

for a Government to extend its activities on the day-labour principle and put the heavy burden on the backs of the unfortunate people who are to occupy those homes, or, where the homes are to be let, to increase the burden on the taxpayer—because that is what it means. Another important point is the way in which houses are being built. I have been told that some of the rooms are only 10 ft. square and that some are built with ceilings only 8 ft. high. I say the absolute minimum height for a ceiling should be 10 ft. 6 ins., or 12 ft. in this climate.

The Chief Secretary: Where are the houses with 8 ft. ceilings?

Hon. C. F. BAXTER: I have not gone into that, but I have been told that it is so. One cannot imagine what kind of home it will be with an 8 ft. or 9 ft. ceiling, in the extreme heat of summer, when the temperature is bad enough with a 12 ft. ceiling. Are we going to provide something bordering on slums, which we will later want to get rid of? These are the reasons why I want to see the papers. If we are to go on building small rooms with low ceilings, I think the sooner Parliament takes a hand in preventing it, the better it will be for the people of the State.

Parliament should see whether there is some way to reduce the high cost of building that obtains at present. If a wage-earner on the basic wage were to buy such a home at present day costs, he would never own it but would be saddled with it for the rest of his life. We know it is the desire of every man to own his own home, so I hope the House will agree to my motion, now that it has been amended to a reasonable degree to meet the department's position, and give us the opportunity to scan the papers and to be of some assistance, if we can. I feel that each and every member of this House will, if possible, render that assistance.

Question put and passed; the motion, as amended, agreed to.

BILL—SUPREME COURT ACT AMENDMENT (No. 2).

Second Reading.

Debate resumed from the 13th September.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [5.20]: I secured the adjournment of the debate on this particular

Bill in order that I might examine it from my personal point of view. The Bill simply gives another reason for which a divorce may be granted. I think that in the explanation of the law given by Mr. Parker in introducing the Bill he submitted very good reasons why we should support this measure. It is on similar lines to a Bill which Mr. Parker introduced some years ago, the only difference—as I see it—being that he has extended the period to 10 years.

Hon. C. F. Baxter: He has gone from the minimum to the maximum.

THE CHIEF SECRETARY: In view of the fact that he considers that he may get additional support for the lengthy period, I do not propose to object to the Bill. Rather would I be prepared to support it. I have no further comment to make on it, and I feel sure that Mr. Parker, having had so many years legal experience, knows a great deal of the trouble that exists today as the result of people being unable to obtain what they consider to be a fair release from their present condition. I feel sure that the Bill, if it becomes an Act, will be of great benefit to a large number of people.

Question put and passed.

Bill read a second time.

In Committee.

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

House adjourned at 5.25 p.m.

Legislative Assembly.

Thursday, 20th September, 1945.

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

QUESTIONS.**WATER SUPPLIES.***As to Progress at Dwellingup.*

Mr. HOLMAN asked the Minister for Water Supplies:

1, What progress has been made in connection with the suggested Dwellingup Water Supply?

2, If the survey has not been completed, when does he anticipate same will be completed?

3, If survey has been completed, when does he anticipate the constructional work will commence?

The MINISTER replied:

1, 2, and 3, Owing to shortage of technical staff, it has not been possible to commence the survey for a water supply at Dwellingup. The proposed survey will be put in hand as soon as possible.

RAILWAYS.*As to Running Motor Buses on Rail Tracks.*

Mr. WILLMOTT asked the Minister for Railways:

1, Is it possible to run motor buses equipped with railway wheels on our railways?

2, Have such buses been tried out on any railways in the Commonwealth?

3, Has consideration been given to running such buses on our railways in Western Australia; if so, what was the result of the investigations?

The MINISTER replied:

1, Yes, but it involves more than equipping with railway wheels, such as reducing wheel tracks from 4ft. 8in. to 3ft. 6in., and for safe travel it is essential to fit vehicles with a bogie.

2, Yes; one has been in service on the W.A. Government Railways at Port Hedland since 1936, carrying nine passengers and 30 cwt. of goods.

3, No, apart from the Port Hedland vehicle referred to.

PAPERS—PATRIOTIC SHOWS.*As to Osborne Park Files.*

Hon. H. MILLINGTON (Mt. Hawthorn) [4.35]: I move—

That there be laid upon the Table of the House Chief Secretary's Department files No. 3/42 and 355/44 dealing with the Osborne Park Agricultural Society's Patriotic Shows

and with the Osborne Park and Districts Garden Fete and Gymkhana held on the 25th November, 1944.

I understand the Premier has no objection to this.

The PREMIER: I am quite prepared to treat this matter formally and agree that the papers be laid on the Table of the House.

Question put and passed.

LEAVE OF ABSENCE.

On motion by Mr. Wilson, leave of absence for two weeks granted to Hon. P. Collier (Boulder) on the ground of ill-health.

ADDRESS-IN-REPLY.*Presentation.*

Mr. SPEAKER: I desire to announce that, accompanied by the member for East Perth and the member for Bunbury, I waited upon His Excellency the Lieut.-Governor and presented the Address-in-reply to His Excellency's opening Speech. His Excellency replied in the following terms:—

I thank you for your expressions of loyalty to His Most Gracious Majesty the King, and for your Address-in-reply to the Speech with which I opened Parliament.—(Signed) James Mitchell, Lieut.-Governor.

BILL—MOTOR VEHICLE (THIRD PARTY INSURANCE) ACT AMENDMENT.*Second Reading.*

Debate resumed from the 4th September.

MR. LESLIE (Mt. Marshall) [4.37]: In connection with this amending Bill brought down by the Minister, after perusing it and comparing it with the parent Act I think the House can safely accept the amendments set out by the Minister, because at least one of them will fill an essential requirement in the Act. One of the amendments is an alteration or amendment of the definition of the term "owner" and its purpose is to remove the onus or obligation of ownership from the grantee of a bill of sale over a motor vehicle. I see no objection to such a person or company being removed from the responsibility of ownership of the vehicle, though I confess I do not know why they should desire to be relieved of their obligation in that connection. It is customary, where a bill of sale, hire purchase agreement or any such legal document is made out, that included in it is a

provision that the hirer or grantor of a bill of sale, or the lessor, shall perform all acts that are required of them in accordance with the law, and shall look after the goods or chattels, or whatever it is that is secured in the interests of the owner.

I have in mind that so far as motor vehicles are concerned, under a hire purchase agreement or bill of sale, whatever method is used in the disposal, the vendor or owner of the bill of sale, who is the actual legal owner of the vehicle according to the agreement, usually makes certain that damage or loss by fire or theft is insured against. In fact they go to the extent of taking out the necessary insurance policy and debiting the charge against the hirer or grantor of the lease or bill of sale. Had the onus of responsibility rested on them as it would as legal owners of the vehicle, and as would be the case until the payments were so completed and the bill of sale discharged, it could be a protection to see that the vehicle and driver were complying with the provisions of the Act and the administering authorities would be assisted in ensuring that the Act is being observed. Why it is suggested that in this case they be relieved of their responsibility, I do not know, but I have no objection to this arrangement because, while they are the legal owners of the vehicle, it would not be right to saddle them with the legal responsibility for the failure of a grantor of a bill of sale to perform his obligations in accordance with the law or render the legal owner liable to a penalty for the grantor's default.

The most important amendment proposed by the Bill is one designed primarily for the benefit of motorists visiting other States. The parent Act provides that where a motorist is involved in an accident and judgment is obtained by an injured party against the owner while visiting another State—this is only implied and is not specifically stated—no recourse to recovery of the amount of a judgment obtained against the owner can be made to the insurance company unless it is made aware that proceedings were impending in the court. Under the Act, that provision applied irrespective of whether judgment was obtained in this State or elsewhere in the Commonwealth. I agree there would be hardship if a motorist, who was visiting another State and who had the misfortune

to become involved in an accident whereby injury was inflicted on another person, was involved in legal action and, for some unforeseen reason, the insurance company, which would probably be a Western Australian company, was not notified of the impending legal proceedings, and in that case, the motor owner would have no right to recover from the insurance company the amount awarded against him in the judgment.

The amendment provides that where the insurer is not aware of the impending legal proceedings, action for recovery of the amount of the judgment will still lie against the company. There is provision in the Act that an insured person must notify the company of an accident or of any incident in which he may be involved. I think that would provide a measure of security for the company because, once it had received notice of an accident, the company should follow up the case and ensure that its interests were protected. If, eventually, through any unforeseen circumstances, notification of impending legal proceedings did not reach the company—some time must elapse before legal proceedings could be taken—the company would have no excuse for trying to escape its obligations under the insurance policy. This means that insurance companies will have to be alive to protect their own interests, and it follows also that insured visiting motorists will be protected. The amendment will not affect the position set up under the Act as regards any incident in this State. The Act lays down that the insurer must have been aware of the proceedings prior to or during the hearing of legal proceedings before becoming liable for recovery of the amount which may be given in any judgment. That will stand. It will be necessary for a defendant to advise the company of impending proceedings, and so the company and the insured person will be in a similar position to that which they occupied previous to the introduction of this measure.

The amendment will not affect the position of an injured person involved in an accident here caused by a visiting motorist unless the State from which that motorist comes has legislation similar to ours. Subsection (4) of Section 3 of the Act relieves a visiting motorist from the necessity of in-

insuring in Western Australia if he is already licensed and insured under a contract of insurance in accordance with the law of his own State. If a person is injured in this State by a visiting motorist, therefore, it will be necessary for a provision similar to ours to be contained in the legislation of the State from which the motorist came, and it will not be necessary for the insurance company in that State to be made aware of legal proceedings that might be instituted by an injured person in Western Australia. We cannot arrange that matter, but the Minister has assured us that, in bringing in this amending Bill, he is doing so to secure an agreement with New South Wales which, I understand, is the only State that has not reciprocal legislation. When agreement is reached with New South Wales, the legislation of all the States, will, I hope, have been brought into line.

Section 17 of the parent Act provides that no temporary license will be issued unless the person is adequately insured in accordance with the requirements of our Western Australian Act. That is not the wording of the section but that is what is implied. That is the only part that seems to me, in connection with visiting motorists, to remain uncovered so far as the interests of injured persons in Western Australia are concerned. I can visualise a visiting motorist arriving here from a State where legislation to which we are agreeable or would consider suitable is not in existence. We could say to him, "Before we will issue you with a temporary license it will be necessary for you to take out insurance under our own Act with an approved insurer." The visiting motorist would take out an insurance policy and obtain his license. During his stay here he might become involved in an accident resulting in an injury to a local resident. The period of the motorist's visit to Western Australia terminates and he returns to his own State, leaving legal representatives to watch his interests should the injured Western Australian person care to take legal proceedings for damages. It is possible that that motorist or his representative might fail to notify the local insurance company of the impending proceedings, in which case it would seem to me that though the injured Western Australian might obtain judgment against the

visitor it would depend entirely upon the visitor's substance as to whether he would be able to recover the amount obtained in the judgment.

There certainly would be a loophole for the insuring company to escape liability on the ground that the insured person had failed to notify it of the impending proceedings. That is one aspect of the position. Perhaps it is far fetched; but there is a possibility of its arising, and the position should be safeguarded. In the event of a visiting motorist being insured locally, some arrangement should be made to secure the interests of the person concerned in an accident should the visitor fail to advise the insuring company of possible legal proceedings. A further amendment is proposed to Section 7 of the principal Act. This amendment removes from the second paragraph in Subsection (1) what appears to be a redundancy. The Minister did not mention this amendment; but in view of the fact that the limitations imposed are dealt with elsewhere in the Act, it is evident that their inclusion in this subsection is quite unnecessary and that their removal would therefore be in order. The other proposed amendment is that dealing with insurance policies. This is an amendment designed to make clear a position of doubt that might at some time arise.

In the Act, provision is made that at the end of the licensing period—and usually policies expire at the same time as licenses—the policy shall be carried on for a further 15 days in order to give the motor owner an opportunity to renew both license and policy. The amendment provides that where the owner transfers the insurance to another insurer, and takes out a new policy or effects any change in the old policy during the period of 15 days' grace, the new policy shall take effect immediately and the old one lapse. In that way we shall not be faced with the position arising from our having legally laid down that the old policy shall continue in force for 15 days, while a new policy takes effect from the date on which the insurer completes the arrangement with the insurance company, so that there is a likelihood of two policies being in operation for the one vehicle over the same period of time. It will clarify the position to say that where a policy continues in force during that period of grace only by virtue of the

power contained in the parent Act, and a new policy is taken out during that period, the old one shall immediately lapse from the date of the new policy. I commend the Bill to the House and propose to support the second reading.

MR. McDONALD (West Perth) [4.55]: I think the Minister has made out a good case for the Bill. It is not necessary for me to traverse the clauses; that has already been done both by the Minister and by the member for Mt. Marshall. I want to make reference only to the proposal to delete, in the case of actions taken outside this State, the obligation to notify the insurance company that the action has been commenced. It had been provided in the Act that in order to prevent collusive action which might take place between relatives or others, the insurance company should have notice that the motorist is to be sued and should have an opportunity to ensure that no fictitious claim is being made. That precaution remains in this State; but it will not exist in the case of motorists from Western Australia who are insured here, and who may be sued by reason of an accident occurring in another State.

I asked some of the insurers their opinion on this matter and they said they hoped it would not involve them in any fictitious claim or unfair liability. At all events they welcomed the Bill in this respect and in other respects, because they said it would facilitate reciprocity. They hope, and expect, that it will not involve them in fictitious or unfair claims. At the same time, I think it is proper to say on my part that if it should be found that the omission of the requirement to give notice when the accident takes place in another State should involve insurers in this State in an unfair liability, then in the light of experience it may be necessary to consider what amendment might be made to overcome such a state of affairs.

The Minister for Works: That is a reasonable point of view.

Mr. McDONALD: In the meantime the companies, when I approached them, assured me that they desired to support the Government's proposals and were quite prepared to see how the matter worked out in the light of experience.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Rodoreda in the Chair; the Minister for Works in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Amendment of Section 7:

The MINISTER FOR WORKS: After the Bill was presented to this Chamber a legal firm of this city wrote to me and pointed out that the words set out in the amendment in my name on the notice paper were superfluous following an amendment made to the Act in a previous session. I had the matter investigated by the Solicitor General who agreed that when the Act was previously amended this proposed amendment should have been a consequential amendment, but he overlooked it at the time. As a result the words remained in the particular section. Those words, as will be seen from the notice paper, are, "If at the material time it was being used in the business of carrying passengers for hire." It is desired to delete those words so that there will be no restriction in regard to the ability of a person to claim damages if that person is injured in circumstances giving him the right to claim for third party insurance. Therefore, I move an amendment—

That a new paragraph be added as follows:—"and (c) by deleting from paragraph (b) of Subsection (6) the words 'if at the material time it was being used in the business of carrying passengers for hire'."

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

Clauses 4 and 5, Title—agreed to.

Bill reported with an amendment.

BILL—RIGHTS IN WATER AND IRRIGATION ACT AMENDMENT.

Returned from the Council without amendment.

BILL—POLICE ACT AMENDMENT.

Received from the Council and read a first time.

BILL—NATIONAL FITNESS.

Second Reading.

Debate resumed from the 18th September.

THE MINISTER FOR EDUCATION

(Hon. J. T. Tonkin—North-East Fremantle—in reply) [5.5]: Of all the members who spoke on this Bill I would say that

the member for Pingelly was the only one who raised any real opposition to it. The others were not altogether satisfied with its provisions, or with the activities of the council, but generally their remarks can be construed as being in favour of the legislation. The member for Mt. Marshall, after briefly surveying the uses of the funds under national fitness grants took up the question of playgrounds. He considers that a far larger proportion of the council's funds could be spent on school playgrounds, and goes so far as to say that the school national fitness work is entirely dependent upon voluntary effort from local authorities which, so far as he can see, can obtain no subsidy. That is entirely wrong. The £250 referred to in the general grant for playgrounds is specified to assist in the establishment of a playground association and not for equipping playgrounds as the hon. member suggested. He is also wrong in stating that no subsidy is payable for the promotion of school national fitness work.

The direct Commonwealth grant to the education authorities in this State is £2,833 per annum. Reference to the annual report of the council shows that this money has been spent in providing expert staff, training teachers and developing films and ordinary libraries for use in the centres. In addition, direct subsidies are paid to the schools. All high schools and Class 1A schools have had two subsidies of £20 each, and Class 2 and Class 3 schools a subsidy of £10. The smaller schools are to receive some assistance this year. Our budget for the Education Department expenditure provides funds and expenses for the superintendent of physical education and the specialists who are engaged with him, full time and part time, in the high schools and the post-primary schools. Also large amounts from State funds are spent each year on the development and reconditioning of playgrounds. During the last 12 months £8,000 was spent out of State funds on that work. But, as members will realise, lack of manpower and material—particularly bitumen—have led to a slowing-down of the school playground programme. Much more would have been done had it been possible to get the work carried out by the labour available.

I can mention also many schools which received approval before the war for improvements in their playground facilities.

But because of the lack of bitumen it was impossible to have that work put in hand. The member for Mt. Marshall sees a danger in the method provided in the Bill for the selection of the council. He said he would prefer to have direct representation from various organisations, such as the Boy Scouts, the Girl Guides, the Y.M.C.A., etc., which are doing a good job. He also considers that the committees are composed indirectly of the nominees of the Minister and that the advisers would merely be yes-men to the Minister. Can anyone imagine the member for Subiaco being a yes-man to the Minister?

The Minister for Works: Not a yes "man."

Mr. Leslie: There are exceptions.

The MINISTER FOR EDUCATION:

The member for Subiaco can be taken as typical of those who are on the council. They freely exercise their right to express their points of view which are quite frequently not those of the Minister. Experience over 12 months has clearly shown that the council is not composed of yes-men to the Minister, but of men who are quite capable of expressing their own opinions, and who do so quite freely whenever they feel called upon to make a contribution to a debate. It is rare to find a meeting of the council ending before 11 o'clock at night, and, as our meetings commence at eight, members can appreciate that much discussion takes place. If we dealt with matters by saying "yes" to the Minister's proposals the meetings would certainly not take anything like that length of time.

I think there is some merit in the suggestion of the member for Mt. Marshall that organisations should have direct representation. If I could see a way to do that I would be pleased to give direct representation, but, I submit, the difficulties are insurmountable. For example there are, on the Associated Youth Committee 26 major organisations concerned with youth work in this State. Also, on the sports committee there are representatives of every sporting organisation, and representatives from the Government and from semi-Government departments concerned with different branches of national fitness. There are, in addition, organisations throughout the country under local governing authorities. To select people who would be directly representative of these bodies would be a task beyond the

ability of any mortal man, because no satisfaction could be given. Once we started to give direct representation to an organisation we would find some other worthy organisation, which felt it was a little stronger, saying that its representative should be the one to be selected. It is, under those circumstances, impossible to differentiate.

I had many requests from organisations asking that I should depart from the general principle and make an exception in their case because they were very representative organisations. But it is strange that each one that wrote to me claimed to be the one that ought to get the representation. If we multiply those requests by the number of existing organisations we can see where we will get by attempting to appoint direct representatives. So, I felt it was far better to select people who have demonstrated that they have a fairly wide knowledge of and interest in national fitness work. So if members peruse the names of those associated with the council they will find that they are all the persons who have a record of public work and activity in some branch in particular, and also in some general work that admirably fits them for such a position. The council, in compliance with a Commonwealth suggestion, is limited to 25 members, and I think that is wise. The Minister for Lands, who was previously the chairman of the National Fitness Council, knows what difficulties developed through having an unwieldy council comprising a large number of men or women, or both. It was his experience that decided me to agree to the suggestion of the Commonwealth and to limit the membership of the council to not more than 25.

The member for Mt. Marshall also expressed some concern with regard to Commonwealth control. I can assure him that that control is by no means irksome. It has been operating for some time. The Commonwealth authorities have always adopted a reasonable view when any matter has been submitted to them for consideration and their actual control concerns only the spending of the money. Seeing that the Commonwealth provides the money, it should certainly have the right to some say as regards its expenditure. The Commonwealth authorities set out generally the direction in which they desire the money to be expended, but the control in that respect

is very elastic. Should the council desire to depart from the general instruction so as to spend money in a direction different from that which the Commonwealth requested and submit a suggestion along those lines, the Commonwealth authorities have readily agreed. I do not call to mind a single instance where they have declined to endorse a proposal submitted to them, even when that proposal was not in accordance with their general directions.

One further point raised by the member for Mt. Marshall was that he felt there was a lurking danger in the general set-up of some association partly in control of national fitness work succeeding in spreading subversive ideas. It would be idle to deny that there is always the possibility of that occurring in any extensive movement where a number of groups are operating, but I do not think in this instance it is really a problem that could get out of hand. It is a problem that faces democracy everywhere. I think the organisation of the National Fitness Council is such as to enable that body to spot very quickly where there may be any canker, and it possesses the power to have it removed. The activities of the movement are under constant observation and I do not think it would be possible for any subversive movement to make appreciable headway without the fact coming to the knowledge of some member of the council and steps being immediately taken to deal with the danger.

For instance, I cannot imagine the member for Subiaco remaining silent if she knew that there was anything wrong in the movement that needed to be remedied. She would not keep the matter to herself but would take steps so that it would be thoroughly discussed and grappled with immediately. While I admit that the possibility is always there, I do not think the hon. member need fear that it could develop. I think the set-up of the National Fitness Council is such as to provide an adequate safeguard against any danger in that direction.

Mr. Leslie: It is a matter that requires careful watching.

The MINISTER FOR EDUCATION: Yes, it does; but the organisation is such that all these matters are carefully watched all the time. The Director of Physical Training and his flying squads are in con-

stant touch with the national fitness groups throughout the State, and they would quickly ascertain if anything was wrong.

Mr. Leslie: The Minister's assurance is all that I require.

The MINISTER FOR EDUCATION: I feel certain about that.

Mr. Leslie: That is quite all right.

The MINISTER FOR EDUCATION: The member for East Perth appears to view the movement entirely as a physical fitness movement confined to the development of muscular activities. It goes well beyond that. It is a cultural and nutritional movement as well, the idea being to so present to young people the right ideas about nutrition and physical and mental development that in the course of time we shall evolve a type as near to perfection as it is possible to attain. That is the aim. We are lagging a long way behind the Continent of Europe. Great Britain has been engaged in this work for years.

Mr. Rodoreda: Climatic conditions enter into it.

The MINISTER FOR EDUCATION: The climate is in our favour. Of course, surfing provides an avenue that comes within the scope of the work of the National Fitness Council, but everyone does not go surfing. For instance, the young children who live at Widgeemooltha do not go surfing, and therefore we must provide some activity for them to supply their needs just as well as coping with the requirements of those who live at Cottesloe. The member for East Perth supported the Bill but considered that unless it goes further into the realms of the economics of general living it will not be effective. He touched on many phases including the Army Education Service, the distribution of free milk and the relations between the children of the privileged and of the basic wage families, and finished up by suggesting that it would be far more satisfactory if steps could be taken to raise the standard of living. Personally I think this movement assists in that direction. We can provide a cultural outlet for those people and get them used to participating in the movement. If we do that, they will have a far better outlook than would be possible otherwise. They will be better equipped for the task that will confront them, and all that will do much towards achieving an improved standard of living.

Strong support to the Bill was given by the member for North Perth, but he felt that it does not go far enough. Few movements do at the commencement. We make a start and then by experience learn where we can improve, and so we develop. I hope that if the Commonwealth Government continues to make this grant available, which is by no means certain, we shall be able to go further than is contemplated under the provisions of the Bill. The hon. member commended the work in the schools and I was glad to hear him speak along those lines, because I think a really good job is being done in that direction. If members are free to remain at Parliament House this evening they will have an opportunity to view the film we intend to show. It covers physical training work in the schools and therefore is different from the one displayed in this Chamber last week. The film has been prepared at the request of the Commonwealth and is to be the basis of discussion at an all-Australia conference, which is to take place in a week or two. The film was taken by one of our local teachers and will be shown for the express purpose of indicating to members the scope of the work being carried out in the schools.

Doubt was expressed by the member for North Perth whether the movement on an entirely voluntary basis will prove very satisfactory. I think it will. It is one that grows upon those who participate. Our experience at the Bickley Youth Camp leads us to believe that the movement is contagious. Nothing spreads like good news, and we have found in places where we would least expect it, those who know the benefits to be obtained by camping with the enjoyment of the facilities provided by the National Fitness Council, to which I shall refer later. The mechanism set out in the Bill is such as to enable the Government to co-operate voluntarily with various bodies for educational purposes and allows for development along the same lines as the Butler Education Act of Great Britain, which lays down the foundations for such a move. We have taken Great Britain as our pattern and certainly that country is years ahead of us. It has developed the movement and has shown what can be achieved. Thus, we are able to benefit from the experience of Britain and we have modelled our scheme accordingly.

I regret I was not present to hear what the member for Middle Swan had to say, for I believe I should have enjoyed his speech. He stressed the games and sport angle. He paid a tribute to what has been done in his own electorate by the local national fitness committee, which goes to show very clearly that he is well aware of the work that is being accomplished under the scheme. He made reference to the desirability of my appointing to the council no-one of a greater age than that of myself. I think he spoke in a facetious vein, and I do not believe he was serious.

The Premier: You do not look your years.

The MINISTER FOR EDUCATION: I may be a good deal older than I appear to be.

The Minister for Works: You might even be younger!

The MINISTER FOR EDUCATION: I would like to think so.

Mr. SPEAKER: Order!

The MINISTER FOR EDUCATION: The member for Middle Swan made some references to the member for Subiaco, and he could have gone a little further and said something about her wide activities regarding certain aspects of nutritional matters. That phase is a very vital part of national fitness work. The member for Subiaco was appointed to the National Fitness Council not because of her age or of her good looks but because it was felt that she could bring to bear on discussions an angle that could not be obtained from male members of that body. She is not the only woman on the council, but because of her experience and activities she has been able to bring into the discussions a point of view which certainly has had the effect of prolonging discussions, but has made it possible for us to give very close consideration to the implications associated with matters under discussion.

Mr. J. Hegney: You will be falling for the member for Subiaco!

The MINISTER FOR EDUCATION: I have fallen long ago.

Mr. Fox: Where did that expression originate?

The MINISTER FOR EDUCATION: The member for Pingelly put up the only real opposition to the Bill. He is very definitely opposed to the measure. On pre-

vious occasions he has demonstrated his antagonism to national fitness activity, and on one of those occasions I endeavoured to rebut a number of the arguments which he advanced against the training of male children stripped to the waist. In this matter, I feel that the hon. member takes a view somewhat similar to that of the man who would have us go down to bathe in a neck-to-knee costume. That, at one stage, was regarded as the proper attire, and I believe there was a Minister in the Eastern States who held a somewhat similar view and issued an edict, that made him very unpopular, prescribing the neck-to-knee costume.

Experience throughout the world has shown that where physical work is being done, it is desirable to discard a good deal of the clothing usually worn. Otherwise the body heat is retained, and those engaged in the activity become overheated and therefore very susceptible to chill when they finish their exercises. The far sounder method is to exercise with very little clothing on the body, to permit the body heat generated to be dispelled and then, when the activity is finished, to put on the clothes, retain the heat in the body and keep the cold out. Medical opinion most strongly supports this method of doing physical exercises. For children beyond the fourth standard—unless in a very small country school where it is impossible to do otherwise—we do not continue to have males and females exercising in the one group if the boys are stripped to the waist. We continue that with children to about the fourth standard only unless, as I said, in a small country school, where the numbers are small and it is impossible to have two groups. In addition, the teachers have regard to the climatic conditions. If it is a raw day, they either do not give physical work or do not require the children to remove surplus clothing.

Mr. Cross: Have you seen them with children out in the pouring rain?

Mr. Abbott: That would not do them any harm.

Mr. Cross: It would not do them any good.

The MINISTER FOR EDUCATION: Physical training has been done in this way for a great number of years and we have not had a single instance of any illness being attributed to this practice. The doctors are overwhelmingly in support of it.

Mr. J. Hegney: Was it not done years ago at the Perth Central School?

The MINISTER FOR EDUCATION: Yes, many years ago.

Mr. J. Hegney: With excellent results.

The MINISTER FOR EDUCATION: Yes, when Mr. Chandler was the headmaster. In places where the climate is not nearly as congenial as ours, children still do their physical exercises in this way. The member for Pingelly said he would not support any expenditure on education except for the purpose of improving the academic side. While this Bill will make it possible for State Government funds to be expended for this purpose, the main reason for the measure is to set out the way in which the Commonwealth grant for this work can be expended. We depend for national fitness activity upon the grant annually made by the Commonwealth, and whether we pass this Bill or not, I hope the Commonwealth will continue to make the money available as it is doing in other States where no such legislation has yet been introduced.

A second reason for the objection of the member for Pingelly was that the money was being spent really in the wrong direction; if there was money available for an educational process, it should be spent, not on physical work, but on the academic work of the schools. To provide for the academic education of the children is the job of the State. We provide the funds for academic education and also for some physical education. Each year the grant for the Education Department is increased, and I hope the Treasurer will find it possible still further to increase the amount for educational extension. That, however, should be considered apart altogether from this special grant made available by the Commonwealth for national fitness activities, which link up with the work of the schools and, in many places, form a most valuable avenue for expression of the adolescents in the towns.

The hon. member considered this an opportunity to speak about the inadequate seating accommodation in our schools and to refer to the out-of-date desks and the unsatisfactory ventilation, but those matters have nothing whatever to do with the Bill.

Mr. SPEAKER: The hon. member was quite in order in discussing those matters.

The MINISTER FOR EDUCATION: I am not suggesting that he was not in order in endeavouring to deal with some subjects which he felt were allied to national fitness. I believe they are allied to national fitness, but the passing or non-passing of this Bill will make no difference to the type of desks in the schools. That is the point I wish to make. The hon. member may oppose or support the Bill, but that will have no bearing on the type of desks used in the schools. For his benefit, I may say that the department has a policy for replacing all the out-moded long desks in use in the State schools. It has been possible to replace large numbers of them; it has a large number of dual desks on order, and as soon as they are made available, the larger proportion of the out-moded desks will be replaced. This is going on all the time and will continue irrespective of the fate of this Bill.

I think the hon. member really showed an unbalanced view of education in suggesting that we should devote all our attention to the academic side and disregard the physical side. I believe that true education calls for all-round development. We want a good, sound, well-trained mind in a healthy body, and it would not be of much use our training the mind and giving a child high mental efficiency if that mind is housed in an unhealthy body and the child is doomed to an early grave. The two should be together; we should endeavour to develop the child physically and mentally at the same time, so that at the end of his school days and in his adolescent stage we can say, "Here is a child who has had every opportunity for full development." I ask members to pass the measure, so that we may regularise a procedure which has been in operation for the past 12 months.

This is not a leap in the dark. The organisation will be scarcely different, after the passage of this Bill, from what it is now; but the point is that the existing set-up requires legislation to regularise it. The Commonwealth has suggested, in order that the council may continue to get the benefit of exemption from the sales tax, that it is necessary to pass legislation covering the activities of the council. That is the main reason why I want the Bill passed, because then we can say the activities are under Government control and we can give an assurance to the Commonwealth that the money which it makes available will be spent

in accordance with its general direction. If the Government has no control over the council, how can it give that assurance? The council could, by any resolution it liked, decide to disregard the general principles laid down by the Commonwealth and spend the money in any way, and then the grant probably would be discontinued.

I think members will agree that a very strong point in connection with the Bill is the necessity to give the Government power to say that the money is being properly controlled and expended in accordance with the wishes of the Commonwealth. Whilst we may feel that it is irksome to have Commonwealth direction over a State activity, we must not lose sight of the fact that the Commonwealth finds the money. It makes the grant available to the States. Surely, therefore, it should be conceded that the Commonwealth should have some right to suggest the lines upon which the money should be expended. Unless this Bill is passed we cannot guarantee that the money will be spent in that direction.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Rodoreda in the Chair; the Minister for Education in charge of the Bill.

Clauses 1 to 4—agreed to.

Clause 5—Proceedings of council:

Mr. W. HEGNEY: Subclause (4) provides that the chairman or deputy chairman shall have a deliberative vote and, in the case of an equality of votes, shall also have a casting vote. The chairman should not have two votes. He should have either a deliberative vote or a casting vote. I shall move that the clause be amended to provide that in the case of equality of votes the question shall be resolved in the negative.

The CHAIRMAN: I am afraid the member for Pilbara cannot move in that direction. He must first move to delete certain words and then move to insert the words he desires to substitute for those struck out.

Mr. W. HEGNEY: I move an amendment—

That in line 4 of Subclause (4) the words "also have a casting vote" be struck out and the words "be resolved in the negative" inserted in lieu.

The MINISTER FOR EDUCATION: I have no objection to the amendment.

The CHAIRMAN: Order! Will the Minister please resume his seat? The amendment is wrong; the hon. member is either striking out too many words or inserting too many words. I must point out that the amendment still does not read correctly. As worded, it would convey that the chairman shall be resolved in the negative! I think the word "question" should be inserted. Also the word "shall" must be struck out.

Mr. W. HEGNEY: Very well! I move an amendment—

That in line 4 of Subclause (4), the words "shall also have a casting vote" be struck out and the words "the question shall be resolved in the negative" inserted in lieu.

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

Clauses 6 to 11—agreed to.

Clause 12—State National Fitness Fund:

Mr. SEWARD: I move an amendment—

That paragraph (b) of Subclause (3) be struck out.

If I heard the Minister aright, he said, in his reply to the debate, that it was necessary for the Bill to be passed in order that we might utilise the moneys made available by the Commonwealth Government, and that the money would have to be applied in the way the Commonwealth Government indicated. I draw the Minister's attention to the fact that two years ago the Commonwealth Government made some money available for this State under certain conditions, but the State Government did not expend it. I refer to the money made available as a gift to aid drought-affected farmers. In my second reading speech, I indicated that I was not willing to subscribe to the expenditure of State money by the Education Department on anything other than the mental improvement of the children, until such time as the standard, particularly in country districts, was raised. The Minister was at another engagement and so did not hear me.

The standard of education of many of our children is deplorable. I have had letters from young boys and girls who have left school and have asked me for a recommendation for certain positions. Those letters were not such as one would expect from children who had completed their schooling and were going into the world to earn a

living. The Minister told us that up-to-date medical opinion was that, in order to get the best benefits from physical exercises, it was necessary for people to be attired with very little clothing; but he is a tennis player himself and has indulged in sport, and he knows that is not so. If we cast our eyes back over the ranks of Australian athletes, we find that they did not have to do that in order to reach a high standard and become models of physical fitness. Look at the members of the first A.I.F.! I do not suppose there would be a body of men superior to them. Children go out in the morning and do these physical jerks with just a singlet on; but at five or six o'clock they have greatcoats and scarves round their necks, and that is what does the harm. I must accept the Minister's statement in regard to State schools, but the instance I quoted in my speech did not refer to a State school. That took place on the coldest morning of the year, and the youngsters were standing bare to the waist. If they were running about it would be different.

What is the object of exercises except to stimulate the heat of the body, and open the pores, and clean them out? That is done with clothes on, after which one should take a shower and replace one's clothing. The object will not be achieved by taking everything off. Reverting to the subject of education, the children at the Kalgarin school to whom I made reference previously, have not reached the enviable stage of having a desk of any description. The little ones sit on kerosene boxes and use other kerosene boxes turned on their ends as desks. They are thus in a cramped position all day; and yet here is a suggestion to promote national fitness and improve their poise! Those children travel to school in sulkies in the pouring rain. The school has a little bit of an enclosure for a verandah, and there they hang their wet clothes. That sort of thing does much to undermine health.

Again, the member for Katanning has reminded me that there is the question of school buses. I pity children of six and seven years of age who have to travel a distance of 20 to 40 miles five days a week for 240 days a year in order to attend school. Moreover, there are 27 children within 25 miles of one town who are not receiving any education other than what they may receive through correspondence lessons, simply because they are widely dis-

tributed and the cost of bringing them to the school would be more than is provided by the Education Department. This is the sort of thing on which I wish to see money spent, instead of on physical culture. The Minister suggested that I wanted to cut out exercise. Not at all! That comes naturally to children and they can have any amount of it in the way of organised games without our having to spend money on national fitness. Surely we do not have to pass a Bill and devote State money in order to get a sales tax reduction of 25 per cent. We should get it by some other means. However, it is the allocation of any State money to this matter that I oppose until such time as the mental education of our children receives adequate attention. This paragraph should be deleted so that the money available under the Bill will be confined to what is provided by the Commonwealth Government.

THE MINISTER FOR EDUCATION: I hope the Committee will not agree to this amendment. This provision is put in more for the future than the present. I do not anticipate that the Treasurer will have any State money available in the near future for this purpose. But as the Commonwealth Government is supplying quite a large sum for national fitness we, as a Parliament, ought to indicate that at some time or other the State will be prepared to participate in that scheme too. At present this is more of a gesture than anything else. Unless this provision is included the State will not be able to make money available for these purposes if it should find itself able to do so.

In parenthesis in the subclause members will see the words "if any." Those words suggest that there is not likely to be any money for some time, but we require this provision in case there is any money for these purposes after we have attended to all the requirements mentioned by the member for Pingelly. I give him this assurance that I will not ask the Treasurer to provide money for other purposes while children are without proper seating accommodation in our schools. It is a matter of great concern to me that there are children who have not proper seating accommodation. We have had desks on order for a long time; the money has been made available for them. The delay is due to the physical impossibility of getting manpower for their

manufacture. As soon as we get these articles they will be placed in the schools.

There is no danger that the inclusion of this paragraph will rob the academic side of education of any facility, amenity or provision that it should have. But we should include this provision so that if at any time we have some money available, we will be able to make a grant, no matter how small, and not simply say to the Commonwealth Government, "We regard this as your sphere and will not give you one shilling of our money." That would be a wrong attitude and would be a bad gesture on our part in view of what the Commonwealth is seeking to achieve in the realm of physical development.

Amendment put and negatived.

Clause put and passed.

Clauses 13 to 20, Title—agreed to.

Bill reported with an amendment.

House adjourned at 6.5 p.m.

Legislative Council.

Tuesday, 25th September, 1945.

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

MOTION—URGENCY.

Collie Coal Stoppage and Disruption of Industry.

The PRESIDENT: I have received the following letter from Hon. J. A. Dimmitt:—

I desire to inform you that at the commencement of the sitting of the Council to-day, it is my intention to move, under Standing Order 59, the adjournment of the House to discuss a matter of urgency, namely, the failure of the authorities concerned to make provision for the supply of electricity in the metropolitan area during a hold-up in the production of coal at Collie.

It will be necessary for four members to rise in their places to support the proposal.

Four members having risen in their places,

HON. J. A. DIMMITT (Metropolitan-Suburban) [4.35]: I desire, Mr. President, to move that the House at its rising adjourn till Friday, the 28th September, at 2.30 p.m. The purpose of moving this motion is to give members of this House an opportunity to express to the Government their views on the present serious situation. I do not think any of us are very gravely concerned with the merits of the dispute, but we do know that there is an appropriate tribunal that has been set up to handle disputes in the coalmining industry, and that tribunal was set up under the Commonwealth Coal Production (Wartime) Act of 1944. If the decision of that tribunal is not viewed favourably by the Collie miners, it does appear that they take the law into their own hands, and cease work. The miners were fully aware that there were no reserve stocks of coal in any industrial establishment or, indeed, any great reserves of coal at the East Perth power-house or in the Railway Department's storage bins. I would say that the coalminers contributed greatly to that situation and it has put them in the position of holding a great bargaining card. They seem determined to take advantage of it.

I admit that during hostilities the miners did a good job. They produced coal, with practically no serious dislocation, during the whole of the war period. They did their duty, as did most citizens, but though they are to be commended for having acted in that manner they are not to be excused—because they did their duty in wartime—for failing to do their duty now. I do not think there is any person in the whole of the metropolitan area who has been unaffected by the present stoppage. We find that industry has been completely disrupted, and it is estimated that some 35,000 people are today temporarily out of employment owing to the action of the miners. One can imagine the dreadful position in which the Department of Industrial Development is placed as a result of this action. What encouragement is there for people to establish industries in the State of Western Australia when, within the short period of four months, we can have the whole of industry completely disrupted by a small group of dissatisfied men in the coal industry? At present we find hospitals working by candle-light, and in homes and industrial