on the land who produce the real wealth of the country should receive the benefit of it.

I hope that the Government will appoint an independent committee to investigate ways and means of manufacturing super. in the cheapest possible way. If a more suitable site than Esperance can be found for the factory, I shall not object, so long as the cost of super. to the primary producer is reduced. Looking at the proposal from a business angle and taking a logical view of the position generally, I cannot believe that there is any better centre for the economical manufacture of this essential commodity than Esperance, seeing that it is so near to the source of the material requisite for its manufacture. As I have already pointed out, to convey the phosphatic rock to Esperance would cost no more than to ship it to other ports. But it will require a lot more money to take pyrites to any other part of the State. Water transport is very cheap provided there is a good load. Even if it were necessary to have a 10,000 ton or a 15,000 ton or a 20,000 ton boat for the distribution of sulphur in the bulk to the various parts of this State it would work out much more economically than is the case today.

I hope we will not have experts on the proposed committee because my experience of them is that they have always retarded progress. They look at things from a traditional point of view. I would sooner have people with commonsense. I am not saying that the experts have not commonsense but they are traditional. They are something like our legal friends. They look for a precedent and always want to be on the safe side so far as their reputation is concerned. The logical place for the manufacture of super. in this State is Esperance. I know that everybody will not agree with that because there are people with capital invested in this business who will put up very good arguments against what I have said and, even if it could be proved that super. could be produced at Esperance for the whole State at 10s. a ton cheaper than elsewhere, they would find some way out.

Hon. J. B. Sleeman: Did you not know that we are going to get pyrites from Southern Cross?

Hon. E. NULSEN: I think this business has been gone into thoroughly and it is considered that the Norseman deposit is the highest grade in Australia.

Hon. J. B. Sleeman: You ask the member for Merredin-Yilgarn.

Hon. E. NULSEN: He is a man of commonsense and he knows that the deposit at Norseman is of a higher grade than that in any other part of the State.

Progress reported.

House adjourned at 11.14 p.m.

Legislative Council.

Tuesday, 14th November, 1950.

CONTENTS.

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

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

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

BILL—BUSH FIRES ACT AMENDMENT.

In Committee.

Resumed from the 9th November. Hon. J. A. Dimmitt in the Chair; the Minister for Agriculture in charge of the Bill.

Clause 13—Section 22A added:

The CHAIRMAN: Progress was reported after Clause 12 had been agreed to.

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

> That in line 4 of proposed new Section 22A the word "shall" be struck out and the word "may" inserted in lieu.

If the clause is amended as I suggest, it will make the taking out of insurance policies permissive instead of mandatory.

The MINISTER FOR AGRICULTURE: I have no objection to the amendment. I regard the whole question of insurance as unsound. If the amendment be agreed to, this particular provision will mean absolutely nothing and we might just as well cut it out altogether.

Hon. L. A. LOGAN: I oppose the amendment. The proposed new section should be included as it stands. There is a certain amount of doubt as to whether local authorities will have the power to effect these insurance or whether any insurance company will be prepared to undertake the work, but we might as well give it a trial. If we agree to the proposed section, some scheme might be evolved.

The MINISTER FOR AGRICULTURE: If the new section were retained as printed, it would be much better; but it should be applied to members of bushfire brigades and not to others. How could anyone insure possibly a hundred people who might attend a fire? How could they be covered? How would the premiums be fixed? I cannot see how this could be made effective.

Hon. A. L. Loton: Could not those who drafted the Bill answer that question?

The MINISTER FOR AGRICULTURE: I think this provision was included in another place. Later on there is reference to private property. Who would take out cover to deal with private property.

Hon. A. L. Loton: No-one.

The MINISTER FOR AGRICULTURE: We should leave the provision in the Bill as it stands, omitting reference to those who attend the fires voluntarily.

Amendment put and negatived.

Hon. N. E. BAXTER: I move an amendment—

> That in line 1 of paragraph (a) of proposed new Section 22A after the word "officers" the word "and" be inserted.

This amendment hinges on a further amendment I propose to move to strike out the words "and other persons voluntarily assisting any of them." I do not see how all the persons assisting could be covered. I feel certain no insurance company would issue a policy for an unlimited number of people. Practically every person in a district would have to be covered and no company would be prepared to do that.

Hon. A. R. Jones: How do you know?

Hon. N. E. BAXTER: I feel certain that no company would cover an unlimited number of persons, because it would not be sensible business. This provision will place local authorities in the position of having to do something which they may not be able to.

Hon. E. H. GRAY: I disagree with the hon. member because, instead of hundreds being at a bushfire under the direction of a bushfire officer, there may be only about a dozen. Everybody is agreed that members of a bushfire brigade should be insured. Why not other people working under the direction of the fire control officer? Townships are not covered, and the control officer is not going to require from 50 to 200 people to assist him. I am satisfied that the Underwriters' Association and the State Insurance Office would be able to devise a scheme to meet the situation.

The MINISTER FOR AGRICULTURE: I strongly support the amendment. It does not make sense to talk about insuring voluntary fire fighters. There might be as many as 500 people concerned.

Hon. E. H. Gray: They would not be under the direction of the fire control officer as is specified in the provision.

The MINISTER FOR AGRICULTURE: It does not say so. Who is going to prove whether they are under the direction of the bushfire control officer or not? Quite a lot of people go out to a bushfire with the sole object of drinking up the beer that is provided for the fire fighters.

Hon. A. R. JONES: I take it that this Bill aims to protect people who voluntarily assist in fighting fires. Speaking as one who has had experience with a local authority, I would mention that we have always been concerned because more people have not been covered by insurance, and I was pleased that a step was taken previously to have certain others included. Before opposing the provision, the Minister should make sure that it is not possible to take out a policy.

Hon. H. S. W. Parker: Who would apply for the insurance?

Hon. A. R. JONES: The local authority.

The Minister for Agriculture: To whom?

Hon. A. R. JONES: Lloyd's or anyone else.

The Minister for Agriculture: Who will fix the premium?

Hon. A. R. JONES: The Underwriters' Association works on the figures for the previous year in establishing premiums for any period. Once we had a guide, it would not be much trouble. We should defer consideration of this matter until inquiries have been made as to the possibility of providing cover for these people.

Hon. H. L. ROCHE: I hope the Committee will support the amendment. As worded, the paragraph is quite impracticable. It would be an utter impossibility for a control officer at a serious fire to call a roll to ascertain who was present. The provision makes it open to anyone to lodge claims for injury that may have been sustained near a fire or nowhere near it. If the amendment is agreed to, it will be an encouragement to everyone concerned to join up with fire brigades. The only other people affected would be casual workers or townspeople. Employees on farms would be covered under workers' compensation if attending a fire at the direction of their employers. The incidence of injury at bushfires is not so heavy

that we have to treat this as a matter of life and death and cover everyone who may be near a fire.

Hon. G. BENNETTS: If persons in the district found out that they were not to be covered by insurance when helping to fight a bushfire, they might not be prepared to assist. The Yilgarn board is concerned that womenfolk taking refreshments to the fire-fighters should be covered. I did not know that liquid refreshments such as beer were taken to the fire-fighters but, if that is so, it might influence many people to join in. I feel that provision should be made to cover all who are prepared to help.

Hon. H. TUCKEY: I am surprised that the Bill should come from the Government in its present form. It would be all right if the insurance companies would take the risk of paying out huge sums to anyone who might attend a fire, but they will not, and this provision would not work. I hope the Committee will agree to the amendment, as it is a wise one. Years ago the bushfires advisory committee received a request that if a passer-by stopped to help and his truck was damaged it should be covered. What local authority could pay the premiums for insurance of that kind? No company would accept the business under those conditions. This question was before the advisory committee years ago and accredited representatives of the insurance companies were present.

Hon. L. A. LOGAN: I do not agree with the amendment. We have been told that bushfire officers and members of the brigade should be covered but, as it is the duty of any volunteer who is available to help, why should he not also be covered?

The Minister for Agriculture: How can it be done?

Hon. L. A. LOGAN: Until we have been told why it cannot be done, we should try to do it. No attempt has been made by the Government or by private members to show that it cannot be done.

Hon. H. Tuckey: I have pointed out that the insurance companies will not do it.

The Minister for Agriculture: I have given the Committee the information.

Hon. L. A. LOGAN: The Minister has said only that insurance companies will not cover the female helpers. The volunteer is as much entitled to cover as is the fire control officer.

Hon. A. R. JONES: The objection raised by previous speakers to the case put by the Minister is that some people attend fires for the sake of remuneration and a drop of beer by way of refreshment. I do not think they attend with the idea of getting anything for their services.

The Minister for Agriculture: No, they would not.

Hon. A. R. JONES: Mr. Roche asked who would police the position when a number of persons were present at the fire. Who polices workers' compensation insurance? The same authority could police this other position also. Mr. Tuckey's objection was that the names of members of the bushfire brigade should be submitted for insurance, but that would not cover all who attended the fire. If the Minister is not prepared to find out whether it is possible to get a policy to cover everyone present at the fire, I think the Bill should be passed in its present form.

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

Ayes	14
Noes	8
Majority for	6

Ayes.

Hon. N. E. Baxter	Hon. C. H. Simpson
Hon. L. Craig	Hon. J. M. Thomson
Hon. Sir Frank Gibson	Hon. H. Tuckey
Hon. H. Hearn	Hon. H. K. Watson
Hon. J. G. Hislop	Hon. F. R. Welsh
Hon. A. L. Loton	Hon. G. B. Wood
Hon. H. L. Roche	Hon. H. S. W. Parker
	(Teller.)

Noes.

Hon. G. Bennetts	Hon. A. R. Jones
Hon. R. J. Boylen	Hon. L. A. Logan
Hon. E. M. Davies	Hon. H. C. Strickland
Hon. E. H. Gray	Hon. E. M. Heenan
	(Teller.)

Amendment thus passed.

Hon. N. E. BAXTER: I move an amendment—

> That in line 2 of paragraph (a) of proposed new Section 22A, after the word "brigade" the words "and other persons voluntarily assisting any of them" be struck out.

Amendment put and passed.

The MINISTER FOR AGRICULTURE: In my opinion, paragraph (b) is now very anomalous. According to the Bill, the local authority shall insure privately owned equipment. What insurance company is going to cover any privately owned equipment used by a bushfire brigade?

Hon. L. Craig: The equipment is covered against accident, anyhow.

The MINISTER FOR AGRICULTURE: Yes. I move an amendment—

> That in line 3 of paragraph (b) of proposed new Section 22A after the word "brigade" the words "or any privately owned equipment working under the direction of a bush fire control officer or bush fire brigade captain" be struck out.

Hon. H. L. ROCHE: The major difficulty with this clause seems to hinge on the word "shall". There is a certain amount of confusion over the words which are proposed to be struck out. I know, at one stage, a truck or tractor used on private property was covered against loss

but was not so covered if taken to a fire at some other place. However, I think, as a result of an understanding with the insurance companies, that a vehicle taken to another fire is now covered. As I am doubtful on that point, I was hoping that the Minister would be able to give us some assurance. There is no need to have the vehicle covered twice, but if the vehicle is not insured it should be possible to come to some arrangement with the insurance companies who issue policies covering vehicles so used. The vehicles would prevent the spread of fire and thus save the insurance companies from paying compensation.

The MINISTER FOR AGRICULTURE: The vehicles and equipment are covered now, but I do not see how any insurance company will cover any casual truck that may come along. Who is to prove whether it is under the control of the bushfire officer or not? Also, the premiums on such trucks or equipment would be terrific.

Hon. A. R. JONES: I oppose the amendment. I do not see why any person should be asked by a bushfire brigade officer to take his vehicle or equipment to a fire to assist in fighting it if the insurance companies are not prepared to stand up to any obligation which would be theirs if the vehicle or equipment were burnt.

The Minister for Agriculture: They are covered by their own insurance.

Hon. A. R. JONES: They may be, but there are a few vehicles on the road which are not covered.

The Minister for Agriculture: Yes, because they are not good enough to insure.

Hon. A. R. JONES: There may be quite a number of vehicles worth £400 or £500 which are not insured.

The Minister for Agriculture: Do you mean to say that a man would not insure one?

Hon. A. R. JONES: I venture to say that there are quite a number of trucks worth £400 or £500 that are not covered by insurance.

Hon. H. S. W. Parker: Are you going to ask the local authority to insure them?

Hon. A. R. JONES: A farmer is sometimes asked to take a tractor along to a fire. No specific equipment is mentioned. I strongly oppose the amendment.

Hon. L. CRAIG: As it now stands, the Bill is too foolish for words. It says that a local authority which maintains a bushfire brigade shall effect a policy or policies covering any privately owned equipment working under the direction of a bushfire officer or bushfire brigade captain. Therefore, any knapsack or pocket-knife that is taken by a person voluntarily to help fight a fire shall be covered by insurance. If anyone can tell me that an insurance company is going to issue a policy to cover all the equipment that might be used at a bushfire, I will be greatly surprised. If all these detrimental clauses were inserted in Bills of this nature it would kill the bushfire brigades. Local authorities would not do it and, as a chairman of a road board, I can assure members that my board would not do it.

Hon. A. R. Jones: How much would the insurance be?

Hon. L. CRAIG: What would be the insurance on every truck and all the equipment used, such as axes, watering cans, tanks and other material used in fighting a fire in the whole district?

Hon. H. L. Roche: And you would have to assess the value of that equipment after it was burnt.

Hon. L. CRAIG: Yes, it is just too foolish. Insurance companies will not issue blanket policies. A man might have an old truck and he might be only too pleased to use it at a fire and have it burnt because it would be covered by insurance. Every man fighting the fire would be under the direction of a bushfire control officer.

Hon. H. S. W. PARKER: This is introducing a rather extraordinary provision. We are asking local authorities who are not interested in the equipment to insure it. The principle of insurance is that there must be some insurable interest, but a local authority would have no such interest.

Hon. A. R. Jones: It is the ratepayers' money, though.

Hon. H. S. W. PARKER: No, it is privately-owned equipment that is involved. No insurance company would issue such a policy.

Hon. N. E. BAXTER: I think there is a point which some members opposing the amendment have missed. If a local authority applied to an insurance company to insure the privately-owned vehicles, particularly cars and tractors, the company would not listen to it. A private person would not insure his car or truck because it would be covered by insurance.

Hon. H. TUCKEY: I can only repeat that which I said previously, namely, that this kind of legislation was tried many years ago and the representatives of the local authorities, the advisory committee, insurance companies, and others concerned were all opposed to this suggestion. If the amendment is passed, it will cause great harm because the local authorities will not be in accord with it, and I do not know who is going to foot the bill if the underwriters are asked to put a premium rate on the risk. On the last occasion, when a similar measure was before the House, an amendment of this nature did not have a chance.

The Minister for Agriculture: This amendment was made by another place.

Hon. H. TUCKEY: The bushfires advisory committee would never agree to it and an amendment of this nature should be referred to it. That organisation is in touch with all the various bodies concerned.

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

Clause 14—Sections 31A and 31B added:

Hon. H. L. ROCHE: I move an amendment—

That the proposed new Section 31B be struck out.

This deals with prohibition of burning back fire breaks, except as directed. The retention of the proposed new section would make the Bill ridiculous, inasmuch as the provision either would not be observed or would restrain activities to the extent of rendering control ineffective. On the second reading, I mentioned the case of a farmer lighting a fire on his property to burn back to a break. An employee might do this, and would be guilty of a contravention of the Act.

Hon. L. Craig: The bushfire officer would have to be present.

Hon. H. L. ROCHE: But he is not always available where a break should be burnt. On one occasion we had three fires burning near my property, and there was not an official of the brigade about. If a senior member of the brigade had first to be found, it would be too late to do anything effective.

The CHAIRMAN: Mr. Loton has an amendment on the notice paper that must first be dealt with.

Hon. A. L. LOTON: In the event of Mr. Roche's amendment being defeated, I shall move my amendment.

The MINISTER FOR AGRICULTURE: The proposed new section should be retained, as Mr. Loton's proposed amendment will meet Mr. Roche's objection. There is nothing to prevent a man from burning a break on his own land, but we have had experience of a person burning a break on another man's property and of there being very little control. In the absence of a senior officer, somebody else could act.

Hon. H. L. ROCHE: I object to the reference to "a senior officer." If we provide for direction to be given by a member of the brigade, I shall be satisfied.

The Minister for Agriculture: That will do.

Hon. H. L. ROCHE: Sometimes a break has to be burnt in open country to prevent a fire from reaching one's own property.

Hon. L. Craig: And you might burn somebody else's property.

Hon. H. L. ROCHE: I do not know of any instance where that has occurred. The restriction in the proposed new section is unnecessary. However, in view of the Minister's remark, I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

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

That in the proposed new Section 31B, the words "or in his absence the next senior officer of the bush fire brigade registered pursuant to the provisions of this Act" be struck out, and the words "of a bush fire brigade registered under this Act or in his absence a member of the bush fire brigade who is present at the bush fire" inserted in lieu.

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

Clauses 15 to 18, Title—agreed to.

Bill reported with amendments.

BILL—STATE HOUSING ACT AMENDMENT.

Assembly's Request for Conference.

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

BILL—GAS UNDERTAKINGS ACT AMENDMENT.

Received from the Assembly and, on motion by Hon. E. H. Gray, read a first time.

BILL—AGRICULTURE PROTECTION BOARD.

Second Reading.

Debate resumed from the 7th November.

HON. A. L. LOTON (South) [5.32]: It does appear that the Minister for Agriculture has set out to do something for agriculture by the introduction of the Bill. Members have been waiting for some years for legislation to be introduced, consequent upon the findings of the Honorary Royal Commission on Vermin. The Bill is a result of one of the findings of that Commission. I do not like the board that is suggested. With all due respect to public servants, we find that five of them are to be on the advisory board, and they are the Chief Inspector of Vermin, the officer in charge of noxious weeds, the Government Entomologist, the chief warden of fauna, and an officer of the State Treasury. The other four members are to be nominated by the Minister and are to comprise two from local authorities, one from the pastoral industry and one from the agricultural industry.

The Chief Inspector of Vermin is to be chairman, and no matter whether all members are present or not, the majority of those present shall constitute a quorum. Therefore, the five State officers could make a quorum, and—I say it with all due respect to them—their findings would be binding on the agriculture protection board. I hope, when we get into Committee, to make the balance more equal by deleting one of the five. I understand that in another place the board was enlarged from eight members to nine. I do not agree with the method of selecting members from the local authorities and the pastoral and agricultural industries. I think it would be better if the Minister had submitted to him by these organisations a panel of names from which to make his choice.

The measure contains an extraordinary clause under which the trapping of rabbits on a holding is to be prohibited unless carried out by the owner or occupier. That means that a professional or part-time trapper will not be able to trap rabbits on a holding.

Hon. L. Craig: It does not mean that.

Hon. A. L. LOTON: Well, what does it mean?

Hon. L. Craig: Do not fly off the handle like that.

Hon. A. L. LOTON: I am not.

The PRESIDENT: I think the hon. member had better address the Chair.

Hon. A. L. LOTON: I am sorry.

Hon. L. Craig: An owner can always delegate his powers or rights.

Hon. A. L. LOTON: I think the hon. member should also address his remarks to the Chair. My interpretation of the clause is that no-one other than the owner or occupier will be able to trap rabbits on the holding. I know the ex-inspector of vermin did not believe in the trapping of rabbits because he said it played no effective part in their control. I thoroughly disagree with that because I say that every rabbit caught or killed is one less to be destroyed.

Trapping at a certain season is effective in the destruction of rabbits. The time of the year that I make particular reference to is just after the first rains, before the first litter of kittens is born. It is quite easy then to catch the does, and in that way large numbers are destroyed. I think it is far easier to trap at that stage than it is to get the rabbits to take poison. As soon as the first rains come, however, the young grass shoots and the rabbits are more interested in it than they are in phosphorous or strychnine oats. Poisoning at the warren, in the early part of the year, can destroy large numbers.

Poisoning and fumigating, following trapping, are necessary, but I do say that trapping must be allowed. In these days of scarcity of meat some trappers are making big money, and in the off season many people engaged in the farming industry take on rabbit trapping as a means of enlarging their incomes. The Bill contains a provision by which the board is to be empowered to purchase wire netting for the netting of properties. I do not understand just what this proposal means, but I hope it is not suggested that the board is to have a priority in the purchase of locally manufactured netting to the exclusion of settlers.

The Minister for Agriculture: The Land Settlement Board does not do that.

Hon. A. L. LOTON: The Land Settlement Board has huge stocks of wire netting stored at many depots throughout the agricultural areas. Members will recall that early in the session I asked the Minister what quantity of wire netting was stored by the board, and I was told that at that stage there were large quantities held. I do not want to see the same thing occurring here.

The Minister for Agriculture: It is not likely, is it?

Hon. A. L. LOTON: I do not know, but I feel sure that the Land Settlement Board, or any other Government department, will get its fair share, or perhaps more than its fair share, of the locally manufactured article. The bonuses to be paid for the various types of vermin also call for comment. The proposed bonus for emus is 3s. per head, and for kangaroos 25s. per hundred, Whereas emus are to be paid for at so much per head, kangaroos are to be dealt with at so much per hundred. I do not know whether the emu does more damage than the kangaroo. I know the emu can breed in larger numbers.

The Minister for Agriculture: It is harder to catch.

Hon. A. L. LOTON: Yes, but in certain areas where the water can be poisoned, I think the emu is just as easy to catch as the kangaroo.

The Minister for Agriculture: I have not seen such a district. The emu is the more difficult to destroy.

Hon. A. L. LOTON: The amount for the emu is considerably in excess of that proposed for the kangaroo. The provision for foxes is 6s. per head. I can remember that, when foxes were first noticed in the State, £5 was paid by the local authorities for them, and then the price of skins went up. Today many people destroy foxes but will not be bothered skinning them. I think that some local authorities pay 2s. 6d. for them at the present time.

The most important provision in the Bill is the one by which a Government department—the Railway Department—is to make a contribution to the funds of the

board. It is to pay £500 per annum for the destruction of noxious weeds, and £2,500 for vermin. I want to know why the Railway Department is the only Government department that is to make a contribution to the agriculture advisory board for the destruction of vermin and noxious weeds. Why are not the Tramway Department, the State Reserves, the Forests Department and the Land Settlement Board, which I assume is excluded from the provisions of the Bill because there is no specific mention of it, required to make some contributions?

The Minister for Agriculture: Did you mention the tramways?

Hon. A. L. LOTON: I suppose the tramways own certain property.

The Minister for Agriculture: I did not think many emus would roam along the tramlines.

Hon. A. L. LOTON: I would not be surprised at anything that roamed on them. The Bill provides that the Treasury is to furnish £7,000 for the control of noxious weeds, and £44,000 for vermin, and of the latter sum, £30,000 has been specifically set aside for the control of grasshoppers. From the reports we have heard this year and during the last few years of the havoc that the grasshoppers cause in the eastern areas—I will not call them the marginal areas—there is no doubt that they will soon spread unless they are controlled where they are at present located, by baiting, ploughing, or mist spraying. They must, if something is not done to control them, spread into the more closely settled agricultural areas, and once they get there I do not know how they will be dealt with.

Hon. L. Craig: It has been said that they will not live in the wet areas!

Hon. A. L. LOTON: We have been told that rabbits will not live in the wet areas.

Hon. L. Craig: Who told you that?

Hon. A. L. LOTON: It has been said by everybody.

Hon. L. Craig: Not by anybody who knew anything about it.

Hon. A. L. LOTON: I do not suppose it would be everybody because the hon. member would not come into the category, and I bow to his objections. But, most people said that rabbits would not live in the wetter areas, and one has only to go down—

Hon. L. Craig: They have been in England for centuries, so that was just a foolish statement.

Hon. A. L. LOTON: Many foolish statements are made.

Hon. L. Craig: Yes, and some of them are being made now.

Hon. A. L. LOTON: Many of them are made in this House and not only by the member who is already on his feet.

Hon. L. Craig: They are being made at the moment.

The PRESIDENT: Order! I suggest that this dialogue might cease.

Hon. A. L. LOTON: The sum of £30,000 for the control of grasshoppers is all right, but I hope that it is a minimum which can be enlarged and perhaps it would be wise at this juncture to make an all-out effort to control grasshoppers.

The Minister for Agriculture: We are trying to do that now, and we have done a good job this year.

Hon. A. L. LOTON: Yes, but it would be better to have an all-out effort and use all our resources to deal with them. We should use all the money, knowledge and manpower available and perhaps we could use a considerable number of migrants on a job of this description, especially if it will control this most devastating pest. I realise that the department has, over the last few years, been up against many difficulties in just the same way as people in these areas are up against difficulties. It has been said in this Chamber that sawdust has had to be mixed with pollard to try to make the small amount of pollard go further.

The Minister for Agriculture: There is plenty of bran now.

Hon. A. L. LOTON: Yes, but these things have happened in the past and I am glad to know that there is plenty of bran and pollard available now. What we put off this year will have to be met the following year and perhaps if more bran and pollard had been available in the last three or four years, the plagues of grasshoppers might have been controlled more effectively than they have been in the past. I suppose the Bills introduced the other day for the control of vermin and noxious weeds are supplementary to this legislation, and as this board is something new in the set-up, I propose to give it all the support I can in the hope that it will really accomplish what it sets out to do.

HON. A. R. JONES (Midland) [5.49]: I also wish to commend the Minister for introducing this legislation. In common with Mr. Loton, there are one or two points to which I wish to give some attention and in the Committee stage I may endeavour to make some minor alterations. I am in agreement with Mr. Loton in his belief that at least half the board should be composed of members from the agricultural and pastoral areas. That would mean at least a fifty-fifty representation to decide on matters discussed by the board. The Minister stated that the Railway Department will be asked to find £500 for the control of noxious weeds and £2,500 for the control of vermin.

While I am in agreement with every Government department being charged, if it is concerned in this matter, I really think that the amounts should be reversed and that the £500 for noxious weeds should be made £2,500 and the £2,500 for vermin should be reduced to £500. A sum of £500 for the control of noxious weeds is not a large amount when we take into consideration the area used for railway lines and sidings. Noxious weeds would be a bigger curse than vermin on railway property because vermin do not abound there. Most of the railway property is in close proximity to a fair amount of noise and settlement.

The Minister for Agriculture: That is not necessarily the only money that will be spent by the railways.

Hon. A. R. JONES: I understand that, but it is definitely laid down that £2,500 is the figure for vermin and £500 for noxious weeds. If the figures were reversed they would be more in keeping, so I hope the Minister will give the matter some consideration. The Minister also mentioned that a mobile plant may be set up for the destruction of vermin. We should weigh this question carefully before we purchase any plant to deal with vermin because methods of eradication are changing rapidly. The type of plant we might purchase today may be outmoded tomorrow, or perhaps next year.

The old methods of dealing with rabbits, such as poisoning, asphyxiation, water poisoning and filling in warrens, are things of the past. The plant to eradicate rabbits particularly, would be more a type of deep ploughing implement so that the warrens could be busted open and finally filled in with a machine, towed by a tractor, and capable of going as far down as 2ft. While this mobile plant for the destruction of vermin is a good idea, it might be advisable for us to wait and see what other methods are available.

During his second reading speech, the Minister outlined the various amounts to be paid for different types of vermin, including emus at 3s. per beak, and foxes at 6s. per scalp. I am most concerned about foxes and the low rate of 6s. To my mind, foxes are the biggest menace we have in Western Australia today. They can do so much damage and we have so little control over them because they breed very quickly. If we are to pay only 6s. a scalp, then they are just not worth trapping.

Hon. G. Bennetts: Would they be worse than the dingo?

Hon. A. R. JONES: No, but over the last few years the rate on dingoes has been such that people have gone out and caught them. For that reason the dingo is not such a menace in the agricultural areas as is the fox. I can remember only 10 years ago when £2 or £2 10s. was paid for the scalp of a fox. It was uncommon to find more than a few foxes on a property from year to year. But, today every farmer has had experience of perhaps 20, 30, or even 50 foxes on his property.

On one small area, adjoining my property, every year we poison, trap or shoot up to 50 foxes. That is a farm of 2,000 or 3,000 acres and the same state of affairs exists on all the neighbouring properties. We do not catch half of them and they just go on breeding. It has got to the point that some farmers are definitely considering giving up breeding sheep because of the menace of foxes. Therefore, I ask the Minister to consider that aspect and perhaps increase the sum paid on fox scalps to at least £1 or £1 1s. When we get to the Committee stage I may offer some small amendments to the Bill as presented.

HON. G. BENNETTS (South-East) [5.55]: I am most concerned about the grasshopper menace and every effort should be made to destroy them, especially in the Yilgarn district. The people in that area have been concerned over a number of years and the grasshopper menace seems to be getting worse. They have written on many occasions, through me and other members of the district, to the Minister and he is well aware of the conditions existing.

The Minister for Agriculture: The menace is not so bad this year.

Hon. G. BENNETTS: No, but the grasshoppers are still very bad. The secretary and members of the Yilgarn Road Board are taking an active part and are doing a lot towards the control of this menace. Unless we can wipe the grasshoppers out of that district, especially on land that has not been worked, for that is where they breed, they will become a menace to all the other parts of the district. They were very bad in the Turkey Hill area which adjoins Southern Cross and I wrote to the Minister on behalf of the people in that locality. The people in Merredin, and the surrounding districts are most concerned and they are afraid that the grasshoppers might get down that far. Unless every effort is made, both by the Government and the people concerned, the grasshopper menace will extend into the dry areas.

The other day, in Kalgoorlie, I noticed cars arriving from Perth. In order to try to keep grasshoppers out of the radiators the drivers had placed fly wire screens in the front. If a person is driving an open car the grasshoppers swarm in and they are a menace both to motorists and farmers. The Kalgoorlie council has been most concerned about noxious weeds. Some years ago, before I became a member, I was employed on the Commonwealth railways and the Bathurst burr was introduced into this State by way of stock trucks. When we used to bring in a rake

of trucks containing stock, the seeds would drop out along the line and even right into Kalgoorlie.

Down in the Circular Valley district, near Salmon Gums, there is the thistle and it is proving a menace in that area. Something will have to be done because this weed is spreading on railway land as well as on private property which has not been worked. Unless these weeds can be eradicated they will spread over a large area in that district. So, I hope money will be allocated to get rid of these noxious weeds which are proving such a menace to farmers. I support the Bill.

On motion by Hon. L. A. Logan, debate adjourned.

BILL—HEALTH ACT AMENDMENT.

Second Reading.

Debate resumed from the 7th November.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland—in reply) [6.0]: I am pleased with the general tone of the approach of members to this Bill, and although the majority of those who have spoken have a sound appreciation of the position, I would like to refer to several points that have been made.

For instance, Mr. Watson does not agree with the proposal for the compulsory x-ray examination of persons, and has placed an amendment on the notice paper to ensure that it shall be a defence in any proceedings against any individual for refusing to undergo such an examination, for the person to prove that the examination is contrary to his religious scruples. Members will recollect that the hon. member explained that this referred to Christian Scientists and their belief that diseases should be cured spiritually rather than materially or medically. Mr. Watson considered that these people's ideas should be respected, and quoted an extract from an address delivered by Dr. J. F. Brailsford, of the British Radiological Association, who was opposed to compulsory examinations.

It was a rather unfortunate selection. The quotation referred to by Mr. Watson appeared in the "British Medical Journal" of the 1st October, 1949, and no less than 10 medical authorities decried his remarks in subsequent issues of the publication. I am informed that Dr. Brailsford's views are not generally accepted, and are regarded as reactionary. In the "British Medical Journal" of the 22nd October, 1949, the following appeared under the signature of S. Cochrane Shanks—

> His colleagues in Great Britain know enough about Dr. James F. Brailsford to discount the various extravaganzas in which he indulged in his article. It is important that our American colleagues should realise that these views are Dr. Brailford's own and do not represent the consensus of opinion of intelligent radiological opinion in this country.

Christian Scientists as well as other members of the community are liable to suffer from tuberculosis, and the Public Health Department is responsible for the protection of members of the public who might be infected by them. As a matter of fact, some Christian Scientists attend the Chest Clinic for regular x-ray examination, and receive advice in regard to hygiene and prevention of the spread of the disease. The services carried out both enlistment and demobilisation x-ray examinations, the latter showing the advantage and necessity for re-examination after an interval of years, as further cases were discovered, many of which were at an early stage.

Another who objected to the principle of compulsory examination was Mr. Baxter, his grounds being that if fresh sufferers were discovered by this method, there would be nowhere to place them. Mr. Baxter stated that proper home attention to sufferers was impossible, and he referred to incurable persons having been discharged from the sanatorium and sent home to mingle among other persons and spread the disease. Mr. Baxter considered it would be preferable to provide accommodation for these persons, rather than to look for other persons who are not aware they have the disease.

I would remind the hon. member that the danger to the community is the unknown case, and not the known case. Those active cases that have been discharged from Wooroloo, are trained in hygiene and in the knowledge of how to prevent the spread of the disease to other people. They are allowed home only where the home conditions have been specially approved. I am informed that domiciliary treatment is often quite effective. Bed rest treatment is still the main plank in the treatment of tuberculosis, although surgical treatment is often also necessary. Patients can rest at home in bed under medical supervision, and improve in health. The Chest Clinic has a staff of visiting nurses who visit home patients regularly, the number of visits to each patient being determined by the doctor, according to the type of disease.

It was with great interest that I listened to Dr. Hislop's opinions and I am rather surprised that he is opposing what is considered to be progressive legislation. He raised the issue that New South Wales and Queensland have failed to bring in legislation giving the health authorities there the power to x-ray compulsorily the citizens of those States. Are we then to regard these two State as models of progress in public health, and can we anticipate that they themselves will not introduce such legislation in the course of a few years? These two States have only, within the past year, commenced to organise, properly, departments to control tuberculosis, and it is more than doubtful if they have the means to institute large scale surveys of the population. They

have not had the benefit of the years of experience which has been gained by Tasmania and Western Australia.

Tasmania has been the first of the States to act in this matter and the Government wishes this State to be the second. Surely it is preferable to follow the example of such highly civilised people as the Scandanavians, when we find that Norway in 1949 instituted compulsory x-ray examination and B.C.G. vaccination for its population. In Switzerland compulsory x-ray examination of the chest is in force prior to the engagement of a member of the teaching or caretaking staff of schools, educational establishments, children's homes, day nurseries and similar institutions intended for children and young persons, as well as the medical examination of pupils and children on admission to such establishments.

The x-ray examination must be repeated every three years in the case of members of the teaching or caretaking staff and also for pupils of primary and secondary schools. In the case of University students and members of teachers' training colleges, upper classes of secondary schools and vocational schools, as well as for all apprentices, annual x-ray examinations are compulsory. In addition, all persons working in an office or workshop, or living in a house or group of houses in which a case of tuberculosis has been notified, must have an x-ray examination in accordance with Article 2 of the Federal Act of the 13th June, 1928.

The introduction of this legislation last year was considered seriously by the Government but it was thought advisable to continue the trial of existing methods for another year, which has revealed the advisability of power to order compulsory examinations. Dr. Hislop referred to the need for the preservation of the doctor-patient relationship. The professional relationship between thousands of patients that pass through the Chest Clinic every year, and the medical staff is of a very high nature. Indeed, it might be that the relationship of the staff with the patients is improved because of the lack of any financial association between doctor and patient.

In this connection I refer to the remarks made by Dr. Hislop concerning the functions of the Commissioner of Public Health in the case of a child suffering from a venereal disease. Such a case occurred recently, and the Commissioner felt it his professional duty to inform the parents, which he did, at the same time realising that he was committing a breach of the Health Act. The absurdity and anomaly of the circumstances were such that the need for an amendment to Section 314 became apparent. It will be noted that in this instance the Commissioner's actions were guided, not by the "official" but the "practising" mind.

I can assure the House that the Government has every confidence that the experience and ability of the Commissioner, and of the Director of Tuberculosis and their medical staff are such that a correct relationship will be preserved between them and members of the public. As it is, the Commissioner, under the Act, possesses wide power over the personal liberty of citizens in the case of infectious diseases, and, there is no evidence that this has been abused. There is also no need to assume that it might be abused if these fresh powers are granted. Only too often the person who refuses to submit to an x-ray examination for tuberculosis does so because he knows that he is a sufferer and that he does not wish to have the fact disclosed, being callously and even criminally negligent of the life and health of his family, or other contacts.

The great danger in tuberculosis is from the case which is unknown and in which no precautions can be taken to protect others. Until 1947, nurses at the Royal Perth Hospital contracted tuberculosis at the rate of approximately 1 per cent. per year. This meant that with a staff of 400 nurses, four every year contracted tuberculosis. Three years ago, Dr. Anderson, the Medical Superintendent, commenced the practice of x-raying the chests of every patient in the hospital. Many cases of tuberculosis were discovered and are still being discovered. The hospital authorities isolate them and the nurses are aware of the type of case that they are nursing, and in so doing, take the necessary preventive measures advised by the medical officers. In the past three years only one nurse has developed tuberculosis—and that was a very mild case. This means that the incidence of the disease among the nursing staff has been divided by 12.

Can it possibly be considered that this compulsory x-ray examination at the hospital has not been justified in the interests of the patients, the nurses, and the public generally? With but very few exceptions, and those only among that group of persons who are irresponsible or mentally subnormal, the patients themselves have been very grateful for this compulsory service to which they were subjected. The Director of Tuberculosis Control, Dr. Alan King, x-rays the chests of many thousands of persons each year at the Perth Chest Clinic. Over 82,000 persons have been x-rayed since May, 1948, including 2,000 "volunteers" monthly from the general public. It is found that by far the greatest yield, expressed as numbers of tuberculosis persons found for every thousand examined, occurs in certain groups of the population.

Hon. H. K. Watson: Such as?

The MINISTER FOR TRANSPORT: I am coming to that, although I think it applies to certain industrial groups. If the number of people who can be examined is limited, it is obviously more economic

and productive of better results to x-ray those groups in which one knows that there will be the highest incidence of the disease. Therefore, I understand that the case finding programme concentrates on special groups in which the incidence of tuberculosis may be high. These include contacts of known cases, cases referred by doctors with suspicious chest symptoms, hospital "in" and "out" patients, and other groups such as old miners. It is for this reason that certain classes are referred to in the Bill. Surely if the Commissioner of Public Health has reason to suspect a high incidence in some sections of the community, it is reasonable and economical of effort to search them out. It is this, rather than modes of transmission of the disease, that is indicated by reference to certain classes of the population.

The statement was also made by Dr. Hislop that when an active case of tuberculosis is discharged from Wooroloo Sanatorium back into the community, the "circle of infection" goes on. As I have said earlier in my speech, this is not so. Any patient discharged from the sanatorium has been taught how to prevent the spread of disease. Moreover, the decision to discharge is governed by the home conditions which are first investigated. A staff of nine visiting, highly-certificated nurses, attached to the Chest Clinic, visits the patients' homes to offer advice and to aid them to protect other persons living in the household.

Sitting suspended from 6.15 to 7.30 p.m.

The MINISTER FOR TRANSPORT: I must repeat emphatically that it is not the known cases of tuberculosis that are the greatest danger, but the unknown case that unwittingly spreads the germ. It is found that in this type of case the incidence of the disease in the domestic contacts is over ten times as high as it is in the average population. Dr. Hislop also raised the old argument—"why find cases of tuberculosis when you have not sufficient hospital beds to accommodate them." This argument is easily answered, and has been answered by Dr. Wunderly, The Commonwealth Director of Tuberculosis. For example, if the father of a family is found to have tuberculosis, and by advice can be prevented from infecting his children, surely it is better to do at least that much.

Admission to the Wooroloo Sanatorium is governed by assessing the priority of the patient for treatment. An infectious case which can be treated, healed and rendered non-infectious is given a higher priority for admission over the infectious case in good home surroundings, in which the prospects of healing the disease are more remote. An economical use of beds provides the greatest good to the greatest number and all authorities throughout the world are in agreement that the first step in tuberculosis control is to find out who has the disease and where he is.

The Western Australian branch of the British Medical Association has stated in writing under date the 20th October, 1950, that the branch council is of the opinion that it would be to the advantage of the health of the community if all members thereof had a chest x-ray and that this should be encouraged. One other point needs to be emphasised again—that the former objection on financial grounds no longer exists, and this was pointed out clearly by Mr. Loton.

It is generally recognised that the Commonwealth Tuberculosis Act, in its provision of finance to the States for the detection and treatment of cases of tuberculosis, has been the greatest step forward in Australia for the control of this disease. It allows for the building up of public health services in the States for the prevention of the disease, and in the provision of the tuberculosis allowances, provides the very necessary social and economic support that allows the tuberculosis sufferer to cease work and undertake treatment if necessary. There is no doubt that, along with preventive measures in the provision of better living conditions, food and housing, one of the means of prevention of an infectious disease is to locate the individual who may be the source.

Progress by "discovery of active cases previously unsuspected" was admitted by Dr. Hislop. Why then not find them all, if possible? Satisfactory progress in the control of pulmonary tuberculosis in this State has already been made. The death rate for the year 1949 was 23 per 100,000, the lowest on record and good by any world standard. Pulmonary tuberculosis is still the scourge that attacks mankind in the productive and reproductive ages. Its wastage in man power can be ill-afforded by Australia at this juncture. We must give our health authorities whatever power they need, not only to lessen its effect, but to eradicate it completely if possible.

With regard to Mr. Parker's proposal that in the metropolitan area, as prescribed under the Traffic Act, the annual health rate shall be assessed on the annual value instead of the unimproved capital value, I would like to point out that in the metropolitan area, health rates are assessed by municipal councils on the annual rental value, with the exception of the endowment lands of the Perth City Council and these are assessed on the unimproved capital values. Road boards in the metropolitan area, however, assess rates on unimproved capital value, these being—

Bayswater, Bassendean, Belmont Park, Canning, Gosnells, Melville, Mosman Park, Nedlands, Perth, South

Perth, Peppermint Grove, Fremantle, portions of Swan, Mundaring and Armadale-Kelmscott Road Districts.

The Nedlands Road Board uses annual rental values for certain properties facing Stirling-highway. If, therefore, the proposed amendment is given effect to, it will mean that all the fifteen road boards enumerated above will be required to make a valuation of their district on annual rental values for health purposes only. This will be very costly and entail a vast amount of work and, in addition, will upset the bookkeeping procedure as, at the present time, the health and road rates are included in one column and segregated at the end of the year. If rating for road board purposes is to be on the unimproved capital values and rating for health purposes on the annual rental values, rate books will require to be redesigned, this being quite a substantial work.

I draw members' attention to Section 219 of the Road Districts Act which provides—

> Subject to this Act, every board shall, on or before the thirty-first day of July in every year, make a valuation of all ratable land in the district, on the unimproved value, or, with the consent of the Governor, on the annual value . . . every valuation shall remain in force until a new valuation has been made.

As Section 43 of the Health Act incorporates the valuation principles of the Road Districts Act into the Health Act, it will be noted that a road board is compelled to rate on the unimproved capital values unless the approval of the Governor is obtained to rate otherwise. It will therefore be seen that Mr. Parker is attempting to amend the wrong Act.

The Health Act sets limits to the rate which may be declared, and requires the rate so made to be levied according to the procedure set down in the local governing Act—that is, the Road Districts Act or the Municipal Corporations Act, whichever applies. These latter Acts prescribe whether the basis of rating should be on annual values or unimproved values. If it is decided by Parliament that all rates in the metropolitan area should be based on the annual values and not on the unimproved capital values, then the Road Districts Act and the Municipal Corporations Act would require to be amended, but not the Health Act. I would also point out that the metropolitan area as defined under the Traffic Act cuts across existing local government boundaries. The amendment as proposed, would create confusion in that it would apply in some parts of some road districts and not in others.

Question put and passed.

Bill read a second time.

BILL—TRAFFIC ACT AMENDMENT.

Second Reading.

Debate resumed from the 8th November.

HON. L. A. LOGAN (Midland) [7.40]: I have not much time to go through the Bill. The only point that worries me concerns the endeavour to be made to split up the proceeds of license fees between the different local authorities concerned. I notice that the mileage travelled over main roads has to be taken into consideration and a proportion of the money deducted in that regard. I do not know how that will work out, and I hope the Minister will be able to give me some information on the point. Under existing conditions in any such matter the two local authorities concerned arrive at an adjustment between themselves. Now that the deduction has to be made with regard to mileage travelled over main roads, I am afraid a person will have to employ a clerk to sit alongside him to note the mileage over main roads Can the Minister explain how the check can be kept on the mileages?

The Minister for Transport: It is suggested that the local authorities should agree amongst themselves, failing which a magistrate would determine the issue.

Hon. L. A. LOGAN: But why bring in the mileage travelled over main roads at all.

The Minister for Transport: Main roads are not maintained by local authorities.

Hon. L. A. LOGAN: If two local authorities had to split the money between them and the distance travelled over the main road was 50 per cent. in the area of one road board and 50 per cent. in that of the other, we would be back where we started from.

The Minister for Transport: That sort of thing will be adjusted.

Hon. L. A. LOGAN: I do not know how it will work out.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—COUNTRY AREAS WATER SUPPLY ACT AMENDMENT.

Second Reading.

Debate resumed from the 8th November.

HON. E. H. GRAY (West) [7.46]: I support the Bill because it will mean a big improvement in the administration of the Act. It amends the 1947 legislation and, by enabling the Minister to delegate his power, will save him a tremendous amount of detail work and will abolish a lot of red tape. If the Minister delegated his

power to an officer of the department, quite a lot of work which has to be done in the country would be avoided, and there would be a considerable saving of time. Clause 3 protects the Minister, as it gives him power to cancel his delegated authority at any time he thinks necessary. The Bill is a small one, but will improve the administration of the department, and I support the second reading.

Question put and passed.

Bill read a second time.

In Committee.

Hon. A. L. Loton in the Chair; the Minister for Transport in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Amendment of Section 7:

Hon. H. S. W. PARKER: I would like to ask Mr. Gray what is meant by the words "state of mind of the Minister" in proposed new Subsection (4). How can the Minister delegate his state of mind to someone else?

Hon. E. H. GRAY: This is the legal interpretation of the powers of the Minister. The subsection gives authority for the delegation of full powers.

Hon. H. S. W. Parker: Even of his state of mind?

The MINISTER FOR TRANSPORT: I would not attempt to cross swords with Mr. Parker in the interpretation of a legal point, but to my mind, as a layman, this suggests that the man to whom the authority is delegated has to imagine how the Minister would act if he were placed in a certain position.

Hon. H. S. W. PARKER: It seems to me entirely wrong that the Minister should be able to delegate his powers. If he is given authority to do so, surely he delegates only the powers provided in the Act, and does not delegate his state of mind. If Ministers do not object to delegating their powers, I do not intend to oppose the provision; but on principle it is a bad thing for Ministers to delegate powers. Furthermore, to whom will these powers be delegated? Apparently, to anyone.

Clause put and passed.

Title—agreed to.

Bill reported without amendment, and the report adopted.

BILL—MINING ACT AMENDMENT.

Assembly's Amendments.

Schedule of two amendments made by the Assembly now considered.

In Committee.

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

No. 1. Clause 4, page 2, line 13—Add after the word "minerals" the words "except surface gypsum."

The MINISTER FOR MINES: Members will recall that this amending Bill sought to do two things. The first was to allow a concentration of labour on any one lease or on two or three leases out of a number on the same goldfield. The second was to grant a reserve for the prospecting of alkali to the extent of 5,000 square miles. This was to enable a well-known company to do prospecting to discover alkaline earths and acids which might be of considerable use in the manufacture of fertiliser. In another place, Mr. Marshall moved that an exception be made to allow prospectors to search for gypsum, which is an alkaline earth. Inquiries have been made, and the company concerned is not interested in gypsum and is quite happy that the amendment should be accepted. I have also checked up with the Mines Department, which is quite satisfied that no good purpose would be served by refusing to accept the amendment. I therefore move—

That the amendment be agreed to.

Question put and passed; the Assembly's amendment agreed to.

No. 2. Clause 4, page 2—After the definition of "alluvial prospecting" insert a further definition as follows:—

> "surface gypsum" means gypsum within thirty feet of the natural surface of the ground.

The MINISTER FOR MINES: This is exactly the same as the other amendment, and I move—

That the amendment be agreed to.

Question put and passed; the Assembly's amendment agreed to.

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

BILL—WOOD DISTILLATION AND CHARCOAL IRON AND STEEL INDUSTRY ACT AMENDMENT.

Second Reading—Defeated.

Debate resumed from the 1st November.

HON. N. E. BAXTER (Central) [7.57]: This Bill proposes that none of the plant at the wood distillation works at Wundowie shall be disposed of or leased by the company without ratification by Parliament. When Mr. Gray introduced this Bill, he pointed out what a wonderful advantage these works had been to Western Australia in the provision of timber and iron. I intend to oppose the Bill, however, on the ground that the Government should have the right, without reference to Parliament, either to lease or sell an undertaking of this sort which, up to the present, has not proved profitable. The loss incurred last year is somewhere near £90,000.

There is definitely a limit to the life of the Wundowie wood distillation plant. It was originally estimated at 15 years. Actually, the concern was to be in the nature of a pilot plant with the idea of establishing a larger undertaking in the South-West near Bunbury. If the works are to cost the State over £2,000,000 in their first 15 years of existence, I do not know what a larger plant near Bunbury would be likely to cost. If we continue at the present rate, it seems to me that the State will almost be bankrupt. Going into a few figures, the capital cost proposed when the project was first before Parliament was £95,000 for the installation of the charcoal-iron plant, and a further £30,000 for a refinery.

In addition to that, as anyone knowing much about the amount of timber required to provide sufficient charcoal for the smelting of iron-ore at Wundowie would realise, it meant the installation of a rather large timber mill there. I do not know what the eventual cost of that mill was, but it must have been a fairly big sum and Mr. Gray's contention as to the advantage gained by the erection of that mill does not hold much water, because we could have established a timber mill in any part of the State and not necessarily at Wundowie as an adjunct to the charcoal-iron industry.

When the original legislation was before Parliament members were told that charcoal-iron could be produced at £6 14s. 8d. per ton. Admittedly costs have risen since then, but today charcoal-iron is being sold from Wundowie at approximately £12 per ton, which is a price similar to that at which the Broken Hill Proprietary Limited is landing pig-iron in Western Australia today. I might add that they are not getting much profit, if any, from the iron they are landing in Western Australia.

Hon. R. J. Boylen: You are not going to tell us that they are losing on it?

Hon. G. Bennetts: We had a grave shortage of iron here.

Hon. N. E. BAXTER: We are still producing only 140 tons of pig-iron per week, as against the State's requirements of 200 tons. I do not say that the production of that 140 tons per week is not of some advantage to Western Australia but I do not think it justifies the capital expenditure that has been made on the scheme and which today, I understand, is in the vicinity of £900,000. When the original capital cost was estimated it was stated that the project would produce 10,000 tons per annum, and in view of the present production of 6,500 tons members can see how far short the original estimate was.

If the Government were tied so that it could not sell the works should an opportunity arise, by the time the whole thing had been bandied about through the Houses of Parliament and debated, I am sure a buyer would be on his way to the other side of the world. I do not think anyone would entertain purchasing an enterprise of this sort after all its details had come out and its financial set-up and so on had been discussed. No-one would entertain acquiring a business that had been dragged to pieces in that way. I would not like to tie a Government of any political complexion by means of a measure of this type so that it could not treat as a reasonable business proposition and dispense with such a plant in an efficient manner. Only those who know the inner workings of the State concerns would know how to handle the matter of selling or leasing and it would take a lot of inquiry on the part of members and a lot of time before they could possibly know what they were doing in the matter.

My main objection is the time factor because if an opportunity arose at any time to dispose of such a State undertaking profitably it might pass before anything conclusive could be done. Looking back over the years we find that financially the majority of State enterprises have been dismal failures, one after the other. Very few of them have ever shown anything near a reasonable profit. In such projects the attitude seems to be "It does not matter whether we make a profit or not. It is a Government concern." If we can get private enterprise to take over some of these Government white elephants, we should give them every opportunity of doing so and should keep the gate shut once we have got them and their money inside. We certainly should not pull the whole thing through the Houses of Parliament and drag out all the details—

Hon. A. L. Loton: But you would be selling under false pretences if you did not disclose the details.

Hon. N. E. BAXTER: I would not say that, but I am certainly not such a poor business man that I would drag out all the adverse details. I oppose the Bill.

HON. H. C. STRICKLAND (North) [8.5]: I do not think we need worry about any purchaser bursting himself to buy a white elephant such as Mr. Baxter has described. If this undertaking is losing so much money, it will not be rushed, and I believe this Bill has been brought down as a protective measure. No-one might wish to buy the complete works and yet a purchaser might be found to buy some vital piece of machinery or portion of the works which could be disposed of before Parliament was aware of what was happening. It is only right that there should be some safeguard where so much public money is invested.

Hon. H. K. Watson: Where so much public money has been spent!

Hon. H. C. STRICKLAND: Some £27,000,000 has been spent or invested in our railways. Would members wish to sell any part of that asset? We would not have to delve into all the values and pros and cons of whether this industry was worth a certain figure or not. That would all be done by departmental officers and Parliament would have submitted to it a Bill similar to that in connection with which a Select Committee is now sitting. The measure would contain an agreement needing only ratification by Parliament. I support the Bill.

HON. E. M. HEENAN (North-East) [8.7]: I support the point of view put forward by Mr. Strickland and would have thought any Government would welcome a Bill of this nature. I do not know what will be the attitude of the Minister with regard to the Bill but I do not think there is anything in it to be afraid of. This industry is in a somewhat unique position. Members will recall that not long after it was commenced it was made the subject of an inquiry which, to the best of my recollection, completely vindicated the proponents of the enterprise.

On Mr. Baxter's own figures, if the State requirements of pig-iron amount to 200 tons per week and this industry, which did not exist until comparatively recently, is able to produce 140 tons per week, surely it is well worth while. It has been in operation for only a few years and is still in its infancy. I am sure we all hope and trust that it will grow and eventually prove of great benefit to the State. Should any Government consider selling that industry or any part of it, I believe it is only right and proper that Parliament should first give its consent to such a proposal.

As Mr. Strickland pointed out, Parliament is now being asked to consent to a comparatively minor agreement relating to a timber concession—a minor matter compared with this. If it can be argued that the consent of Parliament is necessary to ratify that measure, how much stronger is the claim if the sale is proposed of this industry or any portion of it. This Bill contains a safeguard that should be welcomed and I think the House would do well to support it. I have pleasure in supporting the second reading.

HON. R. J. BOYLEN (South-East) [8.10]: The Bill is a simple one that seeks power to safeguard one of the assets that constitute the nucleus of what may well prove to be the greatest industry we will ever see in Western Australia. About three years ago a Royal Commission was appointed to inquire into the pros and cons of this undertaking. I think those responsible for the Royal Commission at that time thought it would in all probability condemn the project but, on the contrary, it did nothing of the sort. I think that on the findings of that Royal Commission we should give the industry a fair trial, despite the fact that it may have cost the State a good deal. I think it is one of the greatest moves that the Administration of that day made with regard to industry in this State and I believe it is the nucleus of the steel industry that will probably be established in the South-West of the State in the near future.

HON. W. J. MANN (South-West) [8.12]: I am not quite sure that the Bill embodies such a simple and desirable amendment as has been suggested. I have been somewhat disappointed at the return that the State has so far had from the industry and at the outlook generally of the concern at Wundowie. It has cost the State an enormous sum of money; far more than we were led to believe would be involved when the industry was established. The result, in a minor way, may be said to have been satisfactory, but I am not at all convinced that as this State grows and its metal requirements expand Wundowie will be able to measure up to them.

I am wondering whether, as a late member of this House used to say, there is something of a nigger in this woodpile, and whether this measure is not a move to assist in the direction of socialisation of industry. I can visualise this or some other Government saying "No, we cannot part with that without the consent of Parliament," well knowing that it has a majority in both Houses. I would not be averse to this project being taken over by private enterprise. I believe if it were, we would get better results and there would be a good deal more energy and forceful operation than has been shown to date. To me it is just dawdling along. Whilst we have some results which, in my estimation, have been disappointing, I am not going to take the risk of supporting this amendment.

HON. G. BENNETTS (South-East) [8.16]: I am surprised at some members saying they are quite prepared to allow the State works at Wundowie to be disposed of without any reference being made to Parliament. I do not think the taxpayers of the State would be pleased about that. I certainly would be a little sceptical because all the eyes are likely to be picked out of the industry and the rest left. When these works were established it was with the idea of seeing what could be done in the production of iron in this State. The Wundowie works have done a wonderful job and even if they have shown a loss, the people in big business have reaped the benefit of being provided with iron.

There is no doubt that certain individuals and concerns have reaped great advantage from the expenditure of taxpayers' money on this project. We have not progressed far with the production of iron and steel in Western Australia, but we have only to realise the possibilities of

pyrites production at Norseman, and the iron to be obtained from it, in the huge dumps of ore existing at that centre. If we were to install large steel works we would reap benefits from them even if they showed a loss for the time being. With shipping and other production hold-ups, unless we have our own steel and iron works, we are going to be hamstrung in many directions. I would be opposed to the disposal of these works without any reference being made to Parliament.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland) [8.19]: I support the second reading of the Bill for possibly a different reason than that advanced by other members. This is a private member's Bill introduced in another place and seeks parliamentary sanction to be required for the disposal of the whole or any part of the works at Wundowie. At the instigation of the Minister for Industrial Development an amendment was moved to the Bill to prevent the sale of any part of the plant that was considered necessary for the production of charcoal-iron, without the approval of Parliament first being obtained.

What Mr. Boylen said about the appointment of a Royal Commission some two or three years ago to inquire into the industry was quite correct. If the Royal Commission had not recommended that the industry be carried on, it is quite possible that the present Government would not have permitted the works to continue. The plant at Wundowie has shown considerable loss measured by the ordinary methods of commercial private enterprise, but it must not be forgotten that it did ensure a continuity of charcoal iron supplies to the industries in this State when no other iron was available. So if one offsets the benefits which undoubtedly accrue to the State industries against the monetary loss incurred, I think it will be found that we have suffered very little. There is no certainty that these conditions may not recur.

The experience gained at Wundowie has been of distinct value. It is recognised that the plant there—practically a pilot plant—could not, on its present scale, appeal to a private concern, but if an industry on a large scale were established in another part of the country, it might be a different story, and the experience gained at Wundowie would be of immense value. I do not know whether members have had the opportunity of inspecting the work done at Wundowie. Amongst other things, when the trees in the forest are fallen, the merchantable timber is sold, and this has proved of great value in relieving the timber shortage in places where timber is required for housing. The remainder of the timber, which is not merchantable, is sawn into blocks, converted into charcoal and, with the lime flux and iron ore, goes through the smelter and the quantities of iron, as mentioned by members, are produced.

If this Bill is passed, it is true that it would, perhaps, prevent the Government from accepting an advantageous offer, but such offer is, to say the least, very problematical. If an offer were made, it is hardly likely that the one making the offer, knowing the conditions applying under this legislation, would not be prepared to wait until Parliament sanctioned such a sale. The attitude of the Government is that until there is an assured supply of choarcoal-iron from other sources it should carry on with the works as at present, to assure charcoal-iron supplies for the industries in the State. For those reasons I support the Bill.

Hon. H. HEARN: I move—

That the debate be adjourned.

Motion put and negatived.

THE MINISTER FOR AGRICULTURE (Hon. G. B. Wood—Central) [8.24]: I am opposed to this Bill. I am not going to debate the merits or demerits of the works. What I am concerned about is: Who are the best people to determine as to whether these works should be sold if, at some time, the Government should decide to sell them, other than Government experts? The Government would appoint an expert to inquire into the whole question to decide whether or not it should sell. However, if a question of this nature is brought to Parliament the vote will be taken along party lines. Therefore, because I think the experts that the Government—any Government—would consult would determine a sale or otherwise, I intend to oppose the Bill.

HON. H. S. W. PARKER (Suburban) [8.25]: I oppose this Bill for a good reason. I have a very vivid recollection of the Mitchell-Latham Government passing an amendment to the State Trading Concerns Act in 1930 which gave power to the Government to sell or lease trading concerns. Section 25 of the State Trading Concerns Act, originally passed in 1917, then read:—

> Subject as hereinafter provided, the Minister may sell or lease any trading concern for such amount, and upon such terms and conditions as may be approved by the Governor in Council:
>
> Provided that possession shall not be given to an intended purchaser or lessee under a contract of sale or agreement for lease until the approval of Parliament has been obtained.

In 1930, the words "Subject as hereinafter provided" and the proviso were struck out so the Act now reads:—

> The Minister may sell or lease any trading concern for such amount, and upon such terms and conditions as may be approved by the Governor in Council.

The expression "trading concern" means—

> Any concern carried on with a view to making profits or producing revenue or competing with any trade or industry now or to be hereafter established, or, entering into any business beyond the usual functions of State Government.

I remember that we sat continuously from 4.30 p.m. one day until 9 a.m. two days later. I think it was somewhere between 35 and 40 hours of continuous sitting in order to get that amendment through because it was strongly opposed by the Opposition which stonewalled because it wanted all contracts for the sale or leasing of any State trading concern to come before Parliament.

The then Government pointed out that no-one would buy any State trading concern if all his affairs were to be raked fore and aft in a debate in both Houses of Parliament. It is quite obvious that no State trading concern would be sold under those circumstances. It is rather curious that the State Trading Concerns Act is not to be amended but only the Wood Distillation and Charcoal Iron and Steel Industry Act. If it is necessary to prevent the Government in power from selling a charcoal iron industry, why is it not necessary to prevent it from selling any other State trading concern?

Hon. N. E. Baxter: Chandler, for instance.

Hon. H. S. W. PARKER: Yes, or any other of them. If this Bill proposed the selling of the works at once or even giving them away, I would be strongly opposed to it. In voting on this Bill I shall not be concerned whether it is a good or bad industry or whether it is good or bad for Western Australia. I will assume that it is a good concern and is run for the benefit of the State, but the time may come when we shall want to dispose of it, and everyone may be in agreement in that respect.

I think it would be very disastrous to agree to the Bill. If we do so, we shall have a series of measures introduced proposing that this provision apply to every one of them. This is but the thin edge of the wedge and, justifiably it may be claimed for other trading concerns if Parliament agrees to this Bill. What argument would there be against its application to other trading concerns? I am in principle opposed to all State trading concerns, and have expressed the opinion time and time again that the duty of the Government is to govern, not to trade.

Hon. E. M. Heenan: Do you include railways in that category?

Hon. H. S. W. PARKER: They were not established to trade in the same sense; they were established to open up the country, but if we could get anyone to buy the railways, I should be one of the first to vote for selling them.

The Minister for Agriculture: You are fairly safe in saying that.

Hon. G. Bennetts: What about charging higher freights?

Hon. H. S. W. PARKER: If that is suggested, we are told that it will be impossible to continue with the work of opening up the country. The Wundowie works have been established with the object of making a profit. Are we to spend many thousands of pounds of the State's money for experimental purposes in order that private enterprise might be supplied with some of its needs?

The Minister for Transport: What is wrong with private enterprise?

Hon. H. S. W. PARKER: Why bolster up the big business men, as Mr. Bennetts would suggest? For the reasons I have given, I am strongly opposed to the Bill.

HON. H. HEARN (Metropolitan) [8.32]: When I moved the adjournment of the debate, I did so because I came away early this morning and have been here all day and have not had an opportunity to pick up some figures which should be quoted and which Mr. Gray omitted to mention. He gave us quite a lot of figures, but I had certain statistics dealing with the trading side.

Why should this Wundowie undertaking be the subject of a special Bill to ensure that it cannot be disposed of? I acknowledge freely that, from a secondary industry point of view, the Wundowie enterprise has done a very good job during some very difficult years. I have not heard anyone say that we would have had supplies of pig-iron in this State had Wundowie not operated, but it is quite certain that we have had none coming in since the works started production. If I could have brought the trading account figures along, we would know, before voting on the Bill, what this industry is costing the country, and in that event some members might have been influenced to modify their views.

We should examine very carefully this proposition to tie the hands of the present or any other Government in the matter of getting rid of any undertaking that could be managed more efficiently by private enterprise. This measure would tie the hands of any Government, even if a wonderful offer were received, though I believe the chances of getting an offer are very remote. I believe it possible to pay a very much higher price than we can afford, even for some of the necessary requirements of secondary industries. That statement may seem strange to members, knowing as they do where I stand and the interests I represent, but one of these days somebody will have to foot the bill.

I am satisfied that if we look closely into the affairs at Wundowie and ascertain what it has cost during the last 12 months

we would not be so enthusiastic in entering upon trading ventures that properly belong to private enterprise. If private enterprise cannot make an industry pay, it goes to the wall, and because of that fact private enterprise is efficient and never undertakes the problematical. The Minister informed us that at Wundowie there was only a pilot plant. I am pleased to know that. Had it got into business properly, it could have sent the State bankrupt. I shall vote against the second reading.

HON. E. H. GRAY (West—in reply) [8.37]: I am surprised at the remarks of Mr. Hearn.

Hon. H. Hearn: But you always are.

Hon. E. H. GRAY: When moving the second reading of the Bill, I gave the figures as quoted by the Minister for Industrial Development in another place.

Hon. H. Hearn: But not the trading account.

Hon. E. H. GRAY: Most of it.

Hon. H. Hearn: No.

Hon. E. H. GRAY: I stated that the works had lost a lot of money. We all know that, but we also know that a much larger amount would have been lost had not the iron been made available to private enterprise. During the difficult years, it would have been impossible for the manufacturing concerns to carry on without tremendous losses both to the employers and employees, and I feel safe in saying that the loss to private enterprise and to the people engaged in the industries concerned would have been much greater than the loss suffered by the State.

This is not a matter of socialised industry or private enterprise. It is a simple question whether Parliament should have a say before such an undertaking is finally disposed of. It is just a one-clause Bill. I disagree with the remark that the passing of such a measure would interfere with any attempt at selling the works. It is impossible to sell a big concern without conducting negotiations and making the requisite preparations for the sale, but there would be no need to discuss the private affairs of any business concern that contemplated taking over this industry.

Hon. J. A. Dimmitt: You could not possibly keep them secret.

Hon. E. H. GRAY: Negotiations could still be entered into by a company or a group of financiers interested in taking over the works. The point is that this Bill merely provides for Parliament to be consulted before a sale is concluded. The industry is too important to the welfare of the State for any other course to be adopted. Mr. Parker quoted the hasty legislation passed in 1930. Compare the conditions prevailing in 1930 with those existing today! In 1930, we were in the throes of the depression; everyone was stony broke, and the Government was looking for means to keep the State going. It was in the midst of those panic conditions that the Government succeeded in forcing the legislation through Parliament.

I am not satisfied with the manner in which the Government or Ministers have dealt with the Chandler concern, and a good many other people are of the same opinion. All that is asked under the Bill is that Parliament should sanction any sale before it is finalised. The measure is simple and plain and, in another place, was amended at the instance of the Minister for Industrial Development. I am grateful to the Leader of the House for his support of the Bill.

I believe that the Wundowie works will eventually lead to the establishment of a big iron and steel industry in the South-West, and it will be well worth while losing a few pounds if we can get such an industry established there. It is not right to quote figures of losses, because so many things have happened since the originators established the works. The establishment of the works was justified; they will be required in future and at present private enterprise cannot do without them. Therefore I ask members to sweep aside all prejudice and give Parliament an opportunity to say "yes" or "no" to any proposal for selling the works.

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

Ayes	10
Noes	14
Majority against	4

Ayes.

Hon. G. Bennetts	Hon. E. M. Heenan
Hon. R. J. Boylen	Hon. A. L. Loton
Hon. E. M. Davies	Hon. C. H. Simpson
Hon. E. H. Gray	Hon. H. C. Stricklan
Hon. W. R. Hall	Hon. L. Craig
	(Tell

Noes.

Hon. N. E. Baxter	Hon. W. J. Mann
Hon. J. A. Dimmitt	Hon. H. S. W. Park
Hon. Sir Frank Gibson	Hon. H. L. Roche
Hon. H. Hearn	Hon. H. K. Watson
Hon. J. G. Hislop	Hon. F. R. Welsh
Hon. A. R. Jones	Hon. G. B. Wood
Hon. L. A. Logan	Hon. J. M. Thoms
	(T)

Question thus negatived; Bill defea

BILL—PUBLIC WORKS ACT AMENDMENT.

Second Reading.

THE MINISTER FOR TRANS RT (Hon. C. H. Simpson—Midland) [8 in moving the second reading said: Dur the past four years the needs of the p war public works programme have requ the resumption under the Public Work ɔt of no less than 6,690 parcels of land. / ough

I do not have the figures available, members will realise that a substantial percentage of these resumptions was made for the State Housing Commission. This very large number of resumptions has revealed several weaknesses in the Act, and although these are of a minor nature, it is felt that they should be rectified as soon as possible, both in the interests of the public and the resuming authorities. It is for this purpose that the Bill has been brought down.

Members are aware that as well as authorising the use of Crown land and public reserves, the Act provides for the resumption of freehold and leasehold private land where such land is required by the Crown or local authorities for essential public works. Where land is resumed and the parties cannot agree on the amount of compensation to be paid, the Act provides that a determination shall be made by a compensation court, the court consisting of a president and two assessors, one appointed by the claimant and one by the respondent. Where the claim does not exceed £500 the president of the court is a resident or police magistrate, and if it is more than £500 a judge presides. Where land is required for public works there is no option under the Act but to take the full use of such land. For some time the department has felt that, in many cases, this has not been necessary.

There are some types of public works that do not require the full use of the land and so the Bill provides that where suitable a part only of the land shall be resumed. An extreme example is in connection with the high tension electricity main from South Fremantle to East Perth. The necessity of keeping this line as straight as possible makes it impossible to avoid its passing through private property. The same conditions apply to the construction of sewers, drains, etc. While other Acts authorise the construction of such works on any land, irrespective of resumption, it is essential that there be some power to prevent the owners of the land building under or over the work, to the possible danger of both the work and the public.

All that the Crown requires in such cases is that it shall have access to the works and that buildings over or under the works shall not be permitted. The same object could be achieved by resuming the freehold of the land and granting the owner limited rights of use, but this would be cumbersome, and not wholly satisfactory to the owner, as restricted use granted by the Minister is seldom registered on the title. Where a part of the land is taken under the provisions of the Bill, it will be acquired on similar terms to which freehold is resumed, that is, free of all trusts, mortgages, charges, obligations, etc. This will be automatically registered on the title, the owner retaining his freehold title, subject to the easment taken. The provisions of the Act relating to compensation will apply in such cases.

The next amendment is a technical one which has been recommended by the Titles Office. The Act provides that where any land is to be resumed, notice shall be given in the "Government Gazette," but that, at any time within 90 days, the notice may be annulled or amended. If no annulment or amendment is effected, the Titles Office is required to register the resumption on the title after the period of 90 days has elapsed. The Bill proposes that the resumption shall be registered on the title immediately it is gazetted, instead of after 90 days. This is considered necessary to prevent the possibility of further dealings in the land after the resumption has been gazetted, and to conform to Section 18 of the Act, which automatically vests the land in the Crown or the local authority on the date the resumption is gazetted.

There have been instances of transactions in land subsequent to the gazettal of resumption and these transfers have been accepted by the Titles Office which for 90 days would have no record of the resumption. In fact, as a means to obtain an unjustified amount of compensation, fictitious sales have been concocted and transfers lodged at the Titles Office after the gazettal of resumption. The Bill also provides that any annulment or amendment of resumption shall be recorded on the title.

Opportunity has been taken in the Bill to set out more specifically the procedure required of the Titles Office when the land is held under different types of registration. The necessity of providing the Titles Office with both a description and a plan of the land to be resumed has been amended to permit of the submission of a description only, when the land can be described with certainty by reference to existing Titles Office plans. The requirements under the Act for the resuming authority to prepare and lodge plans in all cases of resumption has caused a great deal of completely unnecessary work in the Public Works Department and has also cluttered up the Titles Office with a host of superfluous plans.

It is required by the Act that where any land, not in a municipality or townsite, is so divided by resumption as to leave less than an acre on either side, then the owner may require the resuming authority to take the extra piece of land. This provision was apparently originally inserted to protect farmers from being left with pieces of land too small for economic working, but unless amended it might cause trouble to resuming authorities. The Bill proposes that the land which an owner may require to be added to that resumed shall not be more than a rood, and that it shall not include land situated in any municipality or townsite, or other area subdivided into sites for urban or suburban purposes, such as houses, shops, factories, schools, hospitals, etc.,

or land that is built on, or where the original land, before division, was not more than an acre in extent.

As an example, it is possible, under the Act, for an owner whose lot has been slightly interfered with, perhaps by a small road truncation, to insist that the rest of his block be resumed, a quite unjustifiable demand in most cases, as sufficient of the lot is usually left to meet town planning and local government demands. This provision in the Act was meant to apply to rural areas, and the amendment will make this clear. It is not considered that there is any reason why it should refer to residential, shop or business subdivisional allotments, whether they are in or outside a municipality or townsite, and which after resumption, comply with local authority requirements.

It is often possible to negotiate an understanding with an owner of private land for the permanent or temporary occupation of portion of his land by means of an easement. It frequently occurs that the Crown or a local authority desires the right of access or the right of way, or authority to lay a pipeline on or under private property. In these cases negotiations sometimes result in the establishment of an agreement by mutual consent in the form of an easement. If the Crown or local authority owns the adjoining or adjacent land, it is possible for the easement document to be registered in the Titles Office, because the holding of the adjacent land provides what is known as the necessary dominant tenement, this being necessary to enable the Titles Office to accept registration of such an easement.

Easements in gross are those where dominant tenements do not exist. In such an instance the Titles Office has no authority to register against the title of the land affected. The Bill seeks to provide the necessary authority for the Titles Office to overlook the question of dominant tenement in registering an easement in favour of the Crown or the local authority, against the title of privately owned land.

An important aspect in such case is that where easements in gross are in existence, there are no means by which a prospective purchaser of the land encumbered by such easement, can become aware of the encumbrance, except by a statement from the vendor. As an example, there may be a right of easement for a pipe running alongside the boundary of a property, and this encumbrance is covered merely by an easement in gross, which, at present, cannot be registered at the Titles Office. The purchaser is left in ignorance of this encumbrance unless the vendor voluntarily gives the purchaser the information that such an encumbrance exists.

Members will agree, no doubt, that this is not reasonable and that the amendment will benefit both the public and the resuming authority. The Commissioner of Titles considers that there is no necessity to issue a title for the easement to the State or local authority. In concluding my remarks, I would reiterate my earlier advice that although the amendments in the Bill are not of great importance, they are desired to improve the law in relation to resumptions of land for public works. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—MEDICAL ACT AMENDMENT.

Second Reading.

Debate resumed from the 8th November.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland—in reply) [9.1]: Dr. Hislop has expressed some concern about the declaration of a medical service as an auxiliary service because an inadequate salary has failed to attract Australian or British graduates. This is not the intention of the Government. The procedure will be for these appointments to be advertised and then if no Australian applications are received, the appointment will be declared to be one in an auxiliary service within the Act. Applications will then be called from displaced person medical men, the terms of the second advertisement being identical with those of the first. All advertisements appearing in the "Medical Journal of Australia," for medical appointments in this State, have the prior approval of the Western Australian branch of the British Medical Association. I can assure the House that the Government would not countenance any "undercutting" of Australian doctors, by advertising positions for new Australians at a lower rate than for our own men. This clause, and these appointments, will apply where there are no men of our own available.

The Government will do its best to ensure that salaries and conditions are reasonably high. The following instance may be of interest to the House. A new Australian doctor was recently appointed to work in a region in the Kimberleys and adjacent ports. His work at the present is largely concerned with the health of natives, this work including leprosy, hookworm and malaria control. After his appointment it was found necessary for him to go outside the geographic boundaries of his region. This difficulty was met temporarily by enlarging his region.

However, the situation might arise where it would be necessary later to engage him on work in connection with the health of natives, or on other matters in connection with preventible diseases in the North, in areas outside even his enlarged region. The obvious solution is to declare him appointed to an auxiliary service—in this case the North-West medical service. This is one of the reasons why it is proposed to establish auxiliary services. The salary and conditions of this doctor's service, which have been approved by the British Medical Association, are the same as those of other medical officers in the North-West. For the information of members these are—a present salary of £1,237 which is subject to basic wage adjustment, plus district allowance ranging between £60 and £100, according to place of residence. The average gross salary is, therefore, £1,317.

On the 1st January, 1951, this will be increased to £1,437. In addition he is supplied with a furnished house at a rental of £70 per annum, free travelling and subsistence allowances, etc. In addition, these appointments carry the right of a gratuity of £200 for the first year of service, £250 for the second year, and, after three years of service, six months' study leave is earned. He is also entitled to one month's annual leave. It will be of interest for members to know that the new doctor in the Kimberleys will shortly be sent to Professor Ford at the Tropical School at the Sydney University, for about a month's intensive tuition in tropical diseases.

I do not think that these conditions are ungenerous. It must be emphasised that neither in these appointments, nor in those made at the Claremont Mental Hospital, is differentiation made between the conditions of service of Australians and new Australians. Dr. Hislop has also inferred that a low standard of medical education or capabilities is accepted for such a regional appointment. This is not so. Selection is made from alien doctor applicants by the Medical Board of a suitable candidate who, in its opinion, measures up to Western Australian standards in medical ability. The selected candidate is further under scrutiny for three months in a metropolitan hospital before taking up his appointment to ensure that his professional standard is such as to meet the requirements of this State. Dr. Hislop has mentioned the Red Cross blood transfusion service. There are at present two vacancies for medical practitioners in this service—a senior and junior appointment.

Although these vacancies have been repeatedly advertised there have been no applicants. A suitable applicant for the junior post, an alien doctor, could be found immediately if the service were declared an auxiliary service as provided by the Bill, and delay in passing the Bill might seriously jeopardise the blood transfusion service with severe repercussions to the supply of blood and serum throughout the State. I might add that the Government does not control the salaries paid by the Red Cross blood transfusion service. It is probable that these have been approved by the British Medical Association.

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 12A added:

Hon. J. G. HISLOP: I am glad to receive the figures in regard to the salary which is to be paid for men in the service, and I am glad to know that the salary will not be altered because the individual to be appointed may be an alien doctor. But I still maintain this is a wrong approach to the matter. I have already stated that this is simply an attempt to make a wartime measure fit peacetime conditions, and the time has arrived when this State, and possibly the whole Commonwealth, should review the position of medical migrants who are arriving in this country. If this measure is passed, we shall still have a service to which medical men will be appointed if they measure up to the standard required by the registration board of Western Australia. I do not mind whether the Minister tells me that men who are picked by the Medical Board have qualifications equal to those of Western Australian medical practitioners and that they are then under supervision in a hospital. If those men have qualifications equivalent to men practising in Western Australia, then they should be registered. It is futile to say that these men must fill positions in this auxiliary service. If they have the qualifications, they should be registered and the registration Act altered to meet the conditions. But, frankly, I do not believe it.

Hon. L. Craig: What is the alternative?

Hon. J. G. HISLOP: The Minister has already told us of the alternative when he said that the men have been chosen by the Medical Board and they have qualifications equivalent to those men of practising in Western Australia. Therefore, the men must be there to fill the vacancies. The Minister has said that the men have been chosen, and are under supervision in the Royal Perth Hospital.

Hon. L. Craig: To prove themselves.

Hon. J. G. HISLOP: Not long ago, I retired from the position of senior physician in the Royal Perth Hospital, and for years I had never seen one of these men. During the war there might have been some, but they were there for special reasons. If somebody is going to say that these men are fit, then it should be the senior men in the hospital. But perhaps somebody else

has been given the job. If that is the manner in which it is being conducted, then the whole position should be reviewed. When it comes to a question of whether these men can join the various services scattered around the country, I still maintain that if they have not the means of qualifying in Western Australia, one wants to be quite certain that they can carry out the work in these outback services.

For these back country districts we need men of resource and training and we should be very careful that those who fill these positions are men who can do their work. I think there should be some means by which the Commonwealth of Australia should set up an organisation for examining the qualifications of these men and advising the States accordingly. It was done very effectively during wartime and it could be done in peacetime. The present system has outlived its usefulness and should be replaced by something to enable men to practise who have the requisite qualifications.

This can become very difficult—and I am saying this without any question of feeling because I have never been associated with the matter—but I understand the Red Cross blood transfusion section has had appointees. On occasions there have been changes, sometimes because there was a clash of personalities. It that is the basis whereby any service can be declared an auxiliary one, the principle itself is wrong. I have no great objection to the measure going through but I feel that people in the outer districts want to be certain that the medical service they are getting is sound. I still believe that the correct approach is to reorganise. We should call in all those who can give assistance in reorganising the service and, if necessary, make an appeal to the Commonwealth of Australia to review altogether the methods of registration of medical men who are coming from abroad.

Hon. E. H. GRAY: I support the remarks of Dr. Hislop in regard to the need for change. What concerns me is that if the skilled craftsmen of Australia had been as inactive as the medical profession in regard to this problem, houses would be short by the thousand in Australia. Craftsmen are given every opportunity by the unions to get into the organisations and commence work as quickly as possible. We see reports of eminent medical men who are displaced persons working as orderlies in camps. I think that is awful. In this morning's paper we read that 25,000 people are going to fly here every year from Holland. That would include a fair number of medical men. I think it rests with the B.M.A. to inquire into this aspect.

I am informed that many medical men journeyed to Europe before the war and studied and trained under doctors, who are now working as orderlies in our hospitals. If that is correct, it is dreadful. I should think that degrees of the universities of Holland are equal to those of Great Britain and Australia. It would be of great interest to us and to the migrants if the B.M.A. took stiff action and got the Commonwealth and the States to amend legislation in order that eminent medical men coming to Australia are got into harness as quickly as possible. I meant to say this during the second reading of the Bill but I was absent. If that action is taken in this State it will be quickly followed by other States. As the position now stands, I think it is an insult to qualified men and a reflection on our democratic system. Highly qualified medical men should not be placed in menial jobs.

Hon. G. BENNETTS: I am concerned about medical men for the outlying districts and I think the man we require there is the all-round type, particularly in the mining industry where there are numerous accidents. There has been one such accident in my district. Some qualified men are coming out and I think they should be under the supervision of a medical board here before being sent to outlying districts. Only the Medical Board in each State is in a position to say whether these men are qualified or not. I support anything which will help us to get all-round medical men for outlying districts.

Hon. E. M. DAVIES: I want to seek an assurance from the Minister on a matter that appears to be rather important. I understand there is a provision that certain alien doctors after serving seven years in outback districts are entitled to be registered. I feel sure that this would hamper men who would like to take a postgraduate course to keep up with the modern trend of surgery and medicine by virtue of the fact of their being in the outback, and I would like the Minister's view on this matter.

The MINISTER FOR TRANSPORT: In reply to Mr. Davies, what he says is quite true. After seven years in a regional area an alien doctor will be entitled to be registered. I understand that a doctor, if he so desired, could approach some Australian medical school and arrange to graduate in much less time. I do not know what means are provided for alien doctors coming to Australia to help them qualify and I take it that has something to do with what Dr. Hislop said when he was speaking to this clause. I would like to make it clear that the reason for declaring certain parts as regional areas and the intention to appoint alien doctors to those areas was not because there were not sufficient qualified Australian doctors but because Australian doctors would not take up practice in the outback areas. Recently, in regard to appointments in the Royal Perth Hospital, there were 79 applications for 16 vacancies, but at the same time these doctors are not prepared to go to the outlying districts.

Hon. J. G. HISLOP: Mr. Gray and several members in another place seem to think that the British Medical Association has something to do with the decision as to these men who are brought here. Nothing is further from the truth. It is the Medical Board that carries out that duty. The Medical Act gives power to the board to lay down conditions for the registration of medical men. That is not the function of the B.M.A. As a matter of fact, the B.M.A. has welcomed to Australia a number of individuals and is prepared to do so again provided that those men have qualifications that would enable them to be registered—but the actual registration has nothing to do with the B.M.A. We have welcomed some of these men who are practising amongst us. I do not desire to mention any names, but only recently we have welcomed some men who have brought a breath of fresh air to medicine in this State.

Hon. E. H. Gray: What your organisation might say would have a big effect upon any Government.

Hon. J. G. HISLOP: Very little. From time to time the Act has been amended and the B.M.A. must comply with those provisions. During wartime, it was the Commonwealth that carried out the duty of saying where doctors should go. The B.M.A. has no say whatever regarding men being admitted to practice. It is a matter for Parliament to lay down the qualifications that are necessary for medical practice in the State.

Hon. L. CRAIG: The discussion has got right away from the provisions of the clause which simply means that if the Governor has satisfied himself that no suitable qualified men are available to take positions in outback places, he may declare such places to be regions and can appoint to them men not so adequately qualified. There is no alternative to accepting the clause.

Clause put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—VERMIN ACT AMENDMENT.

Second Reading.

Order of the Day read for the resumption from the 9th November of the debate on the second reading.

Question put and passed.

Bill read a second time.

In Committee.

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

Clauses 1 to 10—agreed to.

Clause 11—Repeal and re-enactment of Section 13:

Hon. H. S. W. PARKER: I draw the Minister's attention to Subsection (3) of proposed new Section 13. The subsection contains words that are absolutely unnecessary. It refers to the provisions of the Act "or any bylaw or regulation in force by virtue of this Act." According to the Interpretation Act those words are completely unnecessary. Then again, it refers to the state of mind of the agriculture protection board. How can a board that is a corporate body have a state of mind? What is meant by that? There is a tremendous waste of words, involving unnecessary printing and loss of time at the Government Printing Office, right through the Bill. From time to time, I have drawn attention to the drafting of Bills which seems to be done in an extraordinary manner. I certainly wish the Government would set up a drafting office staffed by competent draftsmen, so that we would get away from this sort of thing. How can a board have a state of mind?

The MINISTER FOR AGRICULTURE: I am not a lawyer that I can reply to Mr. Parker's questions.

Hon. H. S. W. Parker: It is not necessary to be a lawyer.

Hon. W. J. Mann: Rather is it necessary to be a clairvoyant.

The MINISTER FOR AGRICULTURE: I suppose individual members of a board would have a state of mind.

Hon. H. S. W. Parker: It does not refer to individual members, but to the board itself.

The MINISTER FOR AGRICULTURE: I suggest that Mr. Parker should submit an amendment to clear the matter up.

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

> That in lines 2 and 3 of Subsection (3) of proposed new Section 13 the words "or any bylaw or regulation in force by virtue of this Act," be struck out.

If members will look at their copy of the Interpretation Act in the Standing Orders they will find that those words are absolutely unnecessary. I think the Minister should refer this matter to someone else with a view to seeing what can be done.

The MINISTER FOR AGRICULTURE: I am not going to do anything of the sort. It is usual to put amendments on the notice paper so that they can be examined. I am not in a position to understand what the effect of the amendment might be. If Mr. Parker can convince the Committee and me that his amendment is desirable, I shall raise no objection.

Hon. H. S. W. PARKER: It is obvious that the Bill has not been drafted by competent draftsmen. Right through the Bill

we find extraordinary wording and extraordinary statements. The Minister should report progress for the purpose of putting these matters before a competent draftsman. I would refer him also to Clause 79 which, like Clause 11 in part, is absolutely unnecessary. I also ask him to find out what is meant by the various powers vested in the Governor to do things by declaration. What does "declaration" mean?

The Minister for Agriculture: That means a declaration by the agriculture protection board, of course. The board would declare vermin.

Hon. H. S. W. PARKER: How?

The Minister for Agriculture: I presume it would be done through the "Government Gazette" and also through newspapers.

Hon. H. S. W. PARKER: I thought these things were done by regulation or proclamation, but here the Minister or the Governor declares it. Extraordinary powers are provided for the Minister to delegate his authority to all sorts of people, and they declare what they want. They can also, for some reason or another, delegate their state of mind! I wish the Minister would take this Bill and also the Noxious Weeds Bill and the Agriculture Protection Board Bill and refer them to some competent draftsman. All these Bills contain long verbose references that are entirely unnecessary. We have four or five paragraphs that are repeated, where all that is necessary is one setting out that a proclamation may be varied or cancelled.

The MINISTER FOR AGRICULTURE: I do not intend to have a look at anything as Mr. Parker suggests. If Mr. Parker wants to deal with these matters he should put amendments on the notice paper. I do not profess to understand every clause but this legislation has been drafted by a competent draftsman—the Parliamentary Draftsman. Mr. Parker has made very grave remarks about the Parliamentary Draftsman. I am quite prepared to move that progress be reported and to ask Mr. Parker to put his amendments on the notice paper for each Bill as it comes along. It is no use his firing these things at me suddenly. I cannot profess to be able to give him answers offhand.

Hon. H. S. W. PARKER: I do not propose to redraft these Bills. And I do not propose to put on the notice paper all the amendments I consider necessary. All I desire to do is to draw the Minister's attention to them. If he wants to accept this Bill as it is drafted it is he who takes the responsibility and not I. I do not know what is in the Minister's mind, but I think that members will agree that to talk about the state of mind of the protection board is not correct. So far as I am concerned, the Minister may go ahead with the Bill.

The CHAIRMAN: Does the hon. member intend to proceed with his amendment?

Hon. H. S. W. PARKER: The Minister has asked me to do so; therefore I will.

Hon. L. CRAIG: Surely we are not going to be pushed into agreeing to an amendment of this sort without knowing anything about it!

Hon. H. S. W. Parker: Look at the Interpretation Act.

Hon. L. CRAIG: I am not going to. We are not told why these words should come out.

Hon. H. S. W. Parker: I have told you to look at the Interpretation Act.

Hon. L. CRAIG: The reason has not been intelligibly placed before us. I have not the Interpretation Act with me; and if I had it I would probably not understand it. I want the hon. member to explain for what reason these words should be deleted. He may be right. I do not know.

Hon. A. L. Loton: It is more than likely that he is.

Hon. L. CRAIG: Yes; but surely we are entitled to know why!

Hon. H. S. W. Parker: I told you.

Hon. L. CRAIG: I did not understand the explanation. I am mentally dull. Perhaps one or two others may be the same. The consideration of this Bill should be delayed at any rate to let somebody who does know why the words should be struck out, have the opportunity to say so.

Hon. H. S. W. PARKER: I did point out that if members will look at page 161 of the Standing Orders they will find the Interpretation Act, which was thoughtfully and carefully drawn with the object of shortening Acts of Parliament and making them simpler. It is stated there that the words "This Act" includes regulations and by-laws made thereunder. In this Bill the words I suggest should be taken out are unnecessary.

The Minister for Agriculture: You think they should be deleted because they are unnecessary?

Hon. H. S. W. PARKER: I do not think they are; I know they are. They are surplus words. They involve a waste of time and print.

The MINISTER FOR AGRICULTURE: I am prepared to accept Mr. Parker's word for that. Having read the provision again, I am not going to object to the deletion of the words. If we find we are wrong in removing them, we can put them back again; but I suggest to Mr. Parker that if he wants to make any more amendments, he should put them on the notice paper.

Hon. H. S. W. Parker: I am not going to.

The MINISTER FOR AGRICULTURE: Is the hon. member going to come out suddenly with something on every clause we discuss? I suggest that Mr. Parker should do one thing or the other—either

put his amendments on the notice paper or hold his peace during the passage of this Bill.

Hon. H. S. W. PARKER: I have explained that I am pointing out these things and the Minister takes the responsibility; and I shall hold my peace. However, I had already moved this amendment. The Minister wanted to know what was wrong and I have given him the opportunity of finding out. If he reads his Bill he will see that this passage appears frequently; and if he reads the Interpretation Act, he will find quite a number of alterations are required to this measure. I do not propose to have pages of the notice paper taken up with amendments redrafting the Bill.

The MINISTER FOR AGRICULTURE: I have read the Bill, but I have to accept the phraseology of the Parliamentary Draftsman. The hon. member could not expect me to do anything else.

Hon. H. S. W. Parker: I agree.

The MINISTER FOR AGRICULTURE: I have no objection to amendments, but I do not fancy going through this Bill. I cannot go through it with the Parliamentary Draftsman and tell him that Mr. Parker says he is wrong. That is not a fair thing at all.

The CHAIRMAN: I must support the Minister's suggestion that proposed amendments should be placed on the notice paper. On two previous occasions we have had amendments hurriedly handed up and have had to report progress because members and the Minister had not had the opportunity of knowing anything about them. It would be a great help to the Committee if members would place amendments on the notice paper.

Amendment put and passed.

Hon. H. L. ROCHE: I would like to ask the meaning of the reference to the opinion, belief, satisfaction or state of mind of the Minister or the protection board. Is it desired that they should be in the position of not having to give any reason for their action, or what is the purpose?

The MINISTER FOR AGRICULTURE: This is far-reaching, but I think the idea is that a certain person shall do things which he believes to be in the mind of the chief vermin control officer or the protection board. He may not perhaps have received definite instructions. He may be miles away and has to make a decision and he asks, "What would the members of the protection board want me to do if they were here?"

Hon. H. L. Roche: The words "opinion" and "belief" would be redundant.

The MINISTER FOR AGRICULTURE: Take them out then.

Hon. E. H. Gray: No, do not take them out!

The MINISTER FOR AGRICULTURE: I have seen these words in other Acts of Parliament.

Hon. H. S. W. PARKER: I would like the Minister to endeavour to get an explanation of the phrase beginning "The exercise of any power" and ending at "is dependent." What is the meaning of "the" Act'

The MINISTER FOR AGRICULTURE: There is a previous reference to any bylaw or regulation and then a reference to that bylaw again in the Act.

Hon. H. S. W. Parker: Sometimes "this" Act is referred to and sometimes "the" Act is mentioned. The words "this Act" have a special meaning; "the" Act has not.

The MINISTER FOR AGRICULTURE: It might be an error. Does the hon. member say it should be "this Act"?

Hon. H. S. W. Parker: I do not know what it should be.

The MINISTER FOR AGRICULTURE: I would ask Mr. Parker not to put a small comb through every Bill that comes to this Committee. I have to admit that I see phraseology in Bills that I do not understand, and I am quite sure that half the members here do not always understand phraseology put up by solicitors.

Clause, as amended, put and passed.

Progress reported.

BILL—NOXIOUS WEEDS.

Second Reading.

Debate resumed from the 9th November.

HON. L. A. LOGAN (Midland) [9.58]: We have been tuned up a little about not putting amendments on the notice paper. We might kick back about not having sufficient time to study measures such as this, which was introduced last Thursday and contains something like 39 pages. It necessitates a lot of study and some of the phraseology is not easy to understand. As all of us have not week-ends in which to study such measures, it comes pretty hard.

I spent approximately an hour and a half this afternoon going through this Bill; and the rest of the evening, while other business was being considered, I have been trying to find out what it all means. Going home in the bus last Friday, I went through the other two Acts which are associated with this one, but have not had a chance to consider them properly. There are many things in this Bill that need consideration. I believe that we are on right lines in endeavouring to control noxious weeds.

Unfortunately it should have been done when they were in the primary stage, but it was not and so we must try to make up the lost ground.

On page 3 of the Bill there appears the definition of "Government department" which covers anything from a State instrumentality to a public utility or any person or body, whether corporate or non-corporate, and so on. That is a pretty wide interpretation of a Government department and, on examining what a Government department has to do, later in the Bill, I think the Minister might study that portion of the measure and tell the House just what is intended.

I agree with Mr. Parker that there are at present in our legislation a lot of words that should be deleted. We have the definition of "holding" but in my opinion a holding is a piece of land held in fee simple, or a pastoral lease, and so on. In my view the rest of the definition is redundant. Under this measure we have the Minister delegating his powers again and it seems that shortly he will have no powers left. They will all be delegated to departmental officers who will be doing all the work.

The Minister for Agriculture: That is nothing new.

Hon. L. A. LOGAN: I do not like the definition of noxious weeds as both primary and secondary. It should suffice if we simply have the noxious weeds declared and destroy them. We may be led into a lot of trouble by these two categories.

The Minister for Agriculture: How would you divide them between the protection board and the local authority?

Hon. L. A. LOGAN: If the board declares a certain weed to be noxious, then let us get rid of it, but when we get down to secondary weeds such as Paterson's curse, radishes, turnips and so on, I do not think they are noxious weeds at all and there are many other people in this State who think the same way. Nevertheless, they are described in the measure as secondary noxious weeds with which the local authority has to deal, as distinct from the primary weeds.

The Minister for Agriculture: Do you say Paterson's curse is not a noxious weed?

Hon. L. A. LOGAN: It is not.

The Minister for Agriculture: I have had to spend a lot of time on it lately.

Hon. L. A. LOGAN: I can remember when the road board spent a lot of money in sending a gang of men out to clear the road of Paterson's curse, right alongside my property. The weed is still thick on the road, but there is none on my property because the stock keep it down and always will do so in my area.

The Minister for Agriculture: Could you not grow something better than that on your property?

Hon. L. A. LOGAN: I have said that it will not grow on my property, and the same applies to radish and turnip, but somebody might declare them to be secondary noxious weeds—

Hon. J. G. Hislop: It is not a noxious weed in South Australia, where it is called "Salvation Jane."

Hon. L. A. LOGAN: Why go to the trouble of making people try to eradicate this weed, when in my opinion there is no need to do so? Clause 24 relates to private ownership of land and specifies a distance of 40 chains which is half a mile. Half a mile away where my land joins that of a neighbour the weed might appear but I would not have to destroy it.

The Minister for Agriculture: You can still destroy it if you want to.

Hon. L. A. LOGAN: But I am not forced to do so, despite the fact that it might spread to my neighbour's property. I think that should be examined. I agree that where it is growing alongside the boundary of a property, the owner should not have to get rid of it on his property until the Crown eliminates it from the adjoining Crown land.

The Minister for Agriculture: There has been a great howl because the Government has not destroyed noxious weeds on its land and this provision is for the protection of the private land-owner.

Hon. L. A. LOGAN: I think half a mile is too far. I would like the Minister to reassure members with regard to the provision on page 16 where it is laid down that "A coat, of which possession is taken, pursuant to the provisions of the last preceding subsection, shall remain under the control of the inspector until (a) released by a Government inspector for immediate export from the State."

The Minister for Agriculture: I take it you are referring to wool shorn from a sheep in a weed-infected area?

Hon. L. A. LOGAN: I do not see why we should allow that weed to spread to any other State or country. Under Clause 29 the inspector is given powers to do certain things with regard to both primary and secondary noxious weeds. I do not think we should have two categories of weeds. It is the same with a disease of the human body; it is either contagious or not contagious.

The Minister for Agriculture: There is a degree of contagion in that case also.

Hon. L. A. LOGAN: Under the measure we give local authorities power to collect rates in respect of secondary noxious weeds but not with regard to primary weeds.

The Minister for Agriculture: That is so, because the primary weeds will come under the protection board. I do not mind whether we give local authorities power to collect with regard to primary weeds also.

Hon. L. A. LOGAN: We would be better off if we forgot about the secondary weeds. We should declare them all primary weeds and get rid of them. We should not take away all the power from the local authorities who are on the job, though I agree that the protection board must have power to ensure that the local authorities meet their obligations. In the past one or two of the road boards have not played the game. Had they done so, this measure would probably not have been necessary. I suppose we must agree to the second reading, but I do not know how we are going to secure the necessary amendments.

HON. H. S. W. PARKER (Suburban) [10.12]: There are many things I desire to ask the Minister about when the Bill is in Committee. One of my queries has regard to the definition of secondary noxious weeds. The Bill states—

> "Secondary noxious weed" means a plant declared under this Act to be a secondary noxious weed by the Minister.

How does the Minister propose to declare it? As a rule such things are done by regulation.

The Minister for Agriculture: It will be published in the "Government Gazette" and notified to the local authority.

Hon. H. S. W. PARKER: Should not that be set out in the Bill? Is there any reason why this measure should contain the words "Subject to its provisions, this Act shall be administered by the Minister through the department?" I do not know what that means.

The Minister for Agriculture: It means through the departmental officers, of course.

Hon. H. S. W. PARKER: Is that not always done?

The Minister for Agriculture: The Minister does not run the whole show.

Hon. H. S. W. PARKER: Is there any special reason for including those words? I do not think they should be there.

The Minister for Agriculture: I am a bit with you, there.

Hon. H. S. W. PARKER: Subclause (4) of Clause 7 states—

> The provisions of the Act shall have effect while and to the extent that the land and the plant affected by a proclamation which is in operation pursuant to the provisions of this section.

I would think that is obvious, but I may be wrong. I come now to Clause 20 which says—

> For the purposes of this Division, an owner or occupier of private land shall be regarded, subject to the provisions of the next succeeding subsection, as owning or occupying, as the case may be, in addition to that land, the land comprising any road which intersects the private land, bounds the private land and is fenced only on the side further from the common boundary of the road and the private land or bounds the private land and is fenced on both sides but as to that half only of the width of the road nearer the common boundary of the road and the private land.

That, I take it, is a road that bounds the property and is fenced on each side, but Subclause (2) states—

> The provisions of this section shall not apply to a road which is dedicated to public use and fenced on both sides.

I do not know of such a thing as a road which is not dedicated to the public. One may have property which is called a road, but it must be dedicated to the public. That appears twice in this Bill.

The Minister for Agriculture: I think the answer to that is that one road is not so important as the other. The road mentioned there as being dedicated to the public is rather important, and therefore the owner does not have to eradicate vermin.

Hon. H. S. W. PARKER: My idea is that all roads, whether large or small, are dedicated to the public. The Minister may be able to reply to that point. Another rather extraordinary feature is that this Bill provides that if the board has to do any work because the owner will not do it and is put to any expense, then the owner has to pay. That is fair enough, though it goes on to say—

> The amount referred to in paragraph (a) of this subsection—

That is, the amount he has to pay—

> —may be certified as correct by the protection board whose certificate shall be conclusive evidence that the amount is properly payable.

So he can submit any amount he likes, or even ask for a price. I can understand it being prima facie evidence, but for it to be conclusive evidence is somewhat extraordinary. Then again, all through the Bill it is provided that moneys owing may be collected by a court of petty sessions. By that it means that if one issues a summons in a police court, then one is ordered to pay or, in default, is imprisoned.

Twenty years ago we abolished the penalty of imprisonment for debt, but this is re-establishing it. Then again, I do not think there is any reason for this subclause—

> An owner, having only a partial interest or a particular estate in the land, may apply to a Judge in Chambers for an order declaring what portion of any expense of or incidental to the destruction of secondary noxious weeds on the land paid or to be paid by the owner shall be borne by any other person having a partial interest or an estate in the land . . .

Is there any special reason why application should be made to a judge instead of a magistrate? Is there any reason why the Interpretation Act should not be followed in serving of summonses, or why the Evidence Act should not be followed? Is there any need to set out again the sections of the Evidence Act in this Bill as they are in Clause 40? Further, is there any reason why a summons under this Bill should be served in a different way to any other summons issued under the Justices Act? if there is an offence under this Bill, a summons is served in a way entirely different from that served under the Justices Act.

I draw attention to Part VII. of the Bill, which has a heading "Secondary Noxious Weeds." No mention is made of "secondary noxious weeds" except in the marginal notes. It seems to me that the word "secondary" ought to be inserted. In reading this Bill, it seems to me that there is no provision for any rate to be struck for the purpose of eradicating primary noxious weeds.

The Minister for Agriculture: We do not want that because the protection board will have ample money to deal with them.

Hon. H. S. W. PARKER: I think that Part VII should refer to secondary noxious weeds and not "noxious weeds." Under this Bill, primary noxious weeds are defined as one thing and secondary noxious weeds as another, but there is no definition of noxious weeds.

The Minister for Agriculture: They have to be determined.

Hon. H. S. W. PARKER: There is no power to determine noxious weeds, but only to determine primary noxious weeds.

The Minister for Agriculture: The two Bills must be read together. The protection board provides for that.

Hon. H. S. W. PARKER: I am asking the Minister to point out—

The Minister for Agriculture: I will not point out anything now. I will point it out later. The hon. member should continue his speech.

Hon. H. S. W. PARKER: I am addressing the President.

The Minister for Agriculture: It is about time you did.

Hon. H. S. W. PARKER: I have already mentioned that in Committee I would like to have some matters explained. I think that would imply to most members that I anticipate the Bill passing the second reading, and that I am not opposing it. I mention these matters because on previous occasions the Minister has asked members to point out various questions. I have already stated I am not going to load the notice paper with a lot of amendments, but there are a number of things upon which, at a later stage, I would like explanations. There are many other matters, perhaps of detail, but I again refer to the last paragraph of the Bill, which states—

> Without prejudice to the operation of the other provisions of the Interpretation Act, 1918-1948, those of section fifteen of that Act are expressly declared to apply . . .

and so on. Of course it applies! That is what it is for. There are many things which I trust the Minister for Agriculture will refer to his advisers and ask them for a reply on those points.

On motion by Hon. W. J. Mann, debate adjourned.

ADJOURNMENT—SPECIAL.

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

> That the House at its rising adjourn till 7.30 p.m. tomorrow.

Question put and passed.

House adjourned at 10.23 p.m.