no legal guardian. The Inspector General, who does not know anything about it, is approached by a guardian or a friend, who says, "I want Tommy to have special attention." Those two can put their hands on the estate of a patient. It does not seem to me the right thing to do. It is an easy matter to go to the court or to a judge in Chambers. A judge would have the evidence before him and would give legal authority for the use of the patient's estate. It seems to me so easy for the court to determine whether the property of a patient shall be used.

Hon. J. G. Hislop: The limit is 30 days.

Hon. L. CRAIG: I do not know enough about it. We are dealing here with a patient who is unable to make a decision for himself. He is an imbecile child perhaps, whose parents have set aside a vast sum of money for his care. I consider that nobody should put hands on that money unless the consent of the court has been obtained. It is not hard to do. Such matters can be attended to by a judge in Chambers without publicity being given to the proceedings. I support the second reading.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland—in reply) [5.28]: I am pleased generally with the reception given by members to the Bill. They agree that the Government has taken a step forward in introducing legislation to clear up anomalies of the past, and has gone part of the way towards the final steps envisaged by a comprehensive measure to come forward next year. I think there will be no objection to the amendment suggested by Mr. Gray. I am given to understand that it had been considered, but it was thought desirable that there should be no difference in the treatment accorded to adults and to minors. I agree that the amendment is reasonable, and will not offer any objection to it.

Many of the criticisms by Dr. Hislop are worthy of consideration, and I have no doubt they will be taken into account when the comprehensive Bill is being drafted next year. Mr. Bennetts and Mr. Mann very rightly touched on what might be called the humanitarian side of the institution. They suggested, and I agree with them, that there should be a sense of obligation on the part of members of the community to visit such institutions as often as possible, particularly those who have friends or relatives there. There are many borderline cases who have to be confined to an institution, but who have many lucid intervals; and I think there would be a pleasant psychological effect on those patients if they felt that they were regarded as human beings, and that people took the trouble to go along and talk to them from time to time.

I think also that relatives of inmates have a right to be considered and that they would feel comforted if they thought that people sometimes went out of their way to perform duties of this kind. I can imagine that there would not be very many cases of the kind referred to by Mr. Craig, where the Inspector General would deem it wise to surrender a patient to the care of outside people; but if he did so, he would be careful about giving such persons charge of a patient and would probably satisfy himself by a careful review of the circumstances in each particular instance. There might be cases where it would be desirable for a patient to be placed in the care of a guardian —perhaps a relative—who might give the patient more care or consideration than he could expect to receive in an institution.

Hon. L. Craig: It does not deal with handing them over.

The MINISTER FOR TRANSPORT: I will come to that later. I think persons are actually entitled to reimbursement only for the expense incurred, and that the reimbursement would be considered closely by the institution. I am pleased with the reactions of members to the Bill. Any further matters that may be raised can be dealt with when the Bill is in Committee.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Minister for Transport in charge of the Bill.

Clauses 1 to 3—agreed to.

Clause 4—Section 20 amended:

Hon. E. H. GRAY: I move an amendment—

> That in line 5 after the word "form" the words "supported by a certificate from a duly qualified medical practitioner in private practice stating that it would be in the best interests of such person," be inserted.

I think this amendment would be worth while if it applied only to one case in ten years, because such an eventuality should be provided for. I hope the Committee will agree to the amendment.

Hon. J. G. HISLOP: If the amendment is agreed to, Mr. Chairman, will we have opportunity of further discussing the clause?

The CHAIRMAN: Yes, anything in the clause later than the amendment.

Amendment put and passed.

Hon. J. G. HISLOP: Section 20 was enacted, I believe, before there was any institution such as Heathcote. I am not satisfied that we should admit a minor to the Claremont Mental Hospital for periodical treatment. I believe that the admission of such a patient should be limited to places such as Heathcote.

The Minister for Transport: I do not think this applies to Heathcote.

Hon. J. G. HISLOP: It is almost impossible to trace amendments to this Act in order to find what is the present position, but as far as I can see, Section 20 deals with the Hospital for the Insane.

The Minister for Transport: Yes, I do not think the Lunacy Act applies to any other institution.

Hon. J. G. HISLOP: Admitting a child to the Hospital for the Insane is a serious matter and I would ask the Minister to consider not proceeding with the measure until members have received some assurance on this point. I think that we should not admit a child to the Hospital for the Insane in these circumstances as there are facilities available at Heathcote that are not to be found at Claremont. All that is required to enter Heathcote is a certificate that one is in need of nervous treatment. I have no doubt that a child admitted to the Hospital for the Insane at Claremont would receive adequate treatment, but I do not like the idea of a child being sent there for treatment instead of to Heathcote. If that is what this Bill would do, I think the position should be dealt with under another measure. Apart from cases of alcoholism, I understand that the volunteer boarder type of patient is today taken to Heathcote first. I would like this question to be cleared up because, if my fears are well founded, I will have to vote against the clause.

The Minister for Transport: In that case, we will report progress.

Progress reported.

ASSENT TO BILLS.

Message from the Governor received and read notifying assent to the following Bills:—

1, Public Works Act Amendment.

2, Traffic Act Amendment.

3, Health Act Amendment.

BILL—CONSTITUTION ACTS AMENDMENT (No. 4).

Received from the Assembly and read a first time.

BILL—BEES ACT AMENDMENT.

Second Reading.

THE MINISTER FOR AGRICULTURE (Hon. G. B. Wood—Central) [5.45] in moving the second reading said: The Bill is to amend the Bees Act of 1930. A measure was introduced in the Council last year for the same purpose but, owing to the desire to end the session in another place and the congestion of legislation there, it was not proceeded with. The Bill I am presenting today is almost identical with the one introduced on that occasion. The only difference is that some small matters have been taken out. Nothing has been added to it.

The Bees Act is for the prevention and eradication of contagious diseases amongst bees. This Bill deals with other phases. If members will look at Clause 3, they will see it reads as follows:—

> An Act relating to the regulation and control of the keeping of bees and the control and restriction of diseases and pests affecting bees and for other purposes.

It is very much wider in its application to the bee industry than the original Act of 1930. It deals with the definition of apiaries and of bee-keepers. Conditions have altered very considerably in the bee industry over the years, particularly over the last 12 years.

Bee-keepers are very much more migratory than they were before—they travel from one place to another with their trucks seeking out the best country for their hives. Very large invasions have taken place by bee-keepers from the Eastern States to Western Australia. They consider that Western Australia is a better place for the feeding of bees than are the Eastern States. I believe there is plenty of room in Western Australia for even

more expansion. Therefore it is very necessary to amend the Bees Act to conform with present conditions.

The Bill provides for the registration of bee-keepers. It is absolutely necessary to keep in touch with the bee-keepers and to know where they are with a view to preventing the spread of diseases, particularly foul brood. Unless there is registration of bee-keepers the inspectors will not know where they are and will not have the same chance of keeping down these diseases as they would if they knew where the keepers were operating. I understand that some of these diseases can wipe out whole colonies of bees in a very short while, and it is sometimes necessary to destroy a few hives in order to prevent the spread of these diseases.

For that reason, the bee-keepers are required to supply to the Department of Agriculture certain information in regard to their hives. Provision is also made in the Bill to prevent the establishment of bee hives in places detrimental to the public. I remember two years ago some hives were established near a town in my province, and they were a dreadful nuisance to the people because the owners of the hives did not supply water. Thousands of bees went into the village and made themselves a nuisance round the tanks and small water supplies.

Hon. A. L. Loton: Has York descended to the status of a village?

The MINISTER FOR AGRICULTURE: I would like to remind the hon. member that there are more towns than York in the province I represent. The incident I have mentioned constituted a serious nuisance to the people. Nobody knew who owned the bees and naturally the officers did not like to destroy them. It was not until they threatened to do so through the newspaper or the road board, that the owner turned up. Accordingly provision is made to keep a tag on bee-keepers.

Another important provision concerns the supply of water. If a man does not provide water for his bees, he will get into serious trouble with the Agricultural Department. I think this is a very desirable provision. A man may find a good site for hives near some suitable tree and it should be absolutely necessary for him to find an adequate water supply for them so that the bees will not be a nuisance to those living thereby. The branding of hives is another desirable provision. That is included on account of the stealing of hives. Strange to relate, people do steal hives. Personally I would not like to take it on, but this has happened. While branding of hives will not eliminate the practice, it will go a long way towards avoiding it.

Hon. A. L. Loton: When the sale takes place, will the brand be recorded?

Hon. Sir Charles Latham: Of course it will, as is the case with livestock.

Hon. A. L. Loton: Like the farcical situation which arises with the sale of livestock.

The MINISTER FOR AGRICULTURE: I would like to point out that the Bee-Keepers' Association desires every clause in the Bill. The members of that organisation have asked for this legislation, as they did previously. Sir Charles Latham will no doubt tell the House that the draft of the Bill was given to the association who had it for a month going through it with a view to having it altered or amended as they thought would suit them. I commend the Bill to the House and move—

That the Bill be now read a second time.

HON. H. TUCKEY (South-West) [5.53]: I support the Bill because I think it is a very good idea. Those of us who have had experience with bees over the years know quite well that in many places they have been a considerable nuisance to people by hovering around their water supplies and also their homes. However, I think the Bill goes a little too far. I expressed the view when a similar Bill was before the House last year. I could not convince the Minister at that time that my view was right. I think he was supporting the people who go in for this line of business and rather overlooked the fact that farmers and individuals who live in remote places in the country should have more consideration.

Personally, I cannot see why a farmer, or anyone who is living out in the bush should have to register his single hive. I cannot see at all why there is a scrap of difference between having a hive of bees in a box somewhere around one's premises and in having one or more hives in a tree in some area. I have on one of my blocks of land at least two or three hives in trees less than a quarter of a mile from the homestead. Unlike the position a few years ago quite a number of hives are to be seen in the bush. As I explained before, the bees died out some time ago, but they have come back again and are now very plentiful. Where there is suitable timber country with fairly large trees, a number of hives will be found.

The restrictions seem to me to be too rigid in this connection and if there is to be any disease in a farm or homestead, it will do just as much harm as if the bees were in a hive or box similarly situated. When the Bill was before us last session, I voiced the opinion that the farmers should be allowed some latitude and provided they did not have more than one hive, they should be allowed to keep it. It may be said that it is no trouble to register the hives, but it is just one more thing we have to do. It will eventually get that way in time that we will have no latitude

or discretion of any kind, and it is these things to which people in the country object. They do not want to be tied.

Many people are fond of honey and it is a good food. I do not mind what provisions are made to safeguard the industry but, as I pointed out, I cannot see any difference at all between having bees in a box and having them in hives in three or four trees. If there is any danger, then it would be a good idea, I think, to have the trees cut down—but, of course, we would not think of doing that. It is perfectly correct that these bees are a nuisance in so far as water supplies are concerned. This does not apply only to private property, but to Crown land as well. I have a water supply on a stock run—a grazing area—where stock have a job to get a drink because of the number of bees around the water supply on occasions. One was afraid to go near the well. But if I provide water nearer the bees, I think we will still have them making a nuisance of themselves. They are a nuisance and we have to put up with them. There are thousands of them.

When people bring along a few hundred hives and place them near one's holding, that is a matter which certainly needs legislation, and strict legislation, too. I support the Minister in that regard. I hope the Minister will reconsider the question I have mentioned and see whether we cannot let up in this particular direction.

HON. SIR CHARLES LATHAM (Central) [5.58]: I intend to support the Bill because I know the bee-keepers in this State require it. I would like to reply to Mr. Tuckey and say that one of the grave dangers this State has to deal with is foul brood. It is a very infectious disease and therefore great care has to be taken to avoid spreading it. The bee-keepers are carrying on an important industry in this State.

We export a great deal of honey to the Old Country, and I would like to commend the Wescobee people because recently they provided and distributed a lot of honey in England, Scotland and Northern Ireland by asking people to pay £2 for which they delivered a 45lb. drum of honey to the Old Country. This was very acceptable, particularly with sugar as scarce as it was. Apart from that, there is a very good market not only in the Old Country but also in India, and we have not been able to supply that market to its full capacity. Dealing with the matter of there being no difference between having one hive in a box, and three or four hives round about in trees, we find that if foul brood gets into one hive, and honey from it is sold to somebody else, perhaps 20 or 30 hives will be infected in consequence.

Wild bees have really come from hives and swarmed with the queen in trees and they do not move about again unless the queen moves. There is not so much danger of the honey in the trees causing the spread of foul brood as there is from a hive. When a person goes to a hive and finds he is not getting much honey, he generally decides to get rid of it and perhaps gives it to some other person. Foul brood is a very difficult disease to determine, and it needs an expert or somebody well acquainted with bees to decide whether it is the very infectious type. I think Mr. Tuckey will appreciate the point that it will be dangerous if we do not insist upon the registration of even one hive.

There was a case at Bassendean a little while ago. A person had three or five hives and advertised them for sale or, alternatively, offered to exchange them for a cow. I do not know why he wanted a cow. An inspector saw the advertisement and went out to the place and found that every hive was badly diseased, so much so that very few bees were left, most of them having died of the disease. So members will see how necessary it is that great care be exercised to prevent the spread of disease. I am glad that some stand is being taken to ensure the provision of a supply of water for bees. I have been informed that the greatest distance bees travel is half a mile.

Hon. H. Tuckey: They travel much further than that.

Hon. Sir CHARLES LATHAM: Whether that is correct, I do not know. One can understand that the loss of water by evaporation would be far greater than the quantity the bees would drink. The difficulty arises when a bee-keeper dumps his hives in the bush and stays away for a month without giving them attention. If he is a good apiarist, he takes measures to ensure that he does not lose his bees on account of dry weather. It is well that provision should be made to prevent people from dumping their hives too close to somebody else's property where the bees might destroy the fruit and become a source of annoyance.

This is a sensible piece of legislation and I commend the Minister for having introduced it. He has been very helpful to the bee-keepers and they have asked me to convey their thanks to him for the interest he has shown. Although bees are small creatures, they are not too small to be worth the Minister's attention. Last year's measure did not become law because it reached another place late in the session. I commend this Bill to the House and hope members will pass it through the remaining stages today.

HON. A. L. LOTON (South) [6.4]: There is one point on which I should like information from the Minister. Is there any provision in the Bill to authorise the destruction of an apiary or hives found to be infected with foul brood?

The Minister for Agriculture: The inspector would be empowered to do that.

Hon. A. L. LOTON: And would he be able to recover the charges from the owner of the apiary?

The Minister for Agriculture: Yes.

Hon. Sir Charles Latham: Probably the owner would be insured.

HON. L. CRAIG (South-West) [6.5]: From the commercial point of view, the Bill is a good one, but I am afraid it will arouse some resistance amongst the farming community when it becomes known that anyone who keeps a hive must register as a bee-keeper and apply for and be granted a brand to brand his hive and, if he moves it from the backyard to the front garden, must inform the Minister.

The Minister for Agriculture: No.

Hon. L. CRAIG: The Bill provides that he shall not move it without notifying the Minister. Many farmers keep a hive.

Hon. L. A. Logan: It is necessary to register one fruit tree as an orchard.

Hon. L. CRAIG: Yes, that is a good answer.

The Minister for Agriculture: I had made a note to remind you of that.

Hon. L. CRAIG: That might overcome the difficulty. A good many people keep a hive of bees and I think there will be some resistance to these restrictions. In my district many people keep bee-hives; I believe the local priest has two or three. As pointed out by Mr. Logan, the fact that bees are liable to become diseased might be likened to the liability of fruit to become infected with fruit-fly, and so the hon. member's suggestion will be helpful.

I hate this sort of control, and it is only natural for people in good blossoming areas who keep a hive to resent it. Nearly every year we give away bees. We see a swarm and we ring up somebody who knows how to handle them and ask him to take them away. As I have stated, it is quite common for small farmers to have a bee-hive, but when they are told they have to register as bee-keepers, they will be protesting against the "bee" politicians charging them for keeping one hive.

Hon. L. A. Logan: Those small farmers would not sell honey.

Hon. L. CRAIG: No. If we could restrict this legislation to apiarists who produce honey commercially, it would be a good plan.

Hon. Sir Charles Latham: But we should then be running a big risk.

Hon. L. CRAIG: The comparison with fruit-fly has rather impressed me. This disease occurs amongst a colony of bees.

Hon. Sir Charles Latham: It occurs in the honey and the bees convey it from hive to hive.

The Minister for Agriculture: Mr. Logan's interjection has impressed you.

Hon. L. CRAIG: Yes, and I think it ought to satisfy people when they are reminded that there is control in the case of just one fruit tree and that it is subject to inspection.

Hon. H. K. Watson: I registered last week and already have had a visit from the inspector.

Hon. L. CRAIG: I know lots of people who have one tree and have not registered and there has been no inspection. I suppose there is not one farm south of Perth that has not one or more fruit trees. People keep their hives in their orchards and the bees move from the hives to the trees.

Hon. Sir Charles Latham: If they go to a tree, it would not be considered to be a bee hive.

Hon. L. CRAIG: But if one looked after a swarm of bees in a tree, it would be considered to be an apiary or part of one. I support the second reading.

THE MINISTER FOR AGRICULTURE (Hon. G. B. Wood—Central—in reply) [6.10]: I appreciate the objection voiced by Mr. Tuckey against the provision requiring one hive to be registered, but this is necessary for the protection of the industry. We must keep track of all the hives in order to cope with disease. I do not believe that registration will cause the hardship that Mr. Tuckey and Mr. Craig seem to fear.

I appreciate the interjection by Mr. Logan regarding the need to register one fruit tree. If we did not insist upon the registration of one-tree orchards, fruit-fly would be rampant, and it would be of no use laying out the money we are spending to combat the pest in commercial orchards. A man with one fruit tree has to be registered and the same applies to a man with one bee hive. I do not believe that any hardship will be occasioned and, once owners become accustomed to registering their hives, knowing that it is for their own protection, I do not think there will be any objection.

Hon. Sir Charles Latham: The inspector will help them to clean up their hives, too.

The MINISTER FOR AGRICULTURE: Yes, the inspectors are ready to give advice and no doubt that will prove helpful. This insistence on registration is not intended to harass people, but is designed to step up production and exercise control where foul brood occurs.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Bill read a third time and transmitted to the Assembly.

Sitting suspended from 6.15 to 8.30 p.m.

BILL—FAUNA PROTECTION

Conference Managers' Report.

The MINISTER FOR AGRICULTURE: I beg to report that the conference managers met in conference on the Bill and reached the following agreement:—

> Clause 11, pages 7 and 8: Strike out Subsection (3) and substitute a subsection as follows:—
>
> "(3) At least thirty days before making to the Minister any report or recommendation relating to an inquiry under this section into any proposed new sanctuary, and, in relation to any other inquiry under this section, whenever directed by the Minister so to do, the Committee shall refer the subject matter of the inquiry to the local authority in whose district the matter may have effect for any information and advice the local authority may be able to offer and shall advise the local authority of the general nature of any report, advice or recommendation which the Committee may then intend to submit to the Minister."

I move—

> That the report be adopted.

Hon. H. TUCKEY: We have been trying to see the Minister in connection with this matter, but have not been able to contact him. We are concerned about a full-stop which has to go in, and which the Minister was supposed to put in.

Hon. H. S. W. Parker: Is any member entitled to discuss what took place at a conference?

The PRESIDENT: The hon. member is quite right.

Hon. H. TUCKEY: On a point of information, in the event of the report not being in accordance with the actual fact, what protection has any member of a conference?

The PRESIDENT: I understand from the Minister that the report is what was finally arrived at. In any case, the hon. member cannot discuss what occurred at the conference. I suggest that the Minister might make a statement.

Hon. Sir CHARLES LATHAM: We are entitled to discuss this, are we not?

The PRESIDENT: The report, yes, but not what occurred at the conference.

Hon. Sir CHARLES LATHAM: I was not at the conference. I do not know how the amendment is going to apply. I have not a copy of it.

The Minister for Agriculture: It is not customary to give a copy.

Hon. Sir CHARLES LATHAM: I would like to hear again what has been substituted.

Hon. H. Tuckey: I asked for a copy, but it was not provided.

Hon. Sir CHARLES LATHAM: We used to have copies distributed in another place.

The PRESIDENT: The hon. member has the right to discuss the report which has been read by the Minister. The report is not circulated. We accept the report. That has been the past practice.

Hon. Sir CHARLES LATHAM: It seems extraordinary. When a conference is held, three men decide for the 30 members of this House, and we have no say whatever. The fact of their agreeing means that the House agrees, and therefore we cannot reject the Bill.

The PRESIDENT: The House is quite competent to refuse to accept the report, in which case the Bill will be lost.

Hon. Sir CHARLES LATHAM: That is what I want admitted. In these circumstances we ought to have a knowledge of what has been arrived at.

The MINISTER FOR AGRICULTURE (in reply): I will read the report again, and if members will examine what I read and what the House put into the Bill, they will find that there is very little difference, except that this goes further. The original amendment moved by Sir Charles Latham mentioned all matters which could be referred by the committee to a local authority. I was successful in having that amended so that it could apply only to sanctuaries. The amendment which we discussed in the conference applied only to established sanctuaries which would be referred to a local authority. The Attorney General has gone further than that. The amendment now states—

> At least 30 days before making to the Minister any report or recommendation relating to an inquiry under this section into any proposed new sanctuary, and, in relation to any other inquiry under this section, whenever directed by the Minister so to do,—

That was not in the original amendment—

> The Committee shall refer the subject matter of the inquiry to the local authority in whose district the matter may have effect for any information and advice the local authority may be able to offer—

This part goes further. Our amendment stopped there, but under this the report is referred back to the local authority—

> —and shall advise the local authority of the general nature of any report, advice or recommendation which the Committee may then intend to submit to the Minister.

If members compare the two amendments they must see that this goes a long way further than what we originally provided. I cannot understand Mr. Tuckey's objection. We met in conference for an hour and a half and came to this finding.

Hon. W. J. Mann: The finding you have just read?

The MINISTER FOR AGRICULTURE: Yes.

Hon. W. J. MANN: May I say—

The PRESIDENT: I understand the Minister has replied.

Hon. W. J. MANN: On a point of information, I want to know whether the report which the Minister has just read to us is the same in every respect as the one that is being submitted to the other House.

The Minister for Agriculture: Absolutely. This is an exact copy of what the Minister is submitting in another place.

Hon. H. TUCKEY: May I explain that it is a question of a full-stop. Mr. Baxter was responsible for noticing this. I want to know whether the full-stop is there but I cannot get a copy of the amendment to see. Surely it is not asking too much to find out whether the full-stop has been left in or not. I would like Mr. Baxter to express his views.

The PRESIDENT: Can the Minister answer the question?

The MINISTER FOR AGRICULTURE: Unless Mr. Tuckey tells me where the full-stop should go, how can I answer him? As far as I know, this is exactly what we agreed to at the conference. There is a full-stop at the end of the whole thing, but whether or not one should go in the middle I do not know.

Hon. N. E. Baxter: I want—

The PRESIDENT: Order! The matter has been thoroughly ventilated and the debate is closed.

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

BILL—PERTH TOWN HALL.

Second Reading.

THE MINISTER FOR AGRICULTURE (Hon. G. B. Wood—Central) [8.43] in moving the second reading said: This small Bill deals with the proposed town hall site. Members will know that there have been many arguments in the last half-century on the question of where the new town hall should be situated. I am happy to say that some agreement has been reached on the matter.

Hon. E. M. Davies: A lot of others are not happy.

The MINISTER FOR AGRICULTURE: The hon. member may not be because he would not be so much concerned. One of the proposals made in 1906 reached the stage of being introduced in a Bill in the Legislative Assembly, and passed by that House, but it failed to pass through the Legislative Council. Shortly afterwards a proposal was considered for the use of portion of Stirling Square for the town hall, but nothing came of it. Other proposals were made in the years intervening between 1908 and 1922, but none of them reached fruition.

In 1923 suggestions were made by the City Council for the use of portion of Government House grounds; portion of the Esplanade and the Supreme Court Gardens, or for a site on the Esplanade between William and Barrack-streets, but these proposals did not result in any agreement. A subsequent suggestion in that year for the use of portion of Stirling Gardens was rejected by the Government at that time. In 1945 a joint committee was set up, consisting of senior Government officers and representatives of the Perth City Council. This gave consideration to 27 proposed sites.

The second choice of the majority of the committee was what is known as the Stirling Gardens on a site situated approximately where the Department of Agriculture and the temporary buildings of the Australian Broadcasting Commission are located. This committee, on the 30th July, 1946, presented its report, and some time after the present Government took office in 1947 the City Council was approached with a proposal for the exchange of an area in Wellington-street and Lord-street, where the municipal depot is situated, for the Stirling Square site. This proposal was not acceptable to the City Council at that time.

Subsequently, a sub-committee of Cabinet negotiated with the committee appointed by the Perth City Council with a view to reaching an agreement. The joint committee made recommendations which were finally agreed to by the Government and the Perth City Council, subject to parliamentary approval. I might say that there is a plan on the wall, and one on the Table of the House, showing the exact site where the proposed town hall will be situated. These were the recommendations which were agreed to:—

> The Government to grant the council a title in fee simple of an area of land for a new city hall forming portion of the Stirling Gardens site, with a frontage of approximately 212ft. to

St. George's-terrace by a depth of approximately 415ft. The balance of the Stirling Gardens to be vested in the council in perpetuity as a reserve for beautification and recreation, the maintenance of the gardens to be the major item of beautification. Agreement to be reached between the council and the Government as to the retention of suitable space between the existing Supreme Court building and the proposed council buildings. The Government to agree to the widening proposals of St. George's-terrace and Barrack-street by approximately 20ft.

The council to agree to transfer to the Government its land at Wellington-street and Lord-street of approximately 5½ acres with a frontage of nearly 300ft. to Wellington-street, opposite the Royal Perth Hospital. This land is required by the State in connection with the expansion of the hospital and it will be transferred to the Crown in exchange for the land granted to the City Council for the city hall, nothing being paid in connection with the exchange, but subject to the right of the council to remove its improvements on the land in Wellington and Lord-streets, which may be required in connection with the establishment of a new municipal depot.

The council to agree to the buildings occupied by the Agricultural Department and by the Australian Broadcasting Commission to remain on the Stirling Square site for such period as may be agreed upon, free of rental to the Crown. The State to agree to the council remaining on its depot land in Wellington and Lord-streets free of rental until such time as the new municipal depot shall have been established by the council. The Government to make available, free of charge to the council, a strip of Crown land along the northern side of Wellington-street, forming part of the land held and used for railway purposes, as soon as the Railways Commission has completed remodelling the railway goods yard; this land to be used for the purpose of widening Wellington-street by 24ft., the cost of the work to be borne by the City Council.

This Bill, if passed, will bring to a conclusion negotiations which have been carried out over a very long period, and I commend the proposed agreement to the House for its approval. A large number of sites have been considered, and at last some finality has been reached by the Government and the City Council. It now rests with Parliament to approve or reject the proposal. I move—

That the Bill be now read a second time.

HON. E. M. DAVIES (West) [8.50]: Firstly I want to reply to a statement made by the Minister when he replied to an interjection I made during his second reading speech. He said that perhaps I was not satisfied because I was not interested. As a taxpayer and a resident of this State, I am very much interested, irrespective of the fact that I am not a representative for this particular part of the State. As a citizen and a taxpayer I have a right to be interested in this question.

Hon. H. S. W. Parker: It is the capital of your State.

Hon. E. M. DAVIES: I am not in favour of the Bill. In the first place, this is a reserve which, in my opinion, is the heritage of the people, and I fail to see the necessity for utilising a reserve that has been handed down by the old pioneers of this State to the people of the future. It will be some considerable time before a town hall can be erected, or for anything of that nature to be commenced. There is no necessity for a town hall to be in the centre of the City of Perth.

The people who visit the capital of this State come from outback parts and from various portions of the metropolitan area. These gardens are a godsend to the people because they can go there and have a certain amount of rest from the streets of the city. This reserve is practically in the centre of the business portion. The question has been discussed for many years and this decision, to my mind, is not the right one. I think it is a retrogressive step, and as this area has been set aside for the people of the future, it should be retained for posterity. As far as the town hall is concerned, I see no reason why it should be in the centre of the business portion of the city. There must be other sites around the city that would be acceptable for this purpose.

The Minister for Agriculture: What is your choice?

Hon. E. M. DAVIES: It appears that some people have made up their minds that this land is to be transferred for the purpose of erecting a town hall, but I want to take this opportunity of recording my protest, and I intend to vote against the Bill.

Hon. H. HEARN: I move—

That the debate be adjourned.

Hon. A. L. Loton: I am prepared to carry on the debate.

The PRESIDENT: Very well.

HON. A. L. LOTON (South) [8.53]: I am opposed to the establishment of a town hall on the proposed site. This morning I made it my business to inspect the area, and I fail to see how a growing city can hope to establish a town hall on the proposed area as outlined by the Minister. I

understood him to say that the frontage was 212 feet with a depth of 415 feet, and by the Bill it is agreed that the frontage will be placed back 24 feet to permit of widening of St. George's-terrace. I tried to envisage a town hall, worthy of this city, on that area of ground. I am not an architect nor a ratepayer of the City of Perth but, as Mr. Davies pointed out, I am a resident of this State and am therefore entitled to voice my objection to a proposal of this nature. I know the question of a town hall site has been under discussion by various Governments and the City Council for a considerable number of years, but this does not appear to be a wise choice, particularly after all this time.

The Minister for Agriculture: What would your choice be?

Hon. A. L. LOTON: My choice is an area not far removed from Parliament House. I have in mind a piece of ground adjacent to this building where Hale School now stands. The Minister knows all about Hale School, and I believe that the school has under consideration the question of changing its locality as soon as building materials are available. I understand the school has plans, and has had them for a number of years, for a new school on another site.

Hon. L. Craig: But no money.

Hon. A. L. LOTON: Perhaps the Government will help them on the question of money.

Hon. H. L. Roche: The old boys coming to the rescue!

Hon. A. L. LOTON: That area of land overlooks almost the whole of Perth, and it cannot be encroached upon. There are King's Park-road, Parliament-place, Havelock-street and Harvest-terrace all bordering this area. On the other corner there is the Commonwealth Observatory. I do not know what negotiations could be entered into with the Commonwealth Government, but even if it was not prepared to agree to hand over that portion to the State, we could still erect a town hall on the site, as well as Government buildings. All the State Government buildings could be erected on this area of land.

Hon. W. J. Mann: We have an Act for that already.

Hon. A. L. LOTON: Yes. There is a piece of land available in the Terrace already, but it will mean there is a piece here and a piece there, and nothing centralised.

Hon. N. E. Baxter: With a building here and a building there.

Hon. A. L. LOTON: Yes, buildings everywhere. The Government could erect all its offices on the site I have selected. At present, the Public Works Department is cluttered up with little buildings here, there and everywhere. There is the Government garage and several other buildings all on the same area of land and cluttering up the work of the Public Works Department. I suppose the site I have suggested has been considered, but I have never heard it mentioned. It appears to me to be an ideal spot. However, I am strongly opposed to the proposal contained in the Bill, and will not vote for the second reading.

HON. L. CRAIG (South-West) [8.57]: It does my heart good to hear Mr. Loton talk about taking over the grounds of Hale School. I am a Governor of Hale School and I would be pleased if the Government could grant the school a substantial sum of money. But I regret that I cannot agree with him. I think the site chosen for the new town hall is a splendid one.

Members: Hear, hear!

Hon. L. CRAIG: I can think of none better. I think Mr. Baxter said by interjection that the Government proposed to have buildings all over the place. Had he been here a few years ago he would have known that a Royal Commission considered the selection of a site for public buildings and eight acres of land from the Christian Brothers' College up to the tennis court at Government House were allocated for the purpose of public buildings. What could be better? Mr. Davies said that the adoption of this site for a town hall is taking away the heritage of the people. We have reclaimed the whole of the foreshore. When I was a child I used to paddle in a canoe all over the reclaimed area and I suppose an area of about 50 or 60 acres has been reclaimed altogether.

The Minister for Agriculture: Easily 100.

Hon. L. CRAIG: Very well, say 100. A magnificent playground for the people is already in existence and yet there is objection to having a paltry 200 feet by 400 feet being set aside. In the area already available there are wonderful views of the river and it is the people's playground.

Hon. H. Hearn: A natural site, too.

Hon. L. CRAIG: It can never be built out. We could not imagine a better site and I congratulate the Government and the City Council upon reaching agreement on such a splendid site. I sincerely hope that the House will strongly support the Bill and I am sure the people of Western Australia will agree to the proposal. It will be a splendid civic centre for Western Australia.

HON. H. L. ROCHE (South) [8.59]: Like Mr. Davies and Mr. Loton, I am opposed to the Bill, and it seems to me a matter for regret that the Government, knowing that this has been a matter of controversy

for a number of years, should have seen fit to introduce this legislation at such a late stage of the session. We might at least have been given the opportunity to give more time and consideration to the matter than will be possible now, with the closing of the session at the end of this week. Personally, it seems to me a retrograde steps to establish a town hall on this site, because it will be centralising, rather than decentralising the City of Perth. We have virtually everything connected with the city concentrated in a few streets, ignoring the fact that the city is spreading and must spread northwards and westwards.

I do not pretend to be an expert or to be competent to give a decided opinion as to where the town hall should be, but to place it on the extreme southern boundary of the city block does seem to indicate that we are not giving much consideration to the future development of the city. I am well aware that certain interests consider that the proposals might depreciate the values of such areas, particularly in the city.

Other interests are concerned at the thought, perhaps, of some inconvenience, but looking, say, 30 or 40 years ahead to the prospect of the metropolitan area one day having a population of upwards of 1,000,000, the establishment of the town hall on the site suggested is, to my mind, quite wrong. As Mr. Davies suggested, it certainly infringes on the rights of the public to the open spaces of the city. I well remember, as Mr. Craig has stated, the Esplanade being under water.

Hon. L. Craig: You are not old enough!

Hon. H. L. ROCHE: I well remember the water being there and Mr. Craig was able to indulge in his canoeing or, at other times, he may have been paddling. Such recreation reserves and playgrounds as have been provided for the people are small enough, having in mind the future development and progress of the city. The placing of the town hall on the extreme southern edge—because South Perth cannot be included in the greater city area —is wrong, and I will oppose the second reading of the Bill.

HON. H. S. W. PARKER (Suburban) [9.3]: It seems to me that some members are not conversant with the background of this proposal. First of all, it is the Perth City Council that will decide where the city hall is to be and, having decided that, it is then incumbent upon it to decide on the ways and means to obtain the site it wants. This is no new matter, and to my knowledge it has been going on for nearly four years.

The genesis of this particular site comes about in this way: The Royal Perth Hospital is now in course of construction and portion of it has already been built, which has cost over £1,000,000 to date. There are now varying opinions as to whether it is in the right place or not. As it is there, it does not matter very much who is right or who is wrong.

It now becomes necessary to obtain quite a good deal of land for the purpose of erecting nurses' quarters and other ancillary buildings for the Royal Perth Hospital. Obviously they must be in close proximity to the institution. After a considerable amount of research with the idea of even resuming the land, the only place available is that triangular piece of land which is mentioned in the Bill and which the Government is taking over from the City Council.

Hon. E. M. Davies: The Government can resume it; it does not have to exchange it.

Hon. H. S. W. PARKER: If members will allow me to proceed they may be a little wiser, or otherwise, when I have finished. Having decided on that, it then became necessary to discuss the matter with the Perth City Council. In order to oust that body from the area two steps had to be taken: (1) to pay for the resumption; (2) for the Perth City Council to obtain other premises for the works that were considered. Also, on that land certain other works are proposed which have something to do with the State Electricity Commission.

It is true that the area is Government land, but it belongs to a Commission which is a separate entity. Negotiations have now been going on for some considerable time, and I am pleased that the arrangements have now been concluded. They have been finalised for the purpose of dismantling an old and obsolete structure known as the Department of Agriculture in order that a new Perth town hall may be erected on the site. I am not in a position to say whether the site is large enough or not; I can only say that I am perfectly satisfied that the Perth City Council and its advisers—the Town Clerk is a qualified architect—consider it is large enough for a town hall that will serve Perth for a great number of years.

I am therefore not in a position to disagree with those experts. The land in front, which is now known as Stirling Gardens, has already been encroached upon by portion of the A.B.C. building, but since the original survey it has been extended enormously. It has taken in a road and has extended further south. I can recall, as an infant, being taken to the Government Gardens and sitting under a large tree.

Hon. E. M. Heenan: Did you see Mr. Craig there?

Hon. H. S. W. PARKER: No, he was after my time. If there is any sentiment attached to the proposal perhaps I might

be in a position to express some opinion, having been born within a few hundred yards of the place. I think it is an excellent and ideal site for the town hall of the capital of Western Australia. It is overlooking the Swan River and in time will be a place of real beauty and will always have—which is one of the conditions—gardens laid out in the front, which will be maintained by the Perth City Council. Obviously the council will keep its town hall beautiful. This site serves two purposes. We obtain ground for the essential and ancillary building for the new Royal Perth Hospital. One must remember that many hundreds of nurses have to be housed close to the hospital and therefore the land for their quarters must be close handy.

Hon. H. L. Roche: The Perth City Council made a hard bargain.

Hon. W. J. Mann: A very shrewd bargain.

Hon. H. S. W. PARKER: After all is said and done, the Perth City Council may have made a hard bargain, but members who have spoken have said that they are interested because they are citizens of the State. Therefore, as such, if the Perth City Council did make a hard bargain it is not benefiting by the exchange because it has been made for the benefit of the State. So what does it matter? Actually the Perth City Council has not made a hard bargain if we are to have a city hall of which every person in the State is to be proud. No doubt each and every one of us could pick out a different site for the city hall, and I respect the viewpoints of those who have other ideas. However, we sometimes have to give way to the opinions of other people, and to my knowledge discussion by a committee has been proceeding for four years for the purpose of selecting a particular site. The final decision now comes before Parliament and, as one member has said, it has been brought down late in the session. I would point out that that member has perhaps only just considered the matter, but others, who are experts, have been giving attention to it for ages.

Again, it was suggested that we have public offices all over the town. So we have! But you, Sir, will recollect full well that more than 12 years ago we had a Royal Commission to decide on the best site for public offices. I remember well the site as it then was, which was selected for this building. One gentleman on that particular Commission was most heated about the particular site selected; but he was a member of the Commission and he finally had to agree that that was the only site. Since the decision was made, the land has been filled in and members will probably have noticed that the area has been built up above the level of the wall. The filling will eventually settle down as there used to be a swamp there with the land dropping away towards the river. The area is being prepared for the erection of the building but obviously the structure cannot yet be proceeded with.

We urgently need public offices because all Government buildings are overcrowded. It is even most difficult for Ministers to find offices. The Minister for Transport has to house his secretary in an office adjacent to this Chamber because there is nowhere else for him to go. Although we are aware of the urgent need for public offices, in view of the present shortage of houses it would be wrong to attempt to go ahead with the construction of a new building. However, directly, all that frontage on the south side of St. George's-terrace will be something of which all members will be proud. I am very pleased indeed that the Government has been able to arrange at last: (1) the erection of a town hall on the site proposed, and (2) securing ground for the erection of the nurses' quarters.

HON. SIR CHARLES LATHAM (Central) [9.13]: There are two matters about which I would like some information from the Minister. The first concerns the area of land to be given to the council. Usually a plan accompanies a proposal such as this, and at least reference to the area of the land to be transferred could have been included in the Bill itself. There is certainly mention in the Bill of a strip of land 24ft. wide in one case and 12ft. wide in another, but there is no reference whatsoever of the area of the proposed site for the town hall. In the Fourth Schedule, of course, it states:—

> Portions of Perth Town Lots W81, W82, W83 and W85, being the whole of land comprised in the following Certificates of Title:—

It then goes on to give the lot numbers of other blocks, portions of which are to be revested in the Crown for hospital purposes.

The Minister for Agriculture: It means the whole piece there; but that does not mean that that will be the exact spot.

Hon. Sir CHARLES LATHAM: Parliament ought to have the information.

The Minister for Agriculture: We probably could not tell today the exact spot on which the building is to be erected.

Hon. Sir CHARLES LATHAM: Well, what we are doing now is merely transferring a piece of land to the Perth City Council—a most valuable piece of land in the city—which is of unknown depth and width.

The Minister for Agriculture: It is not of unknown depth; it is to be between the Supreme Court and St. George's-terrace.

Hon. Sir CHARLES LATHAM: Does it take in the Supreme Court building?

The Minister for Agriculture: No.

Hon. Sir CHARLES LATHAM: Well, I understand the gardens are to be transferred to the Perth City Council. There was a certain amount of commonsense in the suggestion that we should not hurry on with this measure. I know this question about the town hall site has been under consideration for a very long time. Let members recollect what has happened elsewhere. In Melbourne it has become necessary to find another site for the town hall, and it is proposed to erect it in a huge park. We should make further inquiries about this proposal because we are to erect a town hall on the main thoroughfare.

Hon. L. Craig: The main thoroughfare will be at the bottom of the block.

Hon. Sir CHARLES LATHAM: The main thoroughfare in Perth is St. George's-terrace. If we are to have a town hall that will be worthy of the name, it should be one to seat 5,000 people.

Hon. J. A. Dimmitt: Not at all.

Hon. Sir CHARLES LATHAM: Of course it should. There is to be only one town hall; we are not to have half a dozen of them. If we are to have a building that is worth while, there will be occasions when at least 5,000 people will want to go there. It is not an extravagant statement to say that seating accommodation for that number will be required. Where will be the approach to the building for 5,000 people? Where will they park their cars?

The Minister for Agriculture: Down by the river.

Hon. Sir CHARLES LATHAM: Fancy ladies in their evening dresses having to leave cars parked down by the river and walking up to the town hall, perhaps in rain and getting drenched.

Hon. L. Craig: They would not walk from the cars.

The PRESIDENT: Order! Will members allow Sir Charles to continue?

Hon. L. Craig: In Melbourne cars are parked over Princes Bridge.

Hon. Sir CHARLES LATHAM: I know that, and I want to avoid anything similar happening here. As a matter of fact, they park their cars in the city and then call a taxi so that they can be driven to the town hall.

Hon. L. Craig: It is customary here for gentlemen to take their ladies to the front door of the building and then drive away and park their cars wherever they can!

Hon. Sir CHARLES LATHAM: What a wonderful idea that is for Mr. Craig to propound. If 5,000 people go along and the cars are to be taken to the front door of the town hall in order that the ladies may be dropped there, how long will it take to get that number of people into the town hall? What a wise interjection!

The Minister for Agriculture: What do you suggest?

Hon. Sir CHARLES LATHAM: There is a lot of commonsense in what Mr. Loton said. We have Parliament House on a beautiful site here and it is an important building.

The Minister for Agriculture: Too right.

Hon. Sir CHARLES LATHAM: Then we have another site close by with streets on four sides. It would provide a beautiful site with gardens all round and good roads. In fact, it is an ideal site.

Hon. L. Craig: Just like the site selected.

Hon. Sir CHARLES LATHAM: I do not know what chance we have of getting the land but it is certainly an ideal site for a town hall. Perth will expand. It can extend only to the north because expansion is blocked to the south by the river. If there is any justification for the construction of a town hall, let it be on the best site securable. If there is any justification for a second town hall, it might be that it should be constructed on the other side of the river, and that would serve the territory of Mr. Davies. There was commonsense in what he had to say. I do not know why we are hurrying this matter. It has taken the officials a terribly long time to arrive at a decision and now we, as representatives of the people in Parliament, are asked to agree to the proposition in five minutes.

The Minister for Agriculture: The Bill has not to be rushed through in five minutes.

Hon. Sir CHARLES LATHAM: I have had a look through the Bill.

The Minister for Agriculture: And you can have another go at it.

Hon. Sir CHARLES LATHAM: I heard one member ask for the adjournment of the debate.

Hon. H. Hearn: And he could not get it?

The Minister for Agriculture: Who stopped him?

Hon. Sir CHARLES LATHAM: The adjournment was opposed.

The Minister for Agriculture: I did not oppose it.

Hon. Sir CHARLES LATHAM: I am sorry; I will withdraw the remark.

Hon. J. A. Dimmitt: It was not put to the vote.

Hon. Sir CHARLES LATHAM: All I know is that a member stood up and asked for the adjournment.

Hon. H. Hearn: And he was a representative of a city constituency.

Hon. Sir CHARLES LATHAM: It was not necessary to call for a seconder, but the request was opposed.

The Minister for Agriculture: Do not blame me.

Hon. Sir CHARLES LATHAM: I will not allow any official of a State department to determine for me what I shall do. While I am here, I do not want anyone to tell me how I must vote. The only place where a Bill of this description should be considered and ample time given for consideration, is in Parliament.

The Minister for Agriculture: That is why the Bill is before the House.

Hon. Sir CHARLES LATHAM: So far as I am concerned, it will not be rushed through. It could easily be dealt with next session. Let us have some more information. Let us know what is the exact area to be utilised.

The Minister for Agriculture: There is a plan on the wall.

Hon. Sir CHARLES LATHAM: There is no carriage-way provided for.

The Minister for Agriculture: There is provision for extra width for both Barrack-street and St. George's-terrace.

Hon. Sir CHARLES LATHAM: We have been endeavouring for a long time to extend the width of some of our streets to cope with the increasing traffic, and the little extra width provided will not do much good. The only effect will be to push buildings back further into the garden.

The Minister for Agriculture: That is where some of your 5,000 cars will park!

Hon. Sir CHARLES LATHAM: Do not let us be foolish enough to be precipitate and land ourselves in trouble later on. In five or 10 years' time as this State grows—it must grow if we are to hold it, let members make no mistake about that—we should look ahead and provide some adequate site rather than have this extensive building erected on a "squatty" bit of land. One suggestion advanced is that the Perth railway station will have to be moved and we might find a suitable site there. It would certainly be more central. In my opinion, the ideal place is on the hill above Parliament House. The Observatory could be re-established in the hills and that would be quite satisfactory. The astronomers could do all their observing there without causing any inconvenience to anyone. I do not know if we could secure that piece of land, but it would be eminently suitable. There would be ample room for parking and, what is more important, the building could not be erected in the centre of the city without adding to the traffic problem. I ask the Government to consider the whole matter further. Why can the decision not be held up till next session? Nothing will be done in the meantime. In this instance there is no question of anyone wanting to purchase land so as to get plenty of compensation from the Government.

The Minister for Agriculture: What about the site for nurses' quarters? That is very important.

Hon. Sir CHARLES LATHAM: Governments today seem to live from day to day.

The Minister for Agriculture: Why do you say that?

Hon. Sir CHARLES LATHAM: A little while ago there was a property in Wellington-street, which forms a part of the land that is to be exchanged on which MacFarlane's premises were erected.

The Minister for Agriculture: That is in Murray-street!

Hon. Sir CHARLES LATHAM: It forms part of the area, and that particular portion was transferred to the Commonwealth Government.

The Minister for Agriculture: That would not be half big enough for the purpose.

Hon. Sir CHARLES LATHAM: What the Government proposes is to extend the area back to the railway line, and there will be the noise of trains by day and night. The nurses will have a wonderful time! I ask the Minister not to push the Bill to a vote tonight.

The Minister for Agriculture: I am not trying to rush it through tonight.

Hon. Sir CHARLES LATHAM: In his reply the Minister could tell us what area is to be taken over for the purposes of the town hall. I have seen the sketched plan on the wall but there is no indication there.

Hon. H. Hearn: We do not expect too much these days.

Hon. Sir CHARLES LATHAM: I would not regard the plan as indicating anything at all.

The Minister for Agriculture: You know that is not all. Why talk like that?

Hon. Sir CHARLES LATHAM: I do not know anything of the sort.

The Minister for Agriculture: You do.

Hon. Sir CHARLES LATHAM: I always thought the park was known as Union Jack Square.

The Minister for Agriculture: No, that is down by the river.

Hon. Sir CHARLES LATHAM: I may have made a mistake.

The Minister for Agriculture: Do not look so innocent.

Hon. Sir CHARLES LATHAM: I trust the Minister will give us some more information. We have not had much so far.

The Minister for Agriculture: I have no intention of trying to push the Bill through tonight.

HON. J. G. HISLOP (Metropolitan) [9.25]: I object to the form in which the Bill has been presented to the House. I do not see that the site for the town hall has anything to do with the lay-out of the building required for the Royal Perth Hospital. The two propositions have nothing in common. Both are essential, but if two bodies are to decide what is to take place in this way, I certainly object to it, although I realise that both requirements are essential to the people. The Bill should have been placed before us in two parts, one dealing with the site for the town hall and the other with the transfer of land from the City Council to the Government to provide for hospital needs.

The Minister for Agriculture: We could not do that.

Hon. J. G. HISLOP: If we are to decide the matter by means of a transfer between two bodies, we will not get very far. Both are of such importance as to warrant separate announcements, one dealing with the site and the other with the block.

Hon. E. M. Heenan: What does that matter so long as we get the best piece of land?

Hon. J. G. HISLOP: We may object to the town hall site, and to the transfer of land for the purposes of the hospital. Is that the way to conduct the affairs of State? Of course it is not. Both phases are of importance to the people. I shall vote against the Bill on principle. I was interested to hear Mr. Parker talk about the needs of the Royal Perth Hospital. I have been standing in my place in this House clamouring for land for the purposes of the hospital, and little has been done.

Hon. E. M. Heenan: Were you not in favour of the present site?

Hon. J. G. HISLOP: I had nothing to do with the choosing of the present site. It is obvious that we must provide sufficient ground to make the site workable. I forwarded to Sir William Abercrombie, when he was here, my views regarding the area that should be resumed for hospital purposes. My proposal consisted of the piece of land with which the Bill is concerned, but also with lots 1 to 17 appearing on the plan. In other words, the area covered the land from Tomlinson's corner through to Nash-street and also the land running east from the hospital along Wellington-street down to Hill-street and along Goderich-street.

There is no doubt that future medical services will expand tremendously, and we shall require the area opposite for nurses' quarters. In fact, in time to come the building that will be erected for nurses' quarters will develop into the finest hotel in the State. It will not only provide 400 single rooms for nurses but will contain all the ancillary services to be found in modern institutions. That is essential, whether we decide upon the site for the town hall or not.

As to the town hall site, that on which it is proposed to erect the building is not nearly big enough. It would be impossible to build the requisite building on a 200-ft. frontage. I know it has been done in other parts of the world but the people have regretted the action they took. There are some cities where the town hall has been built amongst other buildings, and with the passing of years they have been absorbed in the general accumulation of buildings, so that they lost the original features because of their surroundings.

I have been in cities in other parts of the world where the town halls are erected on sites surrounded by spacious roads with streets giving access to them from the four points of the compass. The site we are discussing has no advantage of that sort, for the simple reason that this Bill prevents us from going through Stirling Square with approaches proper to a town hall. It prevents us from putting a road on the piece of land which is to be provided for the town hall. The result is that we will be left with only two approaches to the building. One is in St. George's-terrace where the buses will pass by, because there are bus stands the whole length of the frontage; and the other is the entrance facing the Esplanade.

Hon. H. S. W. Parker: Can you not see any advantage at all from the transport point of view?

Hon. J. G. HISLOP: I can see tremendous transport advantages. I can see Mr. Parker coming to grand opera in the town hall in a helicopter—providing there is room for him to land!

Hon. H. S. W. Parker: I thought you had great flights of imagination.

Hon. J. G. HISLOP: The hon. member asked for it. It does not require a great stretch of imagination to realise that that could happen. But there will have to be larger parking areas. If we are to look at this matter from the standpoint of modern planning, we must consider not only the provision of a town hall, but also a civic centre in which there might well be an opera house, a library, and Government offices in close proximity, together with large parking areas, lawns, paths and drives so that the buildings would be approachable from any angle. I agree with Sir Charles Latham that this site would not be satisfactory from a transport point of view. We simply would not get people into the building for any entertainment unless it was decided that Stirling Gardens should be the approach to the town hall.

Hon. Sir Charles Latham: The building should be in the middle.

Hon. J. G. HISLOP: I would agree to the site if it included the whole of Stirling Gardens and authority were given for the removal of the Supreme Court building or its incorporation in other buildings provided for in the new project; but there must be a larger frontage than 200-ft. Another disadvantage is the tremendous slope of St. George's-terrace to the Esplanade, which will mean that the building could never become a piece of architectural beauty in the city because of the difference facades essential on the two sides. I agree that this is a most important measure and should not be hurried through. If we are to provide a site for a town hall, that site should be large enough and adequate for our needs.

I protest again at the division of the Bill into two parts and at our not being able to have one without the other. It is possible for us to delete the first half, but we then make a binding agreement on the City Council without its getting anything in return. I object to this sort of thing. The site of a town hall is something this House should decide, and the care and provision of adequate surroundings for the Royal Perth Hospital is another matter altogether. Both are essential and each should be dealt with separately.

HON. W. J. MANN (South-West) [9.34]: If it had not been for the lack of a comprehensive plan showing the intended layout of the City of Perth, we might not be at such cross purposes as we are. The trouble arises because throughout past years public buildings and other large structures have been dropped here and there at the whim of the Government of the day. I do not like the idea of a town hall being placed on this proposed area; nor did I like the idea of the Royal Perth Hospital being dumped where it is. If ever there was a shocking blunder perpetrated in this city it was when that huge building was erected on its pocket handkerchief site. While the building may be something to be proud of, its location is something we can only regret.

I think there is a connection between the City Council's eagerness to get hold of the proposed site and its willingness to exchange a piece of land on which nurses' quarters can be built. I believe the council can see the Government's dilemma and is making very good use of it. The council said, "Here you are! Here is a piece of land that will suit your purpose. You can have it without cost so long as you give us a piece of land just down the road."

In my opinion, there is no comparison whatever between the values of the two properties; and while I do not blame the hospital authorities—they have to get further space—neither do I blame the council because, after all, it is there to do the best it can for the ratepayers. But I cannot help thinking that even in connection with this Bill, we would have been able to come to a much more intelligent decision had we a plan showing the proposed lay-out of the new town hall and how the present Stirling Gardens are to be utilised and what is the position generally.

I was a member of the Commission that selected the site for the proposed new Government buildings, and it is quite true that dozens of sites were submitted to us. Some wonderful offers were made for the acquisition of property at fabulous rates; but we took the view that the ultimate and proper end of that piece of territory facing St. George's-terrace, from Barrack-street to Aquinas College was its reservation for Government purposes, and that so far as possible it should be turned into a delightful park for the use of the people. I do not know whether any further plans are in existence for those Government buildings; but I recollect seeing the plans submitted to us on that occasion. There were five buildings in number, nicely spaced and leaving ample room for carriage drives and motor drives to go round and through together with reasonable space for parking, such as will be essential when these buildings are erected.

The Bill proposes to put a town hall on a piece of land which, as Dr. Hislop said, is altogether too small. I have seen the proposed plan of the new town hall on the site. Other members may have seen it, too. It was published in "The West Australian" in 1946. I came across it only yesterday and it shows the new building facing Barrack-street and the present gardens re-designed and made into something that is desirable. It also shows the background, Government House ballroom and Government House building having been demolished and new Government buildings substituted. That is not an unpleasant suggestion, and I am sure that if members were to see that plan it might somewhat temper their opposition.

Again, I cannot help thinking that to place the town hall on the boundary of the city is quite wrong. Somebody must do a lot of hard thinking in the future on the subject of where the centre of the city is going to be. The city cannot very well extend eastwards because in that direction there are churches and the Royal Mint. There is not much space before the Causeway is reached. The centre of the city cannot extend to the west because of the river, and it cannot go south. It can only go north.

Whether we like it or not, the time will come when the railway eyesore will have to be removed. The suggestion has been made for some years. I think I first heard it from Sir Ross McDonald who said that we might utilise the railway site for a new town hall. To an extent I protest against Bills of this kind being intro-

duced at the fag end of the session. We could very well have had this Bill earlier when there was not a great deal of business on the notice paper.

The Minister for Agriculture: What are we going to bring down at the end of the session?

Hon. W. J. MANN: Bills of this kind ought not to be brought down now. Someone has said that it does not matter whether this question is decided this week or next week, this session or next session; that it will not make a scrap of difference ultimately. But the position is that we are asked to reach a decision in the course of three or four hours at the most which the committee took four years to decide, according to the evidence submitted by the Minister. Is that fair? I do not think it is. While I would like to see the matter settled, I feel that if this Bill is lost the Government will have only itself to blame. I do not think we are having sufficient time to consider it, and I think it is the right of this House to expect a little more information on such matters.

I know that if I were trying to negotiate a deal or sell something I should have some very good literature and plans and illustrations available for the purpose. I cannot understand the Perth City Council being so remiss in this connection. If it has a scheme half as wonderful as it says it has, I cannot see why it did not get that scheme on to paper and send it along and let us see what is proposed. It might then receive our support. I intend to reserve my decision on the Bill until I have discovered whether the Minister can supply us with a little more information. If the House thought that way, I would not be averse to the Bill being stood over till next session.

On motion by Hon. H. Hearn, debate adjourned.

BILL—INCREASE OF RENT (WAR RESTRICTIONS) ACT AMENDMENT (No. 2).

In Committee.

Resumed from the 30th November. Hon. J. A. Dimmitt in the Chair; the Minister for Transport in charge of the Bill.

The CHAIRMAN: Progress was reported after Clause 11 had been dealt with.

Clause 12—New Section 15A inserted:

Hon. H. S. W. PARKER: I move an amendment—

> That in line 3 of Subsection (1) of proposed new Section 15A the words "being a dwellinghouse" be struck out.

A number of amendments to this clause appear on the notice paper in my name. The amendment I have just moved will, if agreed to, have the effect of making the measure apply to all premises and not just dwellinghouses. I propose also to move an amendment, the effect of which will be that a notice not exceeding six months shall be given as notice to quit. I shall also move an amendment allowing the owner to regain possession of premises for use or occupation by a relative.

A further amendment will be moved to provide that the notice to quit shall conform to what was the law prior to 1939—in other words, the common law. Decisions of the courts have made it difficult to determine just what the law is in this regard, and it has been held by some courts that, in the case of a statutory lease, the notice to quit does not terminate the tenancy. The amendment will provide that a proper notice to quit shall terminate the tenancy.

The MINISTER FOR TRANSPORT: I hope the Committee will not accept the amendment, as this is a vital clause and many of the amendments to be moved subsequently will be determined by the decision of the Committee in this instance. As the clause stands, if the owner wishes to regain possession of his house he must give three months' notice to quit and the court then determines whether the hardship of the owner is greater than that of the tenant, or not. The court has discretion to give the tenant an extension of tenure for anything up to six months. If the Committee decides to alter that provision I am afraid the question will resolve into a conference between both Houses and in that event I think it would be decided that the provision should remain as it stands. The amendment would bring business premises and dwellinghouses into the same category, whereas the Bill was designed to have reference to dwellings only.

Hon. H. K. WATSON: I hope the Committee will agree to the amendment as I do not think there is any reason for distinction between dwellings and business houses in this regard.

Hon. L. A. LOGAN: I take it that the amendment, if agreed to, would enable people who have bought business premises to gain possession of them in order to carry on their businesses. If that is all the amendment would do, I see no reason why the Committee should not agree to it.

Hon. E. M. HEENAN: A close reading of the Bill will show that it has been drafted especially to deal with dwellinghouses. In my opinion, the clause would need redrafting if it were made to apply to all premises. In effect, it amounts to this: If a person becomes the owner of a dwelling-house today, at the end of six months, provided he has resided in Western Australia for two years, he can give notice to the occupant to quit.

The Minister for Transport: Resided in Australia for two years?

Hon. E. M. HEENAN: Did I say Western Australia?

Hon. Sir Charles Latham: The word "State" is there but it is proposed to alter it.

Hon. E. M. HEENAN: That is obviously intended to apply to cases where people purchase houses. Surely we do not want to throw that open to all premises. It would only create chaos.

Hon. L. A. Logan: There is no reason why it should.

Hon. E. M. HEENAN: It most certainly will. I support the Minister and strongly urge the Committee against accepting the amendment as proposed by Mr. Parker.

Hon. J. G. HISLOP: Members know my objection to restrictions, but I am just a bit wary about this. I am not at all happy that a large company, which owns a building occupied by small businessmen and professional men, can say that they want to expand, and the tenants must leave. From a professional angle, these people would find it very difficult. I have already been informed by my colleagues that if legislation of this sort were passed they might find themselves in great difficulties. No buildings have been erected in recent years to which they could go.

Many dwelling-houses have been erected and houses are being advertised, with vacant possession, for purchase. But that does not apply to professional suites, business rooms and offices in the city, and I am wondering whether we shall be doing a greater injustice by retaining the restrictions or by passing this measure. It is something I am not at all happy about. I would like to express a word of disquiet with reference to converting the application of this clause from dwellinghouses to all premises.

If a number of professional men were to leave their premises today, it would be impossible for them to find other accommodation. Recently, a firm decided to build a block of medical chambers in St. George's-terrace and they wrote to the profession inquiring which members were in need of further accommodation, and those whose accommodation was inadequate for their needs. Forty-three medical men wrote to that company asking for rooms in the new building. Not only in my own profession must there be those difficulties but they must extend to others as well. I am rather hesitant to know what to do in the matter.

Hon. H. L. ROCHE: I think the Committee should support this amendment. Surely we have reached the stage at which there is fairly wide agreement that the owner of a dwelling-house should have the right to occupy his own place. We have most certainly reached the stage where the owner of business premises should have the right to occupy them. There will be people who wish to carry on in those premises. We have to face the fact that sooner or later they must find other accommodation. It is time we eased this restrictive legislation. It has been mentioned before that people obtaining these premises are protected by the Act and are in a position to demand from the owners of the premises amounts up to £3,000 to get the use of their own property. I hope the Committee will accept the amendment.

Hon. Sir CHARLES LATHAM: This is one of the amendments I put on the notice paper as well. Evidently great minds think alike. But Dr. Hislop has raised an issue to which the Committee must give serious consideration. If this provision is struck out, it will mean that professional men in the city who occupy one or two rooms will be served with notice at the end of the period. After all, we are having enough difficulty today to get accommodation for doctors and professional men.

Hon. H. L. Roche: They are not all likely to be thrown out.

Hon. Sir CHARLES LATHAM: A place like Airways House has been bought by the Commonwealth Government and that Government is negotiating for other places, which means that many more people will require accommodation.

Hon. H. Tuckey: We cannot stop the Commonwealth Government, can we?

Hon. Sir CHARLES LATHAM: No. I know that National House has been bought by a syndicate for the preservation of its rights in the area. I am a bit worried as to whether we are not going to make it more difficult, and I would like to hear some further argument before I support the amendment. The other day I mentioned the case of a firm that refused to buy a building that was available and when it was bought by somebody else, and although the firm's lease had expired, it sat pat on its right to stay there. The firm had an opportunity of purchasing the property and could have done so because it is a very wealthy firm. A lot of trouble is created between owners and tenants by this type of legislation, and I am anxious to see the right course adopted.

Hon. H. TUCKEY: I support Mr. Parker in his amendment and, like Mr. Roche, I feel it is high time we did something to lift some of these restrictions. I do not see eye to eye with Dr. Hislop when he says it will mean that companies will turn out their tenants. I do not think that would happen, as owners would be reasonable in dealing with a matter of this kind. How long is it going to be before owners have a say in the matter of their own properties? I think we have waited long enough and we should now let these people have their properties back. If I felt that landlords were going to do as Dr. Hislop suggests, I would be the first to try to prevent that being done. I support the amendment.

The MINISTER FOR TRANSPORT: I think some members are forgetting that owners are applying for their premises now and are getting them. It is only where a tenant can establish good reasons which will satisfy a court that he is allowed to retain a tenancy. It will be seen that in Subsection (6) of proposed new Section 15A there is a penalty of £500 provided if an owner parts with possession within 12 months following the date of recovery of his premises. It is quite ordinary for business premises to change hands two or three times a year. I would suggest that this also applies to the owner of a dwelling-house.

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

Ayes	12
Noes	12
A tie	0

Ayes.

Hon. N. E. Baxter	Hon. A. L. Loton
Hon. L. Craig	Hon. H. S. W. Parker
Hon. J. Cunningham	Hon. H. L. Roche
Hon. H. Hearn	Hon. H. Tuckey
Hon. A. R. Jones	Hon. H. K. Watson
Hon. L. A. Logan	Hon. Sir Chas. Latham (*Teller.*)

Noes.

Hon. G. Bennetts	Hon. J. G. Hislop
Hon. R. J. Boylen	Hon. W. J. Mann
Hon. E. M. Davies	Hon. C. H. Simpson
Hon. Sir Frank Gibson	Hon. H. C. Strickland
Hon. E. H. Gray	Hon. G. B. Wood
Hon. W. R. Hall	Hon. E. M. Heenan (*Teller.*)

Pair.

Aye.	No.
Hon. R. M. Forrest	Hon. G. Fraser

The CHAIRMAN: The voting being equal, the question is resolved in the negative.

Amendment thus negatived.

The MINISTER FOR TRANSPORT: I move an amendment—

> That in line 7 of Subsection (1) of proposed new Section 15A the word "State" be struck out and the word "Commonwealth" inserted in lieu.

This is consequential on a previous amendment because the use of the word "State" would be contrary to Section 117 of the Commonwealth Constitution.

Hon. H. S. W. PARKER: I think it would be sufficient to insert the word "Australia" because "Commonwealth" is not defined anywhere, though we know what it means.

The MINISTER FOR TRANSPORT: The meaning is the same. These amendments were suggested by the Law Society, and I should like to bring this clause into conformity with the one previously amended.

Hon. Sir CHARLES LATHAM: The parent Act refers to the Commonwealth and to Commonwealth regulations, and the word when used in this measure must have the same meaning.

Amendment put and passed.

Hon. H. S. W. PARKER: I move an amendment—

> That in line 8 of Subsection (1) of proposed new Section 15A after the word "occupation" the words "or for the occupation of a relative who has resided in the Commonwealth for a period of not less than two years" be inserted.

This would apply if an owner required the dwelling for his own use or for the use of a relative. The word "relative" has been defined.

Hon. E. M. Heenan: Where?

Hon. H. S. W. PARKER: In Clause 2. It includes spouse, son, daughter, mother, father, brother or sister.

Hon. R. J. BOYLEN: Mr. Watson has given notice of a similar amendment which he is not moving, the difference being that his amendment referred to a relative "who is married." I think those words should be inserted.

The Minister for Transport: I will accept the amendment.

Hon. H. S. W. Parker: I have no objection to the insertion of the additional words.

Hon. R. J. BOYLEN: I move—

> That the amendment be amended by inserting after the word "relative" the words "who is married."

Amendment on amendment put and passed; amendment, as amended, agreed to.

Hon. H. S. W. PARKER: I move an amendment—

> That in lines 10 and 11 of Subsection (1) of proposed new Section 15A the words "if a lease of the premises is still subsisting" be struck out.

Why should one want to give notice to quit if there is no lease? A lease must be subsisting. Or does it mean a lease or a mere occupation? The words are confusing and might lead to legal difficulties.

The MINISTER FOR TRANSPORT: I have no objection to these words being struck out. I am glad of Mr. Parker's explanation because I was at loss to understand what they meant. I understand there has been a court ruling that a week to week tenancy constitutes a lease.

Hon. Sir Charles Latham: The definition is contained in the Act.

Amendment put and passed.

Hon. H. S. W. PARKER: I move an amendment—

> That in lines 11 and 12 of Subsection (1) of proposed new Section 15A the words "to terminate the lease and" be struck out.

The measure sets out distinctly that notice to quit is a termination of tenancy. We do not want to bring about confustion by saying, "Notice terminates the tenancy and you are then to quit." Confusion would arise in the courts because they say that we cannot terminate a statutory lease.

Hon. L. Craig: What effect will this have on the three- or four-year lease?

Hon. H. S. W. PARKER: None at all.

The MINISTER FOR TRANSPORT: I do not oppose the amendment. Would it not provide the authority to serve notice to quit where there was no lease?

Hon. H. S. W. Parker: We cannot serve notice to quit until the period of occupation is finished.

Hon. L. Craig: It applies only to leases that are overdue.

Hon. H. S. W. Parker: That is so.

Amendment put and passed.

Hon. H. S. W. PARKER: I move an amendment—

> That in line 12 of Subsection (1) of proposed new Section 15A after the word "up" the words "possession of" be inserted.

Amendment put and passed.

Hon. H. S. W. PARKER: I move an amendment—

> That in line 13 of Subsection (1) of proposed new Section 15A the word "three" be struck out and the words "not exceeding six" inserted in lieu.

A later amendment I have states—

> Provided, however, that if the lessor has owned or part owned or shall own or part own the premises for a longer period than six months, the period of such notice shall be reduced by one month for each completed period of six months' ownership. Provided further that the minimum period of notice under this section shall be three months.

If an owner has owned the premises for six months only he would have to give six months' notice. If he had owned them for 12 months he would give five months' notice, and so on. I understand that Mr. Watson has a different view, but my idea is to cut it down according to the length of ownership.

Hon. L. Craig: It is a little complicated.

Hon. H. S. W. PARKER: I do not think so.

The MINISTER FOR TRANSPORT: I oppose the amendment. The Bill clearly indicates that the lessor or owner has the right to give the tenant three months' notice to quit and the court may extend the period by another six months. The owner may get his place back at the end of three months, but under the amendment it would be mandatory on the court to give him possession according to the length of time he had owned the premises. Whilst there may be something to commend the amendment, it would be better to stick to what is in the Bill as it is clearer and easier to understand; and it gives the court the right to decide whether it will allow repossession within the time stated.

Hon. H. K. WATSON: I disagree with the Minister when he supports the provisions in the Bill on the ground of simplicity, because it is not simple. The proposed new subsection allows of a possible period of nine months before an owner can gain repossession of a dwelling for his own purposes. I agree with the principle put forward by Mr. Parker, namely, that the period stated in the new section should be final and conclusive and that there should be no appeal to the court. The only point on which I join issue with him is that whereas his amendments are calculated to provide for a period of six months, reducible by one month for each six months during which a person has owned premises, with a minimum of three months, I propose that there should be a straight-out four months' notice. Mr. Parker's proposition is a bit complicated. It is too much like an income tax schedule to me. A sliding scale might create complications. The tenant has to be considered no less than the landlord. He might not know how long the landlord has owned the premises and therefore would not know what notice had to be given.

Hon. L. A. LOGAN: I can see one great advantage in Mr. Parker's amendment as against the suggestions of the Minister and Mr. Watson. Under the present set-up, 95 per cent. of the cases would be finalised at the expiration of nine months—pretty well on the one day. Under Mr. Watson's amendment the same position would apply at the end of four months, but under Mr. Parker's amendment there would be a staggering of the period to the extent of three months which would give the tenants time to look around.

The MINISTER FOR TRANSPORT: I still suggest that the Bill should remain as it is printed. Both Mr. Watson's and Mr. Parker's amendments will have a mandatory effect and neither take into account the discretion which the court exercises. That is what the courts are for—to determine the relative hardships in all the different cases.

Hon. H. HEARN: I am not very worried as to which amendment we should agree to, but I hope that we are going to get away from the original Bill. Some people have waited for 11 years and to tell those persons, who are growing old waiting for their homes, that they have to wait another nine months is not fair.

Hon. E. M. HEENAN: We all seem to be losing sight of the fact that this clause applies to people who have recently purchased houses, or purchased them and owned them for six months. While deserving of some consideration, surely they are not worthy of the consideration that should be bestowed on people who have owned their houses for years and want to get their tenants out. That is where Mr. Hearn is mistaken. I agree with the Minister that the man who is best fitted to weigh all the pros and cons of the different cases is the magistrate. He hears both sides and gives relief to the person most deserving of it.

I ask members not to be misled by the incorrect statements made by Mr. Watson. He said that it would cost people 10 guineas to go to court. I assure members that that is quite a wrong statement. The average person can go into court on these matters without any legal advice. It is not a matter of legal argument at all. The parties go before a magistrate who understands these types of cases and he hears both sides of the question and gives a decision accordingly.

Hon. H. C. STRICKLAND: I, too, think the clause should remain as it is printed. Now that we have widened the ownership section, considerable discretion should be allowed to the magistrate to decide these cases. Because the period can be extended to a maximum of nine months does not mean that every case will be extended.

Hon. H. Hearn: The majority will be.

Hon. H. C. STRICKLAND: It will be left for the magistrate to decide and he will judge a case on its merits.

Hon. G. BENNETTS: I, too, support the Minister. As Mr. Heenan has said, people buying houses now are well aware of the conditions and should not be given the same consideration as people who have owned houses for some years. I know of one case where a person has owned a home for some years and is receiving only £1 a week. The magistrate, in that case, should grant immediate possession to the owner or may be there should be a provision in the Bill so that the Government could give priority to the tenant to enable him to build and so permit the owner to gain occupation if he has owned a home for some years.

Hon. H. K. WATSON: A point was raised by Mr. Logan which should be answered. At first glance his claim about all these notices to quit expiring on the same day, appears to have some merit. However, I challenge the statement because where it is a definite notice no-one but the biggest fool would wait until the eleventh hour of the eleventh day to look for accommodation.

Hon. E. M. Davies: There would be nowhere to go.

Hon. H. K. WATSON: Time and again alternative occupation has been offered, but because it does not suit it is not accepted. That is a matter where these people have to exercise discretion or yield to circumstances. If we had a definite four months' notice, then before the four months were up most people would be looking for accommodation instead of waiting until the death-knock. A point was also raised by Mr. Heenan about legal costs. I have an account in front of me. A landlord was an applicant before the court on the 29th November and this is an account from the solicitor, including the notice to quit, summons, attending court and so on. The total account is £11 5s. 6d. That case was not even completed and the owner did not get possession because the application was adjourned sine die.

I come now to the question of leaving matters to the magistrate. I have a recommendation passed on to me by a legal practitioner who spends no end of time in handling these distressing cases. He feels that the proceedings are so distressful both to the landlord and tenant that there should be a definite recommendation for the Act to contain a fixed notice to quit and that no exception be made for special circumstances, with no discretion given to the magistrate to lengthen or shorten the term. He says that in this way the rights of the parties will be made certain and they will know where they stand and how much time they have to make other arrangements. That letter was written last May and I see no reason for changing my views about his recommendation.

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

Ayes	13
Noes	11
Majority for	2

Ayes.

Hon. N. E. Baxter	Hon. W. J. Mann
Hon. L. Craig	Hon. H. S. W. Parker
Hon. J. Cunningham	Hon. H. L. Roche
Hon. H. Hearn	Hon. H. Tuckey
Hon. J. G. Hislop	Hon. H. K. Watson
Hon. L. A. Logan	Hon. A. R. Jones
Hon. A. L. Loton	*(Teller.)*

Noes.

Hon. R. J. Boylen	Hon. Sir Chas. Latham
Hon. E. M. Davies	Hon. C. H. Simpson
Hon. Sir Frank Gibson	Hon. H. C. Strickland
Hon. E. H. Gray	Hon. G. B. Wood
Hon. W. R. Hall	Hon. G. Bennetts
Hon. E. M. Heenan	*(Teller.)*

Amendment thus passed.

Sitting suspended from 11.2 to 11.25 p.m.

Hon. H. S. W. PARKER: I move an amendment—

That all words after the word "notice" in line 14 to the end of proposed new Subsection (1) of proposed new Section 15A be struck out and the following words inserted in lieu:—

"and such notice shall at its expiration determine the rightful occupation of the lessee notwithstanding the common law condition requiring the notice to quit to expire on a periodical day of the tenancy. Provided, however, that if the lessor has owned or part owned or shall own or part own the premises for a longer period than six months the period of such notice shall be reduced by one month for each completed period of six months ownership. Provided further that the minimum period of notice under this section shall be three months."

The object of the amendment is to put the latter part of the subsection into legal form, and then there are the two provisos.

Amendment put and passed.

Hon. H. S. W. PARKER: I move an amendment—

That Subsection (2) of proposed new Section 15A be struck out.

In view of the previous amendments agreed to, Subsection (2) is not now necessary.

Amendment put and passed.

Hon. H. S. W. PARKER: I move an amendment:—

That Subsection (3) of proposed new Section 15A be struck out.

This matter was decided on the vote just now in relation to not exceeding six months for the period of notice. This subsection provides that the court can extend the term.

Amendment put and passed.

On motions by Hon. H. S. W. Parker, clause further amended by striking out Subsections (4) and (5).

Hon. H. S. W. PARKER: I move an amendment—

That after Subsection (5) a new subsection be added as follows:—

(6) At any time after the expiration of the notice to quit the lessor may apply to the court for an order for recovery of possession of the premises and for the ejectment of the lessee and any other person if any therefrom and for mesne profits under the provisions of the Local Courts Act, 1904-1930, applicable to the recovery of possession of land from persons holding land without right, title or license.

This amendment brings the position back to that existing prior to 1939, under which a person was given notice to quit and provided the notice was in order the landlord then automatically obtained an order for possession. Under the local court rules a summons had to be issued and served, and this provision will establish that procedure. A summons for possession will be issued and the case will be heard in the court but the tenant will have no rights if the notice is in order. He will not have the right to put up a hard luck story. The mesne profits are the rent for which the landlord may apply up to the time the tenant leaves the premises. The new subsection embodies what was in some of the provisions that have been deleted and the reference to mesne profits has been added.

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

Clause 13—Section 15B added:

Hon. H. S. W. PARKER: I move an amendment—

That in lines 3 to 5 of Subsection (1) of proposed new Section 15B the words "after the commencement of the Increase of Rent (War Restrictions) Act Amendment Act, 1950" be struck out.

If these words are left in, a lease in existence at the present moment would not come into the matter. I do not think that was intended. The clause is for the purpose of ensuring that a lessor may recover the possession of premises after this Act comes into force.

The MINISTER FOR TRANSPORT: I suggest that this specifies that new contracts after a certain date can be terminated on notice. They are in a sense not subject to the provisions of the Act. Is not that the intention of the clause?

Hon. H. S. W. PARKER: I think that is intended. It may be so, if a comma is inserted after the words "has leased." It is open to argument on the wording and not the intention. The words I have moved to delete are not necessary because the provision cannot come into force until after the Act comes into force.

Amendment put and negatived.

The MINISTER FOR TRANSPORT: I move an amendment—

That in line 9 of Subsection (2) of proposed new Section 15B the word "may" be struck out and the word "shall" inserted in lieu.

The word "may" leaves the position as at present, whereas "shall" makes it mandatory for the court to make an order.

Amendment put and passed.

Hon. H. S. W. PARKER: I move an amendment—

That a new section be added as follows:—

15C. It shall be the obligation of the lessee to permit the lessor to enter and inspect the leased premises not more than

once in any month upon not less than 48 hours' notice given by the lessor to the lessee provided that such notice is for an inspection to be made between the hours of 9 a.m. and 6 p.m. and failure to comply with this provision shall give the lessor ground to issue to the lessee notice to quit. Provided however that this section shall not affect any written contract between the parties.

Members may recall that on the second reading I mentioned that some tenants are foolish enough to refuse to permit a landlord even to inspect damage and make repairs to his premises. This new section will give the landlord ordinary rights.

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

Clause 14—Section 18 amended:

Hon. H. K. WATSON: I am not too happy about paragraph (c) of this clause, and I move an amendment—

That paragraph (c) be struck out.

I submit that the relevant matters should be covered in the Act as they have been since 1939. I am diffident about placing them in the Bill at this late stage.

The MINISTER FOR TRANSPORT: I understand that this provision refers to protected persons who are covered by the following clauses. I think we should retain the paragraph as it stands.

Amendment put and negatived.

Clause put and passed.

Clauses 15 and 16—agreed to.

Clause 17—Section 18M added:

Hon. J. M. A. CUNNINGHAM: I move an amendment—

That in lines 4 and 5 of paragraph (a) of the definition of "protected person" the words "for total and permanent incapacity" be struck out and the words "of 50 per cent. or greater" inserted in lieu.

The intention is to remove the present anomaly whereby a returned soldier, because of the protection granted him, cannot apply for a war service or other Government home.

The MINISTER FOR TRANSPORT: I ask the Committee not to agree to the amendment. For some years there have been arguments about the eligibility of protected persons to retain their rights of tenancy, and this provision has been carefully considered. If the amendment were agreed to, a partially incapacitated person might be protected although the owner who was trying to regain possession of his home was suffering a greater degree of hardship than the 50 per cent. pensioner concerned.

Hon. L. CRAIG: I am more than 50 per cent. incapacitated, but do not think I should be allowed to retain a house simply because of my disabilities. I feel that the amendment is too generous. Its intention is to give a disabled person a priority in obtaining a war service or rental home, but we cannot guarantee that.

Amendment put and negatived.

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

That paragraph (d) of the definition of "protected person" be struck out.

I think this paragraph unduly extends the scope of the protected person. Various legal authorities who have studied the clause think it is ambiguous and requires re-drafting.

Hon. L. Craig: Does it refer to the present war?

Hon. H. K. WATSON: Yes. I understand that the technical objections to the drafting are as follows:—

The wording of the paragraph suggests that the paragraph should be divided into three; the first relating to the person who has entered the camp or establishment for the purpose of training prior to embarkation; the second relating to the person who returns from war service and is held in the camp prior to discharge; and the third to the person who, having returned from war service and been discharged, has not been discharged for twelve months. Under the first subdivision it is not clear whether the person concerned should have to be destined for embarkation or merely liable to be required to embark. It is not clear whether a permanent soldier stationed in Australia liable to be called up for service overseas but most unlikely to be so called up will be included in the definition. Under the second subdivision it is not clear whether the person who returns from war service and is held in the camp or establishment prior to discharge is only a protected person if he is destined for discharge and not liable for further service overseas. The third category of protected person should be given more definite protection than that afforded by the present wording of the Bill.

The MINISTER FOR TRANSPORT: I have the same information as has been given to Mr. Watson. It is not suggested by the Solicitor General that the paragraph should be struck out, but re-drafted, although I think its intention is clear.

Hon. E. M. HEENAN: I agree that the paragraph should be re-drafted, but I hope that the individual the provision is intended to protect will be protected. The

measure is to endure only for a further 12 months and anyone reading the Press must realise that even the next few weeks will be fraught with possibilities and dangers. The number of soldiers or young men who enlist may run to many hundreds or thousands before this 12 months is out. I agree that the paragraph is very badly drafted, and I cannot understand why there should be a semicolon after the word "embarkation."

Hon. H. S. W. PARKER: In order to make the matter clear, might I suggest to the Minister that he move amendments to strike out the semicolon; strike out the words "who returns" with a view to inserting "a person on his return", and to strike out the words "and is held in a camp or establishment prior to discharge." I think that would make it clear.

The Minister for Transport: I will move accordingly.

The CHAIRMAN: Order! There is already an amendment before the Chair.

Hon. L. A. Logan: I suggest that we deal with Mr. Watson's amendment first.

The CHAIRMAN: Yes, we can only deal with the amendment before the Committee.

Hon. H. K. WATSON: I am drawing attention to the many weaknesses that have been referred to by the members of the legal profession and I have moved that paragraph (d) be struck out. If that were done and the Bill were referred to a conference it would afford an opportunity for redrafting to bring it into line with the points raised by the legal opinion I have mentioned.

Hon. Sir CHARLES LATHAM: I hope that Mr. Watson will withdraw his amendment as this will enable the Minister to move his amendment and give the Committee an opportunity of considering it.

The CHAIRMAN: Does Mr. Watson ask leave to withdraw his amendment?

Hon. H. K. WATSON: I do not wish to withdraw my amendment.

The MINISTER FOR TRANSPORT: I would like the Committee to understand the implication of this. If Mr. Watson's amendment is defeated then we could give the managers an opportunity in conference to have something to work on.

Amendment put and negatived.

On motions by the Minister for Transport, paragraph (d) of the definition of "protected person" amended by striking out the semicolon after the word "embarkation" in line 5; by striking out the words "who returns" in line 6 and inserting the words "a person on his return" in lieu; and by striking out the words "and is held in a camp or establishment prior to discharge" in lines 7 and 8.

Hon. E. M. HEENAN: Protection is intended, of course, to imply, during the time a person has entered a Navy, Army or Air Force camp. To make it clearer, I move an amendment—

> That in line 10 of paragraph (d) of Subsection (1) of proposed new Section 18M after the word "force' the words "during his period of service and" be inserted.

Amendment put and passed.

Hon. E. M. HEENAN: I move an amendment—

> That in line 11 of paragraph (d) of the definition of "protected person" the word "such" be struck out

Amendment put and passed.

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

> That in line 4 of Subsection (3) of proposed new Section 18M after the word "shall" the following words be inserted:—"notify the State Housing Commission and the State Housing Commission shall thereupon make available to such person, in priority to all other applicants and at the rent then being paid by such protected person, a workers home or a dwellinghouse which is owned or controlled by the State Housing Commission for rental purposes and until such house has been so made available to the protected person the court shall."

The amendment is self-explanatory.

The MINISTER FOR TRANSPORT: I ask your ruling, Mr. Chairman, whether the amendment is in order. It really asks or demands that the State Housing Commission shall do something which is governed by the Commonwealth-State Housing Agreement.

Hon. L. A. LOGAN: I cannot see how we can ask the State Housing Commission to make a house available to a protected person at the rent then being paid by that person. That is what the amendment really means.

The MINISTER FOR TRANSPORT: I think the State Housing Commission would be sympathetic in such a case, but we should not demand that it give absolute priority as that would conflict with the conditions laid down for allotting such homes.

Hon. Sir CHARLES LATHAM: If I thought the Housing Commission was in any way sympathetic, I would support the Minister, but it is not. Repeatedly when an application has been made, the Commission has turned a deaf ear. The almost invariable reply is, "There are hun-

dreds of other cases of equal or greater hardship." Therefore I support the amendment. If it is a question of finding a house, who else can find it? The Commonwealth and State gave an undertaking to house these people, and up to date have thrown the responsibility on the individual.

The amendment merely asks the Commonwealth and State to do what they promised. Apart from the Commonwealth-State scheme, the State is building houses under the workers' homes scheme and could provide for protected persons in that way. This is our only chance of forcing the position for another 12 months.

Hon. L. A. LOGAN: If Mr. Watson will agree to the deletion of the words "and at the rent then being paid by such protected person," I will support the amendment, but not otherwise.

The MINISTER FOR TRANSPORT: The State has a responsibility to give evicted persons a measure of consideration, but we should not make it mandatory for the Housing Commission to give priority and provide homes at rentals that may be in conflict with the agreement. I think the amendment is out of order.

The CHAIRMAN: I think the amendment is out of order if the words mentioned by Mr. Logan are retained because a charge may thereby be imposed on the Crown.

Hon. H. K. WATSON: I ask leave to strike out the words mentioned.

The MINISTER FOR TRANSPORT: I imagine that the Commission would give priority, but there may be harder cases than those of protected persons and we should leave the matter to the discretion of the Commission.

Words, by leave, struck out.

The CHAIRMAN: I am not in a position to advise the Committee whether the amendment will conflict with the Commonwealth-State agreement.

Hon. E. M. HEENAN: We cannot, under this measure, direct the State Housing Commission what it shall do or shall not do.

Hon. H. S. W. Parker: It is not within the scope of the Bill.

Hon. E. M. HEENAN: No.

Hon. Sir CHARLES LATHAM: We have reached a stage where protected persons are paying less rent than they would have to pay for other premises, and so they make no attempt to get accommodation and, when an appeal is made for an eviction order, the magistrate says he has no jurisdiction. I see no logic in the Minister's argument. What is to prevent the Commonwealth or State making one of its houses available to a protected person? By Act of Parliament, we direct many people to do certain things, and here we are directing the State Housing Commission to accept responsibility for what the Commonwealth and State undertook to do when these persons were discharged from the Services.

Hon. E. M. Heenan: It is ultra vires.

Hon. Sir CHARLES LATHAM: I say it is not, but if somebody else thinks it is, let him challenge it.

Hon. H. K. WATSON: I agree with Sir Charles Latham. If the amendment is ultra vires the Act, let somebody test it. It will at least have the effect of ending the present position whereby an individual has to bear the burden of the State and that individual might be a returned soldier from World War I or a pensioner. If the amendment is not passed, such people may not be able to get into their own homes for another 10 or 20 years. We have directed dozens of boards as to what they shall do, so let us tell the State Housing Commission what it is to do.

Amendment (as altered) put and passed.

The MINISTER FOR TRANSPORT: I move an amendment—

> That at the end of Subsection (3) of proposed new Section 18M the following words be added: "or that the acts or omissions of the protected person are such as to render him undeserving of relief under this section."

This is another amendment submitted on behalf of the Law Society. The explanation is that under the Bill protected persons are given greater protection than under the existing regulations. It may be that if the protected person is the tenant of a wealthy landlord, the mere nonpayment of rent, even for a considerable period, would not inflict substantial hardship on the landlord. Even if the premises were being used by the protected person for an illegal purpose, the landlord might suffer no substantially greater hardship than was suffered by the protected person. The proposed amendment would give the court a discretion to refuse protection to the protected person if it were satisfied that the protected person was undeserving of relief under the section.

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

Clause 18—agreed to.

Postponed Clause 5—Section 4A added:

The CHAIRMAN: This clause was postponed after Mr. Thomson had moved the following amendment:—

> That a new paragraph be inserted as follows:—
>
> "(d) or business premises which do not include a dwellinghouse."

and Mr. Roche had moved the following amendment on the amendment:—

> That the amendment be amended by adding in line 3 after the word "or" the words "after the thirtieth June, 1951".

Hon. H. L. ROCHE: The purpose of the original amendment was to give owners of business premises the opportunity of getting occupancy. Some members did not like the amendment as they considered it was too abrupt. My amendment would give six months' notice.

The MINISTER FOR TRANSPORT: This clause concerns proposed new Section 4A, which deals with premises used for the sale of liquor. If those premises were removed from the Act, would these words be necessary?

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

The MINISTER FOR TRANSPORT: Because of the division to decide whether business premises should be taken out or not, I would like to know if we would be consistent if we agreed to this amendment.

Hon. Sir CHARLES LATHAM: I agree with the Minister. We have already decided this and it is a bit late to make the alteration. If we go back now, we shall have to make consequential amendments.

Hon. H. K. WATSON: No. The Bill, as amended, provides, by Clause 5, for the insertion of a new section to stand as Section 4A, and to contain three paragraphs. As I understand the question before the Committee, it is to exclude business premises from the Act after the 30th June, 1951.

The Minister for Transport: Are not they excluded at the moment?

Hon. H. K. WATSON: No. We excluded them from a clause in the Bill, but that has nothing to do with this proposal.

The MINISTER FOR TRANSPORT: I am not against the clause really, but was wondering whether we would be acting consistently if we agreed to this, in view of the division that has been taken.

Hon. H. S. W. PARKER: If this were carried, it would mean that after June of next year all business premises would revert to the law of 1938.

Hon. H. K. Watson: Yes.

Hon. H. S. W. PARKER: Until June, 1951, they would have protection under this measure.

Hon. H. K. Watson: Yes.

Hon. E. M. DAVIES: The Bill provides that the Act is to be extended only until December, 1951. The amendment will mean that business premises will have protection until the 30th June, which really will be protection for six months instead of 12 months.

Hon. L. A. LOGAN: Earlier, the Committee refused to allow an owner to go into his own premises within six months, but this will allow the owner of a business house to go in after six months.

Hon. Sir Charles Latham: What is a business house?

The MINISTER FOR TRANSPORT: I will have to take the attitude that we must be consistent. I oppose the amendment because it is not in line with our keeping business premises out of the measure.

Hon. H. L. ROCHE: This is a different proposition from what the Committee refused to endorse earlier. Business premises are not as vital as dwellings; yet members are concerned about protecting people who have, in 1950, possession of business premises at 1939 rents and conditions. There are not likely to be wholesale evictions. People who have business premises need tenants to occupy them. While some members are concerned about cases of hardship that might arise, I suggest there are just as many cases where the Act is being abused in connection with business premises. One case has been brought to my notice where the occupier of business premises has refused the owner the right to come in to occupy those premises unless the owner is prepared to pay £3,000 for such privilege. Such tenants are being protected by this legislation and the protection will continue unless the Bill is amended.

Hon. E. H. GRAY: I hope the amendment will be defeated. It will affect a number of shops where premises are attached.

Hon. H. S. W. Parker: This is premises which do not include dwellings.

Hon. E. H. GRAY: I thought it included residences. However, I am against the amendment moved by Mr. Roche. We should be consistent in these matters.

Hon. H. C. STRICKLAND: This amendment will cover all the lockup shops and professional offices as well as every other type of premises throughout the length and breadth of the State. Probably the amendment on the amendment was designed for one particular warehouse or establishment.

Hon. H. L. Roche: Are all these places going to be vacant as soon as this goes through?

Hon. H. C. STRICKLAND: No, but what has happened with wine saloons and hotels will happen here. If the Swan Brewery says that a man must get out the next week, or month, he has to go. This would mean exactly the same thing.

Hon. N. E. BAXTER: To my knowledge there is no definition of business premises in the Act, and it is rather strange to pass an amendment of this type to cover one section which is not defined.

Hon. E. M. HEENAN: I cannot find any definition of business premises in the Act or the Bill but I think the interpretation of business premises is clear and it would certainly include shops, offices, professional chambers and so on. This legislation has been in effect for 11 years and we have not kept renewing it year after year because we like it. We have done so because of the circumstances which have prevailed throughout those years. This legislation affects the livelihood of a large number of people because there is a grave shortage of dwellings and business premises. The case quoted by Mr. Roche is a rare example and we are legislating for genuine decent folk. To carry this amendment might do a good deal of harm because the Bill is designed to last for only another twelve months. Therefore we should be conservative in making a grave decision such as this.

Hon. H. TUCKEY: Mr. Heenan has made out a good case in support of the amendment. He said that the legislation has been in force for 11 years. That is one of the reasons why it is time something was done about it. Many of the small men have been made to suffer because of this legislation and people should not be called upon to make such sacrifices. It is not too soon to amend this legislation on the lines as suggested.

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

Ayes	6
Noes	16
Majority against	10

Ayes.

Hon. L. Craig	Hon. H. Tuckey
Hon. A. L. Loton	Hon. H. K. Watson
Hon. H. L. Roche	Hon. H. S. W. Parker *(Teller.)*

Noes.

Hon. N. E. Baxter	Hon. A. R. Jones
Hon. G. Bennetts	Hon. Sir Chas. Latham
Hon. R. J. Boylen	Hon. L. A. Logan
Hon. J. Cunningham	Hon. W. J. Mann
Hon. E. M. Davies	Hon. C. H. Simpson
Hon. Sir Frank Gibson	Hon. H. C. Strickland
Hon. E. H. Gray	Hon. G. B. Wood
Hon. J. G. Hislop	Hon. E. M. Heenan *(Teller.)*

Amendment on amendment thus negatived.

Hon. E. M. HEENAN: Following the last division we must now delete the proposed paragraph because if we do not, it will include business premises without even the limit of the 30th June applying to them.

Amendment (to insert paragraph) put and negatived.

Clause, as previously amended, put and passed.

New clause:

Hon. H. K. WATSON: I move—

That a new clause be inserted after Clause 4 as follows:—

(5) Section four of the principal Act is amended—

(a) by inserting after the word "section" in line two of Subsection (1) the words "and subject to the provisions of Section 4A";

(b) by inserting before the word "the" in line one of Subsection (3) the words "subject to Section 18M of this Act".

The proposal is to amend Section 4 in the manner set out. That section is an all-embracing one which provides that the Act shall apply to all leases entered into after the 31st August, 1939. The object of these two amendments is to make them subject to new Section 4A, which exempts certain leases and is subject to Section 18M. They are consequential to the amendments which have already been carried.

The MINISTER FOR TRANSPORT: This is a consequential amendment and, in fact, I thought it had already been accepted.

New clause put and passed.

New clause:

Hon. H. K. WATSON: I move—

That a new clause be inserted after Clause 6 as follows:—

7. Section ten of the principal Act is repealed and re-enacted as follows:—

10. In any proceedings under this Act the court may make such order as to costs as is thought fit.

Section 10 of the principal Act reads as follows:—

Except in the case of proceedings in respect of an alleged offence against any of the provisions of this Act no costs shall be allowed in any proceedings under this Act unless in the opinion of the court or judge the grounds of the application or the opposition to such application are unreasonable.

I submit the time has arrived when the ordinary rule in respect to costs ought to apply in cases such as this and there should be the right of any party successfully to appeal to the court to recover his costs. If this amendment is passed, it will greatly facilitate a settlement of the rental provisions between landlord and tenant which have been adopted by this Committee. We would not find either side frivolously running to court to secure a point one over the other, should the applicant be either

the landlord or the tenant. If either party knew he would have to pay the costs he would hesitate to approach the court and to that extent it would not be unnecessarily cluttered up with useless procedure. The provision which I propose to insert applies to the usual proceeding in a court of law.

New clause put and passed.

Title—agreed to.

Bill reported with amendments.

Recommittal.

On motion by the Minister for Transport, Bill recommitted for further consideration of Clauses 4, 5, 6 and 7.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Minister for Transport in charge of the Bill.

Clause 4—Section 2 amended:

The CHAIRMAN: It is necessary to insert the letter "a" in brackets after the word "by" in line 7. This amendment is necessary owing to the insertion of paragraph (b) at a previous Committee.

The MINISTER FOR TRANSPORT: I move an amendment—

> That in an amendment agreed to by a previous Committee after the word "by" in line 7, the letter "a" in brackets, be inserted.

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

Clause 6—Section 5 amended:

The CHAIRMAN: To this clause, Mr. Baxter moved an amendment to insert a new paragraph after paragraph (a) to stand as paragraph (b), but as the Bill does something to paragraph (b) it will have to stand as paragraph (a) in order that it may fit into its correct place in the Act.

The MINISTER FOR TRANSPORT: I move an amendment—

> That new paragraph (b) inserted by a previous Committee be struck out and re-inserted as paragraph (a).

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

The CHAIRMAN: The other amendments to Clauses 5 and 7 are consequential.

Hon. H. K. WATSON: There is an amendment to Clause 11.

The CHAIRMAN: The Bill was recommitted merely for the purpose of reconsidering Clauses 4, 5, 6 and 7. The hon. member will have to move to recommit the Bill if he desire a further amendment to Clause 11.

Bill again reported with further amendments.

Further Recommittal.

On motion by Hon. H. K. Watson, Bill again recommitted for the further consideration of Clause 11.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Minister for Transport in charge of the Bill.

Clause 11—Section 15 amended:

Hon. H. K. WATSON: The amendment, as set out in the Minutes dealing with the addition of proposed new paragraph (d) contains the words "has granted lease or license to any person." There is a typing error there and to correct it, I move an amendment—

> That in line 7 of new paragraph (d) the word "lease" be struck out and the word "leave" inserted in lieu.

The CHAIRMAN: The Committee should be made aware of the fact that this was no fault of the clerks. It was a typist's error.

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

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

Bill again reported with a further amendment.

BILLS (2)—FIRST READING.

1, Welshpool-Bassendean Railway.

2, Bassendean Marshalling Yards.

Received from the Assembly.

BILL—FAUNA PROTECTION.

Assembly's Further Message.

Message from the Assembly received and read notifying that it had agreed to the conference managers' report.

BILL—PHYSIOTHERAPISTS.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to amendments Nos. 5 to 8 and 10 made by the Council and had disagreed to Nos. 1 to 4 and 9.

ADJOURNMENT—SPECIAL.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland): I move—

> That the House at its rising adjourn till 3 p.m. today.

Question put and passed.

House adjourned at 1.21 a.m. (Wednesday).