

Legislative Council.

Wednesday, 11th November, 1942.

	PAGE
Bills: Marketing of Eggs Act Amendment, 1R.	1244
Goldfields Water Supply Act Amendment, report	1244
Municipal Corporations Act Amendment, 2R.,	
Com.	1244
Congregational Church (Lands) Amendment, 1R.	1247
Legislative Assembly Duration and General Election Postponement, 2R.	1247
Legislative Council (Postponement of Election), 2R.	1254
Bush Fires Act Amendment, 2R.	1255
Motor Spirit and Substitute Liquid Fuels, 2R.	1257

The PRESIDENT took the Chair at 2.15 p.m., and read prayers.

BILL—MARKETING OF EGGS ACT AMENDMENT.

Introduced by Hon. G. B. Wood and read a first time.

BILL—GOLDFIELDS WATER SUPPLY ACT AMENDMENT.

Report of Committee adopted.

BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT.

Second Reading.

THE HONORARY MINISTER [2.22] in moving the second reading said: The purpose of the Bill is to amend Sections 39, 147 and 156 of the Municipal Corporations Act, 1906-41. All three amendments have been requested by the Country Municipal Councils' Association and are supported by the Public Works Department. The first amendment provides authority to appoint a mayor or a councillor of a municipality as treasurer in an honorary capacity, without incurring disqualification. Representations have been made that the finances of the smaller municipalities will not permit of the appointment of a paid treasurer, whereas if a councillor could be appointed in an honorary capacity, he could materially assist on the financial side of a council's business.

Any such appointment, although honorary, would of course be in the nature of an "office," and as the Act stands at present would involve disqualification. As a matter of fact, only recently was it discovered that the appointment of a councillor as honorary treasurer is not legal. Particularly in smaller municipalities that cannot

afford the appointment of a paid treasurer, usually a councillor who is a man of business experience is chosen to act as honorary treasurer. As the law stands today, if any such officer had been challenged respecting his occupancy of his post, he would have been disqualified from office. The Bill remedies that position and will enable this work to be carried out by a councillor without involving his disqualification.

A second amendment provides that an officer of a municipality such as a town clerk, an engineer or a building surveyor, shall not be removed from office without the approval of the Minister. A similar provision is included in the Road Districts Act with relation to road board secretaries. The Victorian Local Government Act was amended last year to give somewhat similar protection to municipal clerks, treasurers, surveyors or engineers, building inspectors, and such valuers and rate collectors as are officers of a municipality. In South Australia, also, an appeal board has been set up under an Act of Parliament, to which board any municipal clerk may appeal against his removal from office. Legislation in New South Wales provides for an inquiry to be held by a person appointed by the Governor and covers shire clerks, engineers, health inspectors, gas managers, electrical engineers, persons in charge of trading undertakings of councils, etc.

Members are aware that under ordinary circumstances the personnel of municipal councils is subject to periodical changes, and in carrying out official duties certain executive officers may at any time come into conflict with ratepayers, who in the course of time become members of the council. We have had unfortunate experiences of that nature. It is therefore considered reasonable that such officials should be given some sense of security when called upon to enforce the provisions of the law, sometimes to the extreme annoyance of certain property owners and ratepayers who may become, as before-mentioned, members of the council and then make it their business to take steps to enforce the removal of an official who has incurred their displeasure.

The other amendment in the Bill provides that the Minister shall have power to extend the date for the holding of the annual general meeting of ratepayers. At present such meetings must be held in the month of No-

member and before the date of the annual election, namely, on the last Saturday in November. Certain audited financial statements must be presented at an annual general meeting. In asking for this amendment the Country Municipal Councils' Association has explained that as the municipal year ends on the 31st day of October, very little time is allowed in which to comply with the provisions of the Act, and it has been found impracticable on many occasions to have financial statements ready, with the result that ratepayers' meetings have had to be adjourned. It was also pointed out that a number of the councils now have trading accounts to prepare, and that the necessary statements could not be ready in November, as now required by the provisions of the parent Act. The proposal in the Bill is that upon sufficient reasons being submitted, the Minister may extend the time for the holding of the annual general meeting to a date in the following month of December.

Members are aware that, for many years past, very little interest has been taken in these annual meetings; and it is therefore considered that there would be no objection to the date being extended should circumstances justify such a course. It should be remembered that municipal councils can be compelled to convene special meetings of ratepayers upon receipt of a petition signed by only 21 ratepayers. This should give ratepayers all necessary protection in the way of affording them opportunities of voicing any serious complaints they may have to make at the meeting. That is the explanation of the three amendments embodied in the Bill, all of which have been asked for by the Country Municipal Councils' Association and have the support of the Local Government Department. I trust that the House will approve of the proposals. I move—

That the Bill be now read a second time.

HON. A. THOMSON (South-East): The first two clauses of the Bill appear to me to be quite satisfactory. It would be well for the Honorary Minister to give some more definite information about Clause 3 in the Committee stage. It provides that no town clerk or other officer appointed as an engineer or building surveyor shall be removed from office without the approval of the Minister.

Hon. J. Cornell: The Road Districts Act contains a similar provision.

Hon. A. THOMSON: I trust the Minister will be able to advance some satisfactory reason for the proposal.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. Cornell in the Chair; the Honorary Minister in charge of the Bill.

Clauses 1, 2—agreed to.

Clause 3—Amendment of Section 147:

Hon. A. THOMSON: I would like to know the Government's reasons for introducing the proviso contained in this clause. A council might be entirely dissatisfied with the work of an officer, and yet the Minister would be able to over-ride the council's dismissal of him.

The HONORARY MINISTER: As I stated in moving the second reading, an officer of a municipal council sometimes has to carry out unpleasant duties, thereby incurring the displeasure of a ratepayer who subsequently becomes a councillor. Then that councillor may show animus against the officer. The same proviso appears in the Road Districts Act, and we think it should be included in this Bill. There has been no objection to the proviso.

Hon. C. F. Baxter: You are mistaken. There has been objection, and also trouble.

The HONORARY MINISTER: I am not aware of that at all.

Hon. Sir HIAL COLEBATCH: I move an amendment—

That paragraph (b) be struck out.

The proviso represents an unwarranted interference with the authority of municipal councils. Such bodies are able to judge whether an officer is doing his duty. The councillors are in close touch with the ratepayers, who would be quick to protest if they considered an officer was unjustly dismissed. The effect of the proviso would be to make officers of the council servants of the Minister rather than servants of the council.

Hon. C. F. BAXTER: It is all very well for the Minister to say that a similar provision in the Road Districts Act works satisfactorily. It does not. I know a road board secretary with whom the board is dissatisfied but, because the members cannot bring a definite charge against him, he has remained in office for years. Notwith-

standing that a similar provision exists in the Road Districts Act, I hope the Committee will not agree to this embargo being placed on municipalities that are carrying out honorary work in this State. Surely the members of a council should be the people to decide whether or not an officer is satisfactory. This provision does not refer merely to the town clerk or treasurer, but includes engineers and building surveyors. If the members of a municipal council are not competent to judge whether such officers are fit to occupy the positions they hold, how can a civil servant who advises the Minister be expected to be able to pass judgment?

Hon. F. E. GIBSON: I support the amendment. The Minister's remarks did not carry conviction. I am aware of no request from the municipal section of the Local Government Association for this suggested alteration to the Act. To include this proviso would be to over-ride the powers of local authorities who are elected by the ratepayers to carry out the job that the Municipal Corporations Act gives them power to do. I cannot imagine a man being dismissed unfairly for doing a job he has been told to undertake.

Hon. G. W. MILES: I support the amendment. The Minister stated that the provision was already in the Road Districts Act. I consider that that measure was passed without proper consideration, and the sooner it is amended with a view to taking away that power from the Minister the better it will be. I know of a case in a country district where trouble has been experienced in getting rid of the road board secretary, who is most unsuitable for the job. In such a case it is necessary for the road board members to approach the Minister by way of a deputation. This matter was brought to my notice only a week or two ago concerning a district not in my province.

Hon. C. F. Baxter: It is in my province, is it not?

Hon. G. W. MILES: I do know. I do not want to say. I know of some cases not in the hon. member's province.

Hon. L. B. BOLTON: My experience of municipalities and road boards convinces me that it would be entirely wrong to agree to this proviso. Who should be better judges of an officer's capability than the members of the local authority employing

him? Paragraph (b) gives the Minister power to foist back on a municipal council an officer who is entirely unwanted.

The HONORARY MINISTER: A similar provision in the Road Districts Act has proved successful. There are cases where, through enforcing the by-laws, officers have come into conflict with members of a road board and incurred their displeasure. It would be possible for such men to be unfairly penalised if that provision were not included in the Road Districts Act. It is not often that father and son disagree. My sons disagree with me sometimes!

Hon. C. F. Baxter: I do not wonder at it, either!

The HONORARY MINISTER: Recently a deputation waited on the Minister for Works asking for this amendment. Sir Hal's son headed the deputation. Sir Hal may shake his head!

Hon. Sir Hal Colebatch: He has asked for certain amendments.

The HONORARY MINISTER: The deputation, which was led by the chairman of the Country Municipal Councils' Association, Mr. Colebatch, asked for this amendment to be included in the Bill. There is a case of a father and son disagreeing. I suggest that in this instance the Committee take the advice of the son, because he is in closer touch with local government matters. In view of the fact that we have never had any complaints with regard to the administration of the Road Districts Act, which contains a similar provision, I hope the Committee will agree to the paragraph.

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

Ayes	..	..	..	..	17
Noes	..	..	..	..	8
Majority for					9

AYES.

Hon. C. F. Baxter
Hon. L. B. Bolton
Hon. Sir Hal Colebatch
Hon. J. A. Dimsitt
Hon. F. E. Gibson
Hon. W. R. Hall
Hon. V. Hamersley
Hon. J. G. Hislop
Hon. W. J. Mann

Hon. G. W. Miles
Hon. H. V. Piesse
Hon. H. L. Roche
Hon. H. Seddon
Hon. A. Thomson
Hon. H. Tuckey
Hon. F. R. Welsh
Hon. C. R. Cornish
(Teller.)

NOES.

Hon. J. M. Drew
Hon. G. Fraser
Hon. E. H. Gray
Hon. E. H. H. Hall

Hon. W. R. Kitson
Hon. T. Moore
Hon. C. B. Williams
Hon. E. M. Heenan
(Teller.)

Amendment thus passed; the clause, as amended, agreed to.

Clauses 4, 5, Title—agreed to.
Bill reported with an amendment.

BILL—CONGREGATIONAL CHURCH (LANDS) AMENDMENT.

Received from the Assembly and read a first time.

BILL—LEGISLATIVE ASSEMBLY DURATION AND GENERAL ELEC- TION POSTPONEMENT.

Second Reading.

THE CHIEF SECRETARY [2.50] in moving the second reading said: By this Bill it is proposed to prolong the life of the present Legislative Assembly and to postpone the general election for a further period of twelve months. Members will recall that the general election for the Legislative Assembly, which should have been held in the early part of this year, and the Legislative Council election of ten members, which should ordinarily have taken place prior to May of this year, were in December of last year postponed for a period not exceeding twelve months. At that time Japan had just entered the war, and for the first time in our history Australia was faced with the possibility of hostile attack, and even invasion.

Succeeding events showed that, had the elections taken place at the ordinary time, they would have coincided with actual attacks made on the northern parts of this State and other parts of the Commonwealth. Members will recall that there were attacks on Darwin, Broome, Derby, Port Hedland and Wyndham. Since then the war developed in such a way that for quite a long time the outlook was not at all reassuring. It is only quite recently that the Allied Forces have met with success on all war fronts, and that the position has appeared to be developing very favourably in the interests of the Allies. The danger to Australia, however, is still very real. We have been reminded by the Prime Minister even during recent days that we are still in exceedingly great danger. The Commonwealth Government is charged with the defence of this country. It has, as members know, initiated a war effort which has called for the organisation of all the people of Australia and the mobilisation of all our resources. I am entitled to say that the effort which has been put forward during the past

12 months is one which stands very greatly to the credit of the people of Australia.

This State, too, has maintained its reputation for loyalty and patriotic effort. The number of enlistments in our Fighting Forces is, per capita, greater than it is in any other State of the Commonwealth, while the drain upon our manpower, particularly in our mining and rural areas, has been very great. Thousands of men have been withdrawn from private industry to play their part in the manufacture of munitions and the provision of military works in all parts of the Commonwealth. By the end of this year many thousands of men will be employed away from their usual habitations and electorates, and will be engaged in all parts of the Commonwealth. It is well known that men of the Fighting Forces are serving in various parts of the Empire. Unfortunately, under our existing law it would not be possible for a large proportion of those men to exercise the franchise. The present position is fraught with great danger so far as Australia is concerned and, notwithstanding the recent successes of our Forces, which I feel sure have greatly pleased every member of this Chamber, we have been warned by the Prime Minister that the war has entered a very serious stage.

The question therefore arises whether this is the time to hold elections which would have the effect of dividing the people while their minds are concentrated on a war effort, the like of which this country has never previously attempted. I think every member of the House is aware of the grave disabilities which are being suffered by large numbers of men and women who have been called upon to do their duty in one sphere or another. It is a truism to say, quite apart from the Fighting Services, that the men who have been called up, for instance, by the Allied Works Council for service in the Civil Construction Corps, are all anxious to do their best in the common war effort. Although many of them have been transferred great distances from their homes we hear very few complaints on that score. On two journeys into the country which I made quite recently, I was very pleased to notice the great activity that is taking place in connection with war work in the somewhat isolated parts of the State. Everywhere I went, and no matter where I looked, I saw signs of great activity,

quite apart from the camps of the Armed Forces which are scattered throughout the country.

It seems to me that the immediate and most important task with which we are faced is to give our utmost support to the effort to which I have just referred. The State Government has co-operated in every way with the Commonwealth Government and has shown quite clearly that the war effort is its first consideration. The assistance and co-operation the Government has given to the Commonwealth Government, have prompted the generous acknowledgment of successive Prime Ministers since the war began. That is the position we are in today: just the same position that we were in last year. If action is not taken to postpone the elections for a further period, the Legislative Assembly will automatically expire in February next, and between then and the date of the elections the State would be without a Parliament. Matters of urgent moment may arise at any time that require the attention of Parliament. It is also quite possible that the Commonwealth proposals, which are to be considered at a convention to be held this month in the Eastern States, will require the urgent attention of this and other State Parliaments.

Hon. J. A. Dimmitt: Could not the life of this Parliament be extended only until election day?

The CHIEF SECRETARY: It would not be easy. It is quite conceivable that the State Government would desire to consult Parliament in connection with the proceedings at that convention, and the State will be gravely disadvantaged if Parliament were dissolved or if members were actively engaged in an election campaign. Even if nothing arose to require a sitting of Parliament, the holding of an election would mean that for some time Ministers would be unable to carry out their normal duties satisfactorily. Hardly a day passes without some major war question being referred to the State Government by the Commonwealth.

Again, there is another matter which must be considered and that is the practical difficulty of conducting an election at the present time. As I have said, the troops are scattered all over the globe—in Great Britain, the Middle East, the United States of America, New Guinea and Russia, as well

as in every State of the Commonwealth and even there in many isolated positions. Some machinery would have to be provided to enable as many as possible to record their votes, but it is inevitable that whatever arrangements we might be able to devise for this purpose, a considerable number would not be able to exercise the franchise.

The difficulty is not confined to men, as many women have joined the Services and are distributed far and wide. Apart from those who are on military service, many others are absent from their electorates engaged in other forms of war work, and the task of preparing the rolls would present many difficulties. Some districts have been absolutely denuded of their population. When the North-West was attacked in the early part of the year, all women and children were compulsorily evacuated from certain towns and many of the male population had also to leave. In those districts very few people remain. It would be impossible to compile a reasonable roll for those electorates, and if an election was held, it is quite likely that in some instances the issue would be decided by very few people.

In many cases it is not possible to determine where the people have gone or whether their absence is permanent or temporary. It is a fact that a number of people who left those areas have drifted back again. We know that the major portion of the male population of the goldfields has left and it would be impossible at the present time to get a fair expression of opinion in those areas. I suppose that no industry in the Commonwealth has been more seriously affected by enlistments and manpower requirements than has the goldmining industry of Western Australia. In many rural districts similar circumstances prevail, but in the metropolitan area the population has been considerably swollen by the advent of large numbers of relatives and dependants of those who have entered the Forces from practically every electorate in the State.

In these circumstances the rolls would have to be thoroughly overhauled, and the work in this connection would be colossal. The matter of printing also has to be considered. With the shortage of manpower, paper and materials generally, it is doubtful whether the task could be carried out efficiently and in time. Then there is the

cost amounting to many thousands of pounds, and the question arises whether this expense is justified. Can it be said that an election is necessary? Do the bulk of the people want an election? I venture to say that in the present war situation they are less interested in the matter than they were 12 months ago. It is on account of these circumstances that the Government decided to introduce the Bill.

The measure is very similar to that passed last year and provides that this Parliament shall be extended for a further period not exceeding 12 months, subject to a proviso that, if Parliament so desires, an election may be held at such time as may be determined. Last year two Bills were required—one for the Legislative Assembly and one for the Legislative Council—and the same procedure is being adopted this year. When this measure has been dealt with, I shall introduce a Bill dealing with the postponement of the election of members of this Council. It seems to me that the stage has been reached where nothing should be done that will distract the minds and the activities of the people from the war effort, which is rapidly approaching its maximum. I feel sure that an election held at this time could have no other effect. From the point of view of the proper conduct of the elections and from that of obtaining a fair indication of the opinion of the electors, I submit that the position today is very little better than it was in December last. As a matter of fact, one could reasonably claim that the possibility of obtaining a fair reflex of the opinion of the people is even more remote, because so many thousands of our men and women, all of whom are voters for the Legislative Assembly, are located far away from their usual places of residence, and it would be extremely difficult for a large percentage of them to record a vote, no matter what system might be devised.

Hon. J. Cornell: You could not ascertain their whereabouts.

The CHIEF SECRETARY: That is so and it would be equally difficult to ascertain the whereabouts of men in the Armed Forces. If we desire to send letters or parcels to men in the Forces, we have to address them to a central authority, which distributes them as opportunity offers. In some cases it takes weeks and months for those communications to reach the addressees. Apart

from the question of cost, we have to consider whether it is reasonable to hold an election at a time when so many men and women are fully occupied in the war effort and would be absolutely disfranchised.

In the event of this Bill not receiving the approval of the Council, the Government will have to bring down further legislation to amend the Electoral Act in order that machinery may be devised to attempt at least to give men and women, fully employed in the war effort and absent from their homes, an opportunity to record their votes. I could deal at greater length with the war situation, the difficulties which have confronted us and the difficulties we still have to face, but I think I have said sufficient to justify this proposal to postpone the election. I move—

That the Bill be now read a second time.

HON. H. S. W. PARKER (Metropolitan-Suburban): While I am of the opinion that to hold an election at the present time is quite out of the question, I do not agree with all that the Chief Secretary has said. One of his arguments was that it would be very awkward if there was no Parliament at some crucial stage of the war effort. So far I have not known of any member of this Parliament being taken into the confidence of either a Western Australian or a Commonwealth Minister as regards the war; on the other hand, an entirely contrary position has existed. However, I need not enter into that aspect.

Whatever party may be in power at the moment, it can have little or no force or effect. Even this Parliament has no power at present, if the Commonwealth Government thinks otherwise. We have two simple examples of this. Members will recall the lighting restrictions and the black-out. Resolutions were passed by Parliament, but what was the effect? The Commonwealth said, "Very well, we will attend to those matters ourselves." I had occasion to interview the Minister in charge of Civil Defence matters and suggested that he might get some more practical men on the council. His reply was, "I am the Civil Defence Council; do what you like." When Parliament disallowed the regulations, the Commonwealth authorities stepped in, and I think they would step in regardless of the party in power here.

What advantage would accrue to the people if we held an election? They would be

put to a lot of trouble, expense and inconvenience. Many people who are devoting their time and energies to the war effort would be called away to assist various aspirants for political honours, and, as the Chief Secretary pointed out, a lot of printing would be necessary and much paper would be used, and this at a time when we have been asked to economise as much as possible. What is there to prevent the Commonwealth authorities from saying, "We will not pass any of your electioneering matter through the post offices"? If the Labour Government in Western Australia does not desire that an election shall be held, there is nothing on earth to stop the Commonwealth Labour Government from saying, "Yes, we agree with you, and will support you. Never mind what your Parliament says about the lighting restrictions or the Arbitration Court or the basic wage. We will fix all that." Therefore, however the vote goes on this Bill, I think the Commonwealth Government could nullify it by the National Security Regulations. Another matter that is probably of the greatest importance is that really competent men are not now available for work in the political arena. Every man worth his salt is working for the war effort; if he is competent, let him continue with that work. Why take him away and drag him out to fight for some seat?

Hon. J. A. Dimmitt: We have recently secured three good new men.

Hon. H. S. W. PARKER: I agree. They are doing excellent war work. I am speaking of the Legislative Assembly, not of the Legislative Council; there would be a great rush for seats for the Legislative Assembly and all sorts and conditions of candidates would come forward, but would we secure competent men? Would competent men desire at this time to launch on a political career? I doubt it. Even should they be available, it is as well not to encourage them to enter politics at present; let them continue with their war work. If an election is to be held, let us hope and pray that it will be held as soon as the war ends, when many competent men will be available to offer their services to the State. That is a phase which we might consider rather than go into the high-ways and byways to get candidates, as is so often done. For those reasons, I am certainly against the holding of an election at the present time.

HON. C. B. WILLIAMS (South): I support the Bill. Very briefly, it seems to me that it would be a sheer waste of money and time to hold an election now. We have had two or three election experiences during the past 12 months, two members having been elected to this Chamber. I can quite understand what the position was in the North-West, owing to the ravages of war; 58 per cent. of the votes polled were postal votes. What is the position of the North-West electorates? People there are living under war conditions. How in the name of Heaven can one expect to secure a reasonable poll for North-West seats while the Japanese are so handy and occasionally pay visits there? It is quite useless making speeches on this subject. This House has certain powers and prerogatives which I hope we shall not attempt to use. The measure was passed by an overwhelming majority in the Lower House, which decided that the time is inopportune for an election.

Hon. C. F. BAXTER: I move—

That the debate be adjourned.

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

Ayes	..	..	..	..	12
Noes	..	..	..	..	15
Majority against					3

AYES.	
Hon. C. F. Baxter	Hon. J. G. Hislop
Hon. L. B. Bolton	Hon. G. W. Miles
Hon. Sir Hal Colebatch	Hon. H. V. Plesse
Hon. J. A. Dimmitt	Hon. H. Seddon
Hon. E. H. H. Hall	Hon. A. Thomson
Hon. V. Hamersley	Hon. H. L. Roche
	(Teller.)
NOES.	
Hon. J. Cornhill	Hon. W. H. Kitson
Hon. C. R. Cornish	Hon. W. J. Mann
Hon. J. M. Drew	Hon. H. S. W. Parker
Hon. G. Fraser	Hon. H. Tuckey
Hon. F. E. Gibson	Hon. F. R. Welsh
Hon. E. H. Gray	Hon. C. B. Williams
Hon. W. R. Hall	Hon. T. Moore
Hon. E. M. Heenan	(Teller.)

Motion thus negatived.

HON. C. F. BAXTER (East): To say that I am astounded would be putting it mildly. This is the most important Bill that has appeared before Parliament during the whole of my political career of 29 years. Yet one is not privileged in securing an adjournment to the next sitting in order to deal with the Minister's remarks. The Chief Secretary moved the second reading only this afternoon, so that members have had practically no time for reflection.

On reading "The West Australian" last week I noticed that the Bill was introduced in another place last Tuesday. Wednesday was private members' day and it was not considered at that sitting. On Thursday it was rushed through the second reading and Committee stages and, to my astonishment, the Standing Orders were then suspended to permit of its passing the third reading. The Bill aims at amending the most important Act on our Statute-book, the Constitution Act.

Hon. J. Cornell: All that happened last session.

Hon. C. F. BAXTER: Never mind what happened last session.

The PRESIDENT: Order!

Hon. C. F. BAXTER: The Constitution Act protects the rights of the various sections of the community. The most important section is the electors of the State. What do we find? That on the weakest case imaginable, put up by the Chief Secretary this afternoon, the rights of that section are to be taken away. Parliament is asked to amend the Constitution Act. On what grounds? I agree there were good grounds 12 months ago, but what are the grounds today? The Chief Secretary said that the elections were postponed last year because of the liability of this State to enemy attack about the time the election would have been held. But I ask whether the holding of an election now would in any way affect such attacks. Would it make the slightest difference to them? The point is that today the air has been cleared to a large extent of enemy planes.

Although the Chief Secretary said conditions were as bad, if not worse, I do not agree with him. There is no doubt the position from the Allied standpoint is very much brighter now. Much has been said about the electors in this State. Granted, a peculiar position has been brought about, but it will exist so long as the war continues, and who can say how many years the war will continue? Is the present Government, with a bare majority, going to occupy the Treasury bench and carry on the business of the State during the whole of the war period? If it would agree to the formation of a National Government, that would be a different matter altogether. But, no, the Government has a bare majority and it says "We must carry this country on: the electors are to have no rights whatever. Their rights will be taken from them.

We will amend the Constitution." During the past few years there has been too much tinkering with our Constitution. Parliament should see to it, unless there was some vital need and the State would be detrimentally affected, that the Constitution shall not be amended. The Chief Secretary also said that many men and women will be absent from their districts. I agree, but what about the provision for postal voting? Some electors will be outside the State, but there is always a proportion absent from the State. After all, that position could be provided for in the way suggested by the Chief Secretary. It may be necessary to make some provision in that direction, but why was that not done during the past 12 months?

Why was not the position rectified before? It is rather late in the day for the Government to plead for another extension of life and at the same time say that it will make provision for voting facilities for those residing outside the State. Why did not the Government make that decision during the past 12 months, as well as provide facilities for soldiers on active service to record their votes? Not a thing has been done, however; the Government has simply sat down quietly without dealing with the situation. Again, the Chief Secretary stated that elections would divide the people. The people today are very restive about Parliament arrogating to itself the right to another extension, and to amend the Constitution by saying to the people, "We will make our position secure for another 12 months, irrespective of you in whose hands that right should rest." It appears to me that if the Constitution is to be dealt with in this manner, the sooner we amend it to leave such issues as that now under consideration to the people so that they can say, by referendum, whether an election shall be held or not, the better it will be for this State.

Reference has been made to certain parts of Western Australia that have been denuded of population. Of course that has occurred. The position of the North-West was cited as one instance. There has been an exodus from that part of the State, but a large majority of those people are in the southern section, where they can avail themselves of the postal vote facilities. The station people are still on their stations. There may be a smaller vote recorded in

the North-West, but it is ridiculous to refer to a "small handful of voters." A large percentage would be in the position to record a vote if they so desired. The goldfields are in a different category altogether. Goldmine after goldmine has been closed down, and where is one member who has had the same experience that I have had of goldmines who will say that these mines will ever re-open? I cannot see that happening. In the first place, when a mine is closed, no matter what care is taken, the cost of re-opening is so great that it must be a rich mine indeed to justify that course. None of the mines closed down is rich. As a matter of fact, they have been working practically on the bread line.

There is no population in these districts at the present time, and there is no hope of future population. That position will not alter, because gold will not be worth so much when this war is over. The most important point is that as far as the value of gold is concerned, it will not be £10 per ounce or anything like it, and when it reverts to its ordinary value of £4 10s. to £5 per ounce, then these mines will have no hope of working successfully. Consequently, there will be no inducement for those areas to become populated. I am, therefore, sorry to say that these goldfields are finished for all time. One of our best industries has been sacrificed, and sacrificed without occasion. It could have been saved. The Chief Secretary also referred to the fact that the rolls would have to be overhauled. Seeing that the election should have been held 12 months ago, why was no attempt made by the Government to keep them in order? Why should that job be left to the Parliamentary candidates? It is the Government's duty to carry out that work, and no one else's.

He also mentioned that in the course of time Parliament could order an election to be held. Parliament can do nothing of the sort, because a Bill would have to be introduced by the Government! Nobody else has power to introduce it. A private member could not introduce a Bill to authorise an election because it is a money Bill. Parliament would have the opportunity to pass it if the Government brought it forward. It is said that the elections will divide the people. No person will say, from the point of view of the State Government, that we are placed in the same position as the con-

tinent of America. America has just undergone an election, and that country has put forward a wonderful war effort. Has that election divided its war effort, or made any difference to it? No! The war effort has gone on.

Hon. C. B. Williams: How do you know?

Hon. C. F. BAXTER: Members can tune in of an evening at 6 o'clock and find out for themselves just what the position is there. If anything, that election has facilitated the war effort. Apart from that, the American Government is directly concerned with the war, but this State Government is not. The Commonwealth Government is the one concerned with the war effort. It is strange that whilst we should not divide the people here, the Commonwealth Government proposes to hold a referendum ten thousand times worse than any State election, because it will divide the people. It will be a bitter contest, and will cause dissention and strife amongst the electors. But the State Government says that we cannot hold an election and upset the electors. I have a telegram here which states—

As our representative you are to vote against the Parliament Extension Bill.

It contains four signatures.

Hon. C. B. Williams: Why did not you keep it to yourself?

Hon. C. F. BAXTER: I happened to be on my feet.

Hon. C. B. Williams: I can give you one with ten signatures.

Hon. C. F. BAXTER: I have no doubt of that. Is Western Australia satisfied with the present Government? Are the people satisfied that it has done all that is necessary for this State? If this Bill is agreed to, will not those who support it accord the State Government a vote of confidence for its past work? How any person representing the electors of this State can express a vote of confidence in this Government is beyond me. It is a sectional Government; its administration and legislation, and its every move are for the benefit of one section—the trade unions of Western Australia. We have fought hard against extraordinary amending Bills introduced to deal with social and industrial legislation. They have imposed conditions which have killed industry in this State. What industry have we here? Nothing of any consequence. We have been dealing with the industry at

Welshpool for about three years, and it is the only one here in any way comparable with those of the other States, where their industrial conditions are not so stringent.

Hon. C. B. Williams: You are floundering a bit!

Hon. C. F. BAXTER: It is better to flounder and exhibit a little sense than to talk nonsense, like the hon. member.

The PRESIDENT: Order!

Hon. C. F. BAXTER: First of all, I am rather surprised that a rush should be made in connection with this Bill to extend the privileges of the members of the Legislature, and more particularly those of Ministers. We have had many important Bills which have not been hurried through, as this one was, in another place, or forced on us as it is here this afternoon. It has been singled out.

Hon. H. V. Piesse: We have a full house this afternoon.

Hon. C. F. BAXTER: Is there any necessity to rush through a Bill like this?

Hon. C. B. Williams: We are all thoroughly conversant with it. We have known for months that it would be introduced.

Hon. C. F. BAXTER: That may be so so far as members of the Labour Party are concerned. Members like myself outside that party want time to consider important amendments such as this.

Hon. C. B. Williams: Hear, hear!

The PRESIDENT: Order!

Hon. C. F. BAXTER: We would be wanting in our duty to the electors if we agreed to pass either of these Bills. The one to extend the election for this House will have peculiar results. Unless every member has his term extended we will be in the position in this House, where continuity is desirable, of being here for 12 months and then 20 out of 30 members will have to seek re-election. What is the use of a Constitution assuring the electors the protection of continuity if that takes place? We should consider the interests of the people who are responsible for putting us here, and the taxpayers who find the money for Parliament. The Constitution should remain sacrosanct in this respect. We can only be sure that that will be done by rejecting both of these measures on the second reading.

HON. G. FRASER (West): I feel rather diffident about taking part in the debate on most subjects affecting the domestic affairs of this State because of my long absence. But on this particular measure I can speak quite freely. It deals with a matter that affects not the domestic affairs of the State but the rights of the people. Since leaving here some eight or nine months ago, I have been in every Australian capital city, with the exception of Brisbane, and I have also been in recruiting depots, training camps and battle stations. Peculiarly enough this is the one subject I have heard discussed in all those places. Mr. Baxter stated that his reason for opposing the Bill was his desire to protect the rights of the people. Strangely enough it is from that point of view that I support the Bill. In my travels I have met thousands of men and women from this State who are on active service. I want to protect their rights because if this Bill is defeated and an election held, those people, who are the most deserving of the right to vote, will be denied that privilege.

Hon. J. A. Dimmitt: You had better tell the Commonwealth Government that too.

Hon. G. FRASER: I do not care who I tell it to. These people will be denied the right to vote.

Hon. A. Thomson: You could alter the law to give them that right.

Hon. G. FRASER: I am not prepared to take that risk. I am more prepared to extend the life of Parliament than to deny these people the right to vote. As the law stands today they will be denied that right. If we do not pass this Bill, but say that we will make provision in the future, that is rather indefinite—and I want something definite. It is astounding to me to have discovered that in all the places I have been in—training camps, recruiting depots and battle stations—80 per cent. of the personnel has been Western Australian. There is a very real danger that those men and women will not have an opportunity to exercise the franchise, and I am going to do what I can to protect their rights. This is the one subject I did hear discussed among men and women in the various branches of the Fighting Forces, and they expressed their opinion in very true Australian language on the holding of elections at this period. I cannot repeat what many of them said, because their language was not at all parliamentary.

Hon. C. B. Williams: Were they good Australians?

Hon. G. FRASER: Yes, and their language was true Australian. There was no question about what their ideas were on the subject. Perhaps quite unintentionally those who oppose the Bill seek to deny to those men and women their right to vote. It has been suggested that if the Bill is thrown out provision will be made so that the votes of the soldiers can be taken. Irrespective of what may be done in that direction, a large number of men and women will still be denied the right to exercise the franchise, because it will be quite impossible for them to vote.

Members of quite large sections of the Air Force, with which I am associated, when posted for various duties, do not know where they are going and cannot even inform their relatives as to their addresses. Even those who are sent to some portions of the Commonwealth have to deny themselves ordinary civilian privileges, and are they not worthy of consideration? I care not what legislation is passed; those men will not be able to exercise the franchise. I will not take any risk of their being denied that right. I am not concerned about the arguments advanced by Mr. Baxter as to whether the present Government is good or bad; I am concerned only with the one point I have mentioned. I ask the House to give consideration to the interests of those who are in the Fighting Forces. Are they not worthy of consideration? They do not number a few hundreds; they number thousands. I am positive that no political party in Western Australia desires to reach the Treasury bench on the votes of a minority. I quite appreciate that the difficulty could be overcome regarding those who have been transferred from place to place under the manpower regulations, but with others it will be quite impossible. I support the second reading of the Bill.

On motion by Hon. H. L. Roche, debate adjourned.

BILL—LEGISLATIVE COUNCIL (POSTPONEMENT OF ELEC- TION).

Second Reading.

THE CHIEF SECRETARY [3.49] in moving the second reading said: The Bill deals with the proposal to postpone the election of members of this House and

differs somewhat from the measure affecting the Legislative Assembly. I should be quite prepared to meet members who desire to adjourn the consideration of the Bill, because it is different from that standpoint. At the outset I wish to make it clear that I have no desire to rush these postponement of election Bills through. On the other hand, I trust that there will be no undue delay. The position should be clear to members and I consider there is no real need to postpone the decisions on them beyond tomorrow. As for the Bill affecting the Legislative Assembly, it concerns the members of that branch of the legislature and they have reached their decision. On the other hand, the Bill now before this Chamber affects not only the 10 members who would normally retire in May of this year but also 10 members who would normally retire in 1944. The Bill provides that there shall be a further extension of not more than 12 months in respect of those members who are due to retire in May of this year and further that, respecting those members who would normally retire in 1944, they also shall have their term of office extended for another 12 months. On account of the Constitution being in its present form, it has been ruled that the priority, or seniority, of members must be maintained and therefore it will be necessary at some future date, when a decision is being made regarding the actual date of the election, for this House to determine just what date shall apply and to take steps to maintain the priority, or seniority, of the members concerned.

Hon. H. Seddon: Can the Chief Secretary tell us whether that means that those members who would retire in 1942 will not go out now until 1944, and can the Minister tell us for what length of term they will be elected, assuming such members will be elected?

THE CHIEF SECRETARY: That will depend upon this House.

Hon. G. W. Miles: The term will be four years.

Hon. J. A. Dimmitt: Is that provided for in the Bill? We have not had an opportunity to see it yet.

THE CHIEF SECRETARY: There is no necessity for the inclusion of a provision of that description at the present juncture. The present Bill provides only for the extension of the life of Parliament and for the postponement of the Council election.

When it becomes necessary to hold an election, another Bill will be essential to determine the period for which members affected will be elected. The important point is that the Constitution provides for the priority of membership, and one needs only to read the appropriate section of the Constitution to appreciate that fact. The question of determining the periods for which members will be elected will be in their own hands later on. No one can dictate to us what shall be included in the legislation.

I am moving the second reading of the Bill in the form it has been printed, but it is competent for the House to amend its provisions. I am just wondering if some members are under the impression that the Government is desirous of foisting something on them that in ordinary circumstances they would not accept. I understand from the Solicitor General that the Bill as drafted provides what is necessary for what the Government has asked—the postponement of the Legislative Council election. As I have already intimated, when the time comes for the election to be held a further measure will have to be introduced to determine the priority of members and the term for which such members will be elected. In any event this House is master of its own destiny. The reasons to be advanced in support of the Bill are similar to those already placed before members concerning the Bill affecting the Legislative Assembly. There is no need for me to stress the arguments advanced, for they appear to me to be perfectly adequate.

As I am one of the members who normally would have retired in 1942, I am naturally affected by the decision reached by the House after considering this measure. I wish it to be perfectly clear that so far as I am personally concerned—this applies also to other Ministers—the measure has not been introduced in my, or their, personal interests. Without spending any more time on the Bill, I leave it in the hands of members. I do not think it deals with any point to which I have not made reference. As it is couched in legal phraseology, members may wish to analyse the clauses so as to become acquainted with their meaning. For that reason I shall raise no objection to the adjournment of the debate. I move—

That the Bill be now read a second time.

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

BILL—BUSH FIRES ACT AMENDMENT.

Second Reading.

THE HONORARY MINISTER [3.56] in moving the second reading said: By this Bill it is proposed to amend the Bush Fires Act, which makes provision for the prevention and control of bush fires in this State. The amendments are deemed necessary in order to tighten up control in that regard, and to overcome certain difficulties which have become apparent since the Act was passed in 1937, when it made considerable changes in the then-existing laws relating to bush fire control. It provides that every road board may, on application, be proclaimed a local authority under the Act, and having been so proclaimed, can appoint bush fire control officers, and from the ordinary revenue of the board purchase and maintain fire fighting equipment for the prevention, control and suppression of bush fires.

To properly handle the fire menace in country districts it is evident that fire prevention and control must be undertaken by local authorities, assisted by volunteer organisations; and it can be said that the utmost co-operation exists between the various authorities and the Government in a matter that is of so much national importance. Differences of opinion on certain matters have, of course, arisen from time to time, but these have generally been ironed out to the satisfaction of all concerned. Much of the credit for this can be put down to the desire of all interests for co-operation, and to the considered judgment and advice of the Rural Fires Prevention Committee, which is a committee set up under the Act representing the Road Board Association, Forests Department, Department of Agriculture, Lands Department, Agricultural Bank, Railway Department and other sections. That committee has considered many aspects of the Act, and this Bill is the result of their recent recommendations.

The first proposal in the Bill deals with an extension of time during the prohibited period when the Railway Department may burn its embankments or reserves to prevent bush fires from spreading therefrom. Section 8 of the Act makes provision for

the Governor to declare by notice in the "Government Gazette" the times in the year during which it shall be unlawful to set fire to the bush. Those prohibited periods vary according to districts, and for the purpose of dealing with the matter in a systematic manner the State has been divided into zones. Subsection (3) of Section 9 of the Act allows the Governor to suspend the operation of the prohibited burning period respecting railway reserves or forest land for any period not exceeding six weeks. Seasons vary in the different zoned districts, and because of the various opening dates in the zones it has been found impracticable by the Railway Department to do the required burning off within the period stipulated by the Act. It is desired, therefore, that an additional two weeks be allowed in which to do the required burning.

The next amendment provides that the Minister may, at any time after the declaration of the prohibited times, postpone until a later date the commencing date of such prohibited times whenever he considers that seasonal conditions warrant such postponement. A further proposal is to amend Section 10 which gives power to local authorities to authorise the burning-off of the bush on any road reserve between the road formation and an established fire break for the purpose of protecting pastures or any crop from damage. At present the burning must be done between the hours of 8 o'clock in the evening and midnight. The amendment provides that this burning may take place on approval of the local authority between sunrise and midnight of the same day, so that the burning-off may coincide with such operations as those of the Railway Department in the burning of its reserves, or with any burning which may be undertaken by the military authorities.

Another amendment concerns Section 16. In the amending Bill introduced in 1940, one of the provisions was that an area of 20 feet should be cleared around every kiln, pit or retort to prevent any inflammable material from firing the bush adjoining it when charcoal fires were lighted, and that any directions and requirements given or specified by a bush fire control officer or forest officer as being in his opinion necessary for the purpose of preventing the fire from spreading or escaping, should be complied with. When that proposal was in this House, the word "or" was substituted

for the word "and," thereby taking away the authority of the bush fire control officer to insist on additional precautions which he might deem necessary in certain circumstances. It has been found by further experience of charcoal burning that it is most desirable that this power should be held by the officer mentioned. It surely is not unreasonable that any additional precautions should be taken in the interests of safety. Charcoal burning has increased enormously, and this proposal is absolutely necessary.

The Bill also seeks to amend Section 17, which provides for the burning of refuse from crops, such as tomato plants, between the 1st October and the 15th January, subject to the carrying out of the necessary precautions as outlined in the section. It is provided that this refuse shall be burnt between the hours of 8 o'clock and midnight; but because of the situation at Geraldton and in districts where it is necessary to burn these plants in order to prevent the spread of disease, and because of likely military requirements, it is considered that instead of having the precise times mentioned, the burning should be done at a time prescribed by proclamation. The Bill also sets out that when, in the opinion of the Minister, it is desirable that plants or the refuse thereof should be burnt during the prohibited times in order to prevent or eradicate disease, the Government may, on the recommendation of the Minister, authorise by proclamation such burning for any period thereof, to be stated in the proclamation. This enables refuse of plants, other than tomato plants, to be dealt with.

A further proposal in the Bill seeks to permit local authorities to purchase fire-fighting appliances and equipment, etc., out of ordinary revenue. An instance has arisen where a board had purchased such equipment and had sold it to land holders at a price below the cost to the board. The road board auditor queried this expenditure, and it has been ruled that there is no power to subsidise in this way the acquisition of fire-fighting equipment by holders of farming lands. The advisory committee considers it an advantage to have fire-fighting equipment available in as many places as possible, and that the utmost encouragement should be given to farmers and others in this connection. The Bill therefore proposes that the relevant section of the Act be amended so that a local authority may sell

the equipment mentioned to settlers at a reasonable rate, and so encourage, rather than discourage, measures necessary in the control of fire.

The only other proposal in the Bill will make it possible for an officer authorised by the Minister to take action against those who are not carrying out the provisions of the Act. Persons at present authorised to take action are forestry officers, members of the police force, and bush fire control officers. In certain circumstances it has been found difficult for an authorised officer to take action, and it has therefore been deemed necessary to submit this small amendment. I have explained the proposals embodied in this Bill, all of which have been considered necessary for more effective control. Bush fires are indeed a menace to any country, and have involved great losses in life, material, pastures, and timber lands. I trust that members will endorse these amendments and thereby assist in a problem which must be attacked with the idea that prevention is better than the cure. I move—

That the Bill be now read a second time.

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

BILL—MOTOR SPIRIT AND SUBSTITUTE LIQUID FUELS.

Second Reading.

THE CHIEF SECRETARY [4.6] in moving the second reading said: This Bill, as the Title implies, provides for the regulation of the sale of motor spirit and substitute liquid fuels and for other purposes connected therewith. The Bill arises out of a conference of representatives of the Commonwealth and the States, which was held in Melbourne in July, 1941, in connection with the production of power alcohol from wheat. At that conference it was explained by the Commonwealth representative that power alcohol from wheat and other substitute liquid fuels, when available for sale, would be controlled by National Security Regulations, which regulations would cease to operate after the war had ended. He pointed out that there would then be no control of the sale of motor spirit and substitute liquid fuels, unless each State Government had in the meantime passed the necessary controlling legislation. He went on to say that the pro-

duction of substitute liquid fuel was sure to be continued after the war for at least two or three years, and it was therefore essential that there should be legislation to control the sale of those fuels. After much discussion on the matter it was agreed by every State that the required legislation would be submitted to each State Parliament for approval.

In the meantime National Security Regulations have been promulgated to meet the existing situation, and members are no doubt aware that distilleries are being established in the various States for the purpose of producing power alcohol from wheat. One is being established in Western Australia, I am indeed pleased to say. New South Wales has already enacted the required legislation, and the Bill I am presenting to the House has been framed to a very large extent on the New South Wales Act. The Bill, as submitted, contains provisions of a highly technical nature, which have been closely checked by the Government Mineralogist and Analyst, who considers that they will adequately cover requirements in this State. The main provisions of the Bill, however, are clear and should be easily understood.

In Clause 3 the definition of "substitute liquid fuel" shows that it means benzole and power alcohol produced in Western Australia by any person undertaking in Western Australia the production of benzole or power alcohol, and includes any other liquid suitable for blending with motor spirit for use in internal combustion engines which the Governor by proclamation declares to be a substitute liquid fuel. It is proposed that a committee be set up, to be known as the Substitute Liquid Fuel Prices Committee, which shall consist of a chairman and two other members, all to be appointed by the Governor, and which shall hold office during his pleasure. The committee will have power to recommend the fixing of prices which may be given effect to by way of proclamation issued by the Governor-in-Council. Prices so fixed may be varied from time to time by the same procedure. All persons and firms selling motor spirit are to be licensed, and no person or firm will be permitted to sell motor spirit unless in possession of the necessary license, which shall be issued by the Minister or by some person authorised by him. Whenever an application for a license is refused, or an

existing license cancelled, provision is made in the Bill for an appeal to a magistrate.

It is also provided that a licensed vendor of motor spirit will be required to have in stock for sale a prescribed quantity of each kind of substitute liquid fuel, the intention being that every gallon of substitute liquid fuel produced by the distilleries in Western Australia shall be placed on the market. There is nothing in the Bill which places any person under an obligation to blend substitute liquid fuel with motor spirit this being a matter entirely at the discretion of the consumer who purchases any such fuel for use in his vehicle. Provision has been made for the usual machinery for the policing of the proposals embodied in the Bill. It will be noted that highly important technical duties are associated with some of these provisions, these being the responsibility of the Government Analyst. In this connection I propose to move an amendment in Clauses 15 and 19 for the purpose of making it clear that an officer on the staff of the Government Analyst may make any required analysis as against the Government Analyst being required personally to make all such analyses. As the Bill now reads, it is necessary that the Government Analyst himself shall carry out this duty, and this, to all intents and purposes, is impracticable.

The technical duties mentioned are mainly set out in the Schedule, the first part of which states the nature of the apparatus for the testing of inflammable liquids and mineral spirits. The second part deals with the proportion and method of using the testing apparatus, whilst the third part sets out the manner in which the liquid is to be tested and placed in that apparatus. The fourth part deals with the manner of applying the test. The fifth, and final, part prescribes the method of collecting the observed flashing point for changes in atmospheric pressure.

That briefly explains the main provisions of this measure. It is highly important, and it is hoped that several substitute liquid fuels will be developed from the natural resources within Australia before the war is over. I understand that much success has already been achieved in certain directions. It is highly desirable that substitute liquid fuels so produced during the war should be continued in the post-war period. The

Commonwealth Government is proceeding with the establishment of distilleries in several States for the production of power alcohol from wheat, and a very large sum of money is being expended in the construction of these distilleries. It is necessary to safeguard the money so spent in order that the work thus carried out will not be lost to Australia after the war because the National Security Act has ceased to operate and because no appropriate legislation has been passed by the various States. I trust, therefore, that the House will pass this Bill, which is one that lends itself far more to discussion in Committee than at the second reading stage. Every effort will be made when the Bill is dealt with in Committee to provide members with the fullest possible information at my disposal. This is considered a highly technical matter, and I cannot pose as an expert. I can only convey to members the information which has been supplied to me.

The Service Stations' Association, representing the whole of the re-selling trade throughout the State, has completely endorsed the provisions in this Bill. We find ourselves on account of the war effort faced with the necessity of introducing substitute liquid fuels. The Commonwealth Government is quite prepared to provide the money required to erect distilleries in all the States. Every State of the Commonwealth is quite prepared to introduce legislation of this kind to enable the operations to be carried on after the war, and those who are vitally concerned with the selling of liquid fuels are in agreement regarding the Bill. In the circumstances, I feel that there will not be much objection to the measure. As I have already stated, I will endeavour to enlighten members as much as possible when we reach the Committee stage. It is not my intention to ask for the Bill to be taken into Committee now. Members may desire an opportunity to read it and analyse it for themselves. After they have done so, I feel that very little objection will be raised to the measure. I move—

That the Bill be now read a second time.

On motion by Hon. G. W. Miles, debate adjourned.

House adjourned at 4.17 p.m.
