to be kept for laboratory, scientific, biological, or zoological purposes, but the keeping of rabbits for these purposes could be far more dangerous than the keeping of rabbits for meat production.

The keeping of rabbits for laboratory purposes very often means that the rabbits are injected with the virus of diseases, one being infectious tuberculosis. I am not aware of any precautions which are taken by the department to ensure that these rabbits are kept securely. In the Commonwealth laboratories in Kalgoorlie rabbits are infected with tubercule bacillus, and on some occasions they have escaped. In one instance it was suggested that one such rabbit was stolen and eaten. Under these circumstances there is a far greater danger of the rabbits escaping. Other animals, such as guinea pigs, which are kept in laboratories, are just as dangerous when they escape, because they are generally infected with the virus of human diseases.

The CHAIRMAN (Mr. I. W. Manning): Can the honourable member link his remarks to the amendment?

Mr. MOIR: I contend they are very pertinent to the amendment, because the amendment provides that this proposed new section shall not come into operation until a certain time. However, I have said all that I want to say.

Mr. DAVIES: I support the amendment because it is reasonable. When the Minister rose to speak to it I thought he would display some leadership expected of a Deputy Premier. I thought he would agree to the amendment, but what he said was a reiteration of his remarks during the second reading.

The question has been posed as to why this industry should be permitted to continue beyond 1966. It is because much more capital outlay was involved in setting up the industry than was expected. The principals were so concerned with their responsibilities to the agricultural industry that they went to considerable length to ensure that the farms were provided with every safeguard and it was for that reason that various types of hutches were tried out. There was the need to reinforce the premises.

The CHAIRMAN (Mr. I. W. Manning): I cannot permit the honourable member to pursue that line, because the amendment deals with the confirmation by Parliament prior to the 30th June, 1966.

Mr. DAVIES: I am giving the reason why, if the industry proves to be successful and safe, the Government should extend the period. In the 3½ years remaining it will be quite impossible for those engaged in the industry to recoup the outlay of £25,000, so there is every justification for having a look into the industry to ascertain whether any danger exists.

It is rather impractical to say that any member of Parliament can take action to repeal the provision in proposed section 115(3). Therefore, the amendment that is proposed does give members a further opportunity, at some future time, if considered necessary, to review the situation after what I have been asking for all night has been put into operation—that is, a reasonable and just investigation by all of the parties concerned to see that justice is done both to the proprietors of the business and also to the farmers of this State. I support the amendment.

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

Ayes—18.

Mr. Bickerton	Mr. J. Hegney
Mr. Brady	Mr. W. Hegney
Mr. Davies	Mr. Jamieson
Mr. Evans	Mr. Kelly
Mr. Fletcher	Mr. Moir
Mr. Graham	Mr. Oldfield
Mr. Hall	Mr. Rowberry
Mr. Hawke	Mr. Toms
Mr. Heal	Mr. H. May
	(Teller.)

Noes—19.

Mr. Bovell	Dr. Henn
Mr. Brand	Mr. Lewis
Mr. Cornell	Mr. W. A. Manning
Mr. Craig	Mr. Mitchell
Mr. Dunn	Mr. Nalder
Mr. Gayfer	Mr. Runciman
Mr. Grayden	Mr. Wild
Mr. Guthrie	Mr. Williams
Mr. Hart	Mr. O'Neil
Mr. Hearman	*(Teller.)*

Pairs

Ayes	Noes
Mr. Norton	Mr. Burt
Mr. Curran	Mr. Crommelin
Mr. D. G. May	Mr. O'Connor
Mr. Rhatigan	Mr. Court
Mr. Tonkin	Mr. Nimmo
Mr. Sewell	Mr. Hutchinson

Majority against—1.

Amendment thus negatived.

Clause put and passed.

Clauses 16 to 20 put and passed.

Title put and passed.

Report

Bill reported with an amendment, and the report adopted.

House adjourned at 3.35 a.m.

Legislative Council

Wednesday, the 31st October, 1962

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CONTENTS—*continued*

The PRESIDENT (The Hon. L. C. Diver) took the Chair at 4.30 p.m., and read prayers.

QUESTIONS ON NOTICE

ESPERANCE

Resumption of Land by Railways Department

1. The Hon. G. BENNETTS asked the Minister for Mines:

   With reference to my question on Thursday, the 18th October, relating to proposed land resumption at Esperance for railway purposes, and with particular reference to the reply to No. (3) thereof, will the Minister advise why an announcement cannot be made immediately regarding this matter, as the delay is creating much concern to residents who may be affected?

   The Hon. A. F. GRIFFITH replied:

   The planning of this work is not completed; and, as the honourable member has already been advised, it is not desired to make an announcement until such time as the route and land requirements for the line have been finally determined.

CLAREMONT MENTAL HOSPITAL

Separation of Children and Adults

2. The Hon. R. F. HUTCHISON asked the Minister for Mines:

   With reference to his reply of Thursday, the 18th August, 1960, to my question relating to mental health—

   (a) will the Minister state what has been done to implement the recommendations of the special committee and the State Health Council in connection with the need to separate the children from adults in the women's ward, and placing the adolescent boys in better quarters at the Claremont Mental Hospital; or

   (b) if nothing has been done, when does the Government intend to act to end this undesirable and unhappy state of affairs?

   The Hon. A. F. GRIFFITH replied:

   (a) and (b) Necessary detail has been forwarded to the Principal Architect for plans to be drawn for the Guildford project and every effort is being made to make a start on the work by the end of this financial year.

3. *This question was postponed.*

RAILWAY CONCESSIONS

Availability to Service Pensioners

4. The Hon. E. M. HEENAN asked the Minister for Mines:

   Are concessions for travel on the State railways, which are available to age and invalid pensioners, also available to recipients of service pensions?

   The Hon. A. F. GRIFFITH replied:

   Concessions are available to service old-age pensioners and servicemen permanently unfit for employment.

CLOSING DAYS OF SESSION

Standing Orders Suspension

THE HON. A. F. GRIFFITH (Suburban —Minister for Mines) [4.39 p.m.]: I move—

> That during the remainder of the session so much of the Standing Orders be suspended as is necessary to enable Bills to be passed through all stages in any one sitting, and all messages from the Legislative Assembly to be taken into consideration forthwith.

Before this motion is put I would like to make one or two explanatory remarks. This is the motion which is usually moved about this time of every year, as the session is drawing to a close. If I remember rightly I indicated in answer to a question asked by Mr. Wise that we hope the session will finish somewhere about the 15th or 16th November, which is the target date.

If the House agrees to this motion, it is not my intention to use the suspension of Standing Orders as a means of endeavouring to push Bills through, but rather to facilitate the various stages when it is convenient. However, in respect of adjournments and the progress of legislation, generally, I do not want anyone to think that it is my desire, or the desire of my colleague, to take undue advantage of the agreement that I hope the House will reach on the question of the suspension of Standing Orders.

THE HON. F. J. S. WISE (North—Leader of the Opposition) [4.41 p.m.]: This motion is one which is normally moved when a session is nearing its completion, and is one which can validly be supported to expedite the business of the House, particularly in the matter of concluding debates and passing through in a short time the formalities when Bills have been dealt with in Committee. I feel sure that the Minister's intention is as he has stated, and I support the motion.

Question put and passed.

NEW BUSINESS: TIME LIMIT

Suspension of Standing Order No. 62

THE HON. A. F. GRIFFITH (Suburban —Minister for Mines) [4.42 p.m.]: I move—

> That Standing Order No. 62 (limit of time for commencing new business) be suspended during the remainder of the session.

I would like to say that, as members know, the latest we can introduce new business under our Standing Orders is 11 p.m. Once again it is not my intention, if the House agrees to the suspension of Standing Order No. 62, to keep the House any later than can be helped, bearing in mind the progress we make. If members bear that in mind and help us to the greatest extent possible, we will not sit on any night any later than is reasonable.

Question put and passed.

PLANT DISEASES ACT AMENDMENT BILL

Second Reading

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [4.44 p.m.]: I move—

> That the Bill be now read a second time.

This measure is designed to extend the power existing in the parent Act in order that more effective action might be taken to prevent the entry into Western Australia of noxious weeds, plant diseases, or anything of like nature which hinders primary production.

Inspectors at present appointed under the provisions of the Act have authority to enter houses, orchards, and packing sheds; to search vehicles; and so on, but have no authority to stop a vehicle. The purpose of this Bill is to grant that authority. In this connection, it should be mentioned that check-points were set up some few years ago at both Cranbrook and Kirup, with a view to preventing fruit from entering those districts, which were clean. The idea was to ascertain what advantage would be gained through the setting up of such check-points.

It was soon found that the disability which existed in the lack of authority for inspectors to stop vehicles, was mitigating against the success of the venture, and arrangements had to be made for the Police Department to station an officer at the checking points, because police have the authority to stop vehicles.

These two check-points have been in operation for two years, and the public has co-operated freely. It is considered, nevertheless, that the need to station a policeman at such points is an unnecessary wastage of manpower, and the passing of the relative amendment to this Bill would obviate that redundancy.

In the light of past experience, and the fact that a large number of vehicles is expected to be coming overland in connection with the British Empire and Commonwealth Games, it is considered that the time is appropriate for the change to be made. The granting of such authority to inspectors will release police officers for other more extensive duties.

When the Bill was under discussion in the Committee stage in another place, an amendment was moved to insert a proviso that persons aggrieved by any action of such an inspector should have the right to pursue any civil remedy appropriate to the circumstances. A member supporting the mover of the amendment set out that "It

is a principle of law that if no civil remedy is provided expressly, the courts rule that the remedy has been taken away."

The Minister in charge of the Bill was not prepared to accept the amendment, or to concede the point raised in its support, but, desiring the Bill to have early passage in order that the new provisions might become effective as soon as possible, undertook to have those legal aspects examined and to have them dealt with in this Chamber. On that basis, the Bill passed through the Committee stage unamended.

As a consequence, it is desired, at this point, to refer the honourable member concerned, who submitted the legal opinion, to the Third Edition of *Halsbury's Laws of England*, volume 30, from page 685 onward; and under the heading "Exercise of Statutory Authority" will be found the law in this regard, the careful perusal of which will show that the honourable member's thinking on the subject is entirely misdirected.

As already indicated, the objection lay in an assertion that the power to be accorded the inspector cut right across civil rights. The true position may be found in the following extract from *Halsbury's Laws*, taken from the reference previously given:—

> The general principle is that statutory powers must be exercised *bona fide*, reasonably, without negligence and for the purpose for which they were conferred.
>
> It is the duty of persons upon whom statutory powers are conferred, to keep strictly within those powers. If such persons act in excess of their powers they are, to the exent to which they exceed their powers, deprived of any protection conferred upon them by the statute in question and will be subject to the ordinary remedies existing at common law.
>
> An injunction may be granted to restrain an act in excess of statutory powers and a person injured by such an act may be entitled to recover damages from the persons purporting to exercise the power.

I have been given another extract from the same book. It is under the heading "Scope of statutory powers" on page 685, and reads as follows:—

> Statutes which confer a special authority affecting the property and rights of individuals must be construed strictly against the parties to whom the authority is given, and in favour of persons affected. An authority to do specific works, however, includes all acts reasonably necessary for those works or which are a natural incident or effect of the operations legalised under the statute. An act which does injuries to others cannot be justified as necessary if it merely enables undertakers to carry out authorised works in a manner more convenient or economical to themselves without consideration for the effect it will have on the accommodation and convenience of those whose rights are sought to be altered.

Having given the House that explanation, I think we can appreciate that there is no need for the honourable member to be concerned about individuals' rights.

The foregoing is mentioned in order to show quite clearly that the Minister for Agriculture has had the position examined, as undertaken. Crown Law officers consider that the Bill adequately covers the remedies existing at common law, but point out that, although wide powers are given in Acts of this nature, such powers should be exercised reasonably, and do not give authority to wilfully damage property or otherwise injure the individual.

It is well appreciated by the officers concerned that it is their duty, when carrying out the powers conferred by the Act, to keep within such authority; otherwise they become exposed to normal action at common law.

It has already been related that two check-points have, with the co-operation of the public, functioned very satisfactorily for the past two years. These powers—apart from the stopping of vehicles—which already exist in the Act have not been abused. Officers are well chosen for this work, and trained to carry out their responsibilities as courteously as possible. They clearly understand that all they should do is to stop vehicles and explain to the drivers that it is in the interests of agriculture in Western Australia that people should submit their vehicles to inspection so that no diseases, or any other problem, will be admitted into the State; and it must be borne in mind that if something of that nature did enter the State, its eradication could pose a major problem. It is proposed that notices will be erected eastward of Norseman, warning the travelling public.

It is hoped there will be no delay in the passing of this measure as, with the approach of the Empire Games, it is becoming increasingly necessary to inspect conveyances which may be carrying prohibited noxious weeds, seeds, plants, or stock diseases.

The Hon. A. L. Loton: These notices will be visible to the traffic?

The Hon. L. A. LOGAN: Yes. They will be set on the right hand side of the road. Although we disagree with hoardings on roadsides, I think this is necessary.

There is the further advantage that the inclusion of such stopping power in this Act will enable inspectors under other Acts —such as the Noxious Weeds Act and the Stock Diseases Act—to search vehicles.

The Bill has three main provisions, the most important of which is contained in clause 5 which, together with the complementary provisions in clause 8, will empower inspectors to stop and search vehicles, and will make provision for the regulation of the manner and procedure for the stopping and inspecting of conveyances and vessels.

Finally, there are some drafting amendments involving sections 10, 12 (a), 12 (c), 15 and 38, dealing with departmental administration, and also some minor matters to bring the Act into conformity with the Local Government Act.

THE HON. G. BENNETTS (South-East) [4.52 p.m.]: I think this is a very important Bill and I would like to make one or two comments on it. We know there are many people who are ignorant of the laws relating to plant diseases, and I suggest that a pamphlet should be printed and made available to the public at places like Port Augusta. The pamphlets could be left at service stations and they would be very helpful to the travelling public. I wonder whether it would not be better if the inspections were made at the motels where people are likely to stay overnight. It would cause less inconvenience to check a car, the occupants of which were staying overnight. A similar check is done on the Commonwealth Railways; and members who have travelled interstate by train will know that there is a fruit inspector on the train, and he does a very good job.

I think all cars should be checked thoroughly. A few years ago I was present at a car dealer's yard when he was cleaning the mats of a car he had sold. He discovered that the car was alive with Argentine ants; and that car was going up to the Merredin district. So it is important that cars receive a proper check when entering the State. I support the measure.

Debate adjourned, on motion by The Hon. N. E. Baxter.

FARMERS' DEBTS ADJUSTMENT ACT (REVIVAL AND CONTINUANCE) BILL

Second Reading

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [4.54 p.m.]): I move—

That the Bill be now read a second time.

The reason for the introduction of this Bill is that there was an unfortunate oversight, but we are of the opinion that it can be remedied.

The parent Act came into operation in 1931 for a set term, and was extended on several occasions, the latest of which was in 1956 when the Act was extended to expire on the 31st March last. Further extension had been overlooked until this Bill was drafted.

The parent Act provides the means enabling a farmer to apply for a stay order whilst his case is investigated by the director and submitted to the trustees, where warranted. Both this Act and the Rural Relief Fund Act have been of material benefit to many farmers, and it is considered advisable that the Farmers' Debts Adjustment Act be kept on the statute book.

It will be of interest to know that the assistance given by the trustees has amounted to £1,291,730 2s. 10d. Most of that was granted by the Commonwealth Government. There is a balance presently in the fund of £209,000. There is still a number of farmers who have not taken advantage of the concession which enables them to discharge their debt on payment of 20 per cent. of the amount advanced.

Incidentally, stay orders have not been issued for many years but, as previously mentioned, there are still some farmers who have the right to pay 20 per cent., and the continuance of this legislation is recommended to members.

Debate adjourned, on motion by The Hon. A. R. Jones.

LICENSING ACT AMENDMENT BILL

Second Reading

THE HON. A. F. GRIFFITH (Suburban—Minister for Justice) [4.56 p.m.]: I move—

That the Bill be now read a second time.

Adverse adjustments to the extent of £200,000 are presently being made by the Grants Commission in the determination of special grants for Western Australia. The purpose of this measure is to ensure such increase from liquor licenses as to avoid adverse adjustments in excess of that figure.

The present unsatisfactory situation is to be stayed by this measure which is directed towards the changing of the basis of assessment.

The requirements of the Grants Commission are that a reasonable effort be made to obtain revenue on a basis relative to the standard revenue obtained by the States of New South Wales and Victoria.

In this State liquor revenue, which amounted to £503,000 for the year 1960-61, remained at a figure of £228,000 less than if calculated under the Australian standard States formula. It is expected that the difference in respect of 1961-62 would assume a greater disproportion if assessed on the existing basis.

It has been brought to the notice of the State that our revenue approximating, as it does, only two-thirds of the standard, represents less than a reasonable effort. Unquestionably, the present situation cannot be allowed to continue if the State is to maintain its present rate of progress

and provide the same services. Excluding excise and cost of cartage, the liquor license fees are at present assessed at 8½ per cent. of the value of purchases.

The Hon. F. J. S. Wise: I think there are only two States in excess of Western Australia.

The Hon. A. F. GRIFFITH: This Bill proposes to assess fees on a gross purchase price, including excise, and excluding cost of cartage. Consequently the fee is to be reduced to 5½ per cent. It is proposed by this means to obtain sufficient revenue to enable the unfavourable adjustment now being made by the Grants Commission to be reduced.

Liquor licence fees have been assessed in New South Wales and Victoria on a percentage of the wholesale value, including excise, and that has been the main reason explaining the present unsatisfactory position in which this State is placed. Fees have been increased automatically by the inclusion of excise in those States, and, correspondingly, as a consequence of the mode of assessment in Western Australia, the incidence of the excise charge has not been taken into account in this State.

This State has been exceptional in its approach to the matter as instanced by the fact that Queensland and Tasmania also use the same basis as the standard States. The adoption of the procedures proposed by this Bill on the basis now proposed will be an assurance of consistency in the comparison of fees and the avoidance of the large adverse adjustments.

In New South Wales the fees are assessed at the standard rate of 6 per cent. which is presently a little higher than the average rate of 5½ per cent. assessed prior to an increase in New South Wales of 1 per cent. that is—from 5 per cent. to 6 per cent.

Incidental to the increases is the fact that they will be heaviest in relation to beer which is charged excise at a rate of 9s. 7d. per gallon, and the wholesale price of approximately 4s. per gallon when purchased in 10-gallon, or larger containers. In effect, the increase will approximate 5d. per gallon, that is, 1d. per bottle.

On the other hand, the returns which have been obtained from a number of licencees calculated on the new formula reveal that when all types of liquor are included, the average increase will amount to approximately 55 per cent. Such increase has been calculated to represent the amount required to bring about a substantial reduction in our present adverse adjustment by the Grants Commission.

The Bill provides that licence fees will be assessed on the basis of gross purchases next preceding the period of licensing. Licencees will be required to render returns within 28 days of the commencement of the licence periods, together with one-half of the annual fee, the remaining half being payable six months later.

Licencees are entitled, under existing legislation, to rebate one-half of the minimum annual fee from each half-yearly assessment of percentage fees. Few licencees have, for many years, past, failed to attract the minimum annual fee, so little benefit has been gained from that provision. Consequently, repeal of the appropriate section will reduce the work of courts at renewal times without affecting revenue.

With respect to clubs, they have been assessed on the basis of purchases during the 12 months ending the 30th September in each year.

Incidentally, it is mentioned that the time allowed to receive returns and calculate the necessary fees for use by the licensing courts has always required considerable effort on the part of licencees and the assessing branch. It is proposed, in future, to assess fees on the basis of the 12 months ending the 31st August.

The provisions in this measure obviate the need for clubs to submit a further return for 1962. However, in respect of licences issued in areas north of the 26th parallel, transitional provisions have been made because such licences are now issued as from the 1st July each year.

Debate adjourned, on motion by The Hon. F. J. S. Wise (Leader of the Opposition).

NATIVE FLORA PROTECTION ACT AMENDMENT BILL

Second Reading

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [5.4 p.m.]: I move—

That the Bill be now read a second time.

The purpose of introducing this measure is to amend the laws for the better protection of our native flora.

Though our wildflowers are widely known and recognised for their distinctive beauty, it is probably not as widely known that there are 6,500 species of Western Australian plants. Unfortunately, our native flora could be well on the way to extinction unless some positive action is taken now to protect this valuable asset.

The development of our agricultural pursuits has unquestionably dealt a heavy blow to the germination of these plants; that is unavoidable. To offset these losses, proclamations have been made from time to time for the protection of certain specified species.

It is very probable that the public mind is quite obscure as to the present restrictions. They are as follows:—

(a) Red bugle or winter bell, black kangaroo paw, blue leschenaultia, pitcher plant, and Christmas tree, are protected throughout the State.

(b) All species of orchids are protected within a radius of 50 miles from the G.P.O., Perth.

(c) All wildflowers or native plants are protected—

(i) on all roads within 50 miles radius of the G.P.O., Perth;

(ii) within a three-mile radius of Canning Dam;

(iii) within a three-mile radius of Mundaring Weir;

(iv) one mile either side of Kalamunda - Mundaring Weir road;

(v) on timber and flora reserve No. 6268 at Coolup.

In addition to the above, the Act provides that it is an offence to destroy or mutilate any native plant mentioned in the schedule.

It is considered it would be unreasonable to expect every person to have a full knowledge of existing restrictions. Consequently, the Government considers it would be much more to the point to issue a proclamation protecting all wildflowers and native plants throughout the south-west and Eucla land divisions, and it is proposed such proclamation be issued under the provisions of the Act. When the proclamation is issued, it is the intention that it will revoke all existing proclamations.

It will be an offence under the Act for anyone to pick any wildflowers on private property without the written consent of the owner, unless he is the owner, lessee or licencee himself, or his family, or an employee of such person, as provided in new section 6A.

The Bill provides further that it will be an offence to sell or offer for sale, or show for sale, any protected wildflower or native plant during the protected period.

The new safeguards will be most restrictive, and it is intended to authorise its policing by any officer of the Main Roads Department appointed by the Governor under section 10 of the Main Roads Act; any person appointed permanently in the Education Department under the Education Act of 1928; any officer appointed under the Local Government Act of 1960 for a municipality by its council; a mayor, president, or a councillor of a municipal council under the Local Government Act of 1960; an officer appointed permanently in the State Electricity Commission of Western Australia under the State Electriciy Act of 1945; and all officers employed permanently in the Public Service under the Public Service Act of 1904; as well as persons appointed to be officers of the Forests Department under the Forests Act of 1918. Each appointment is required to be authorised in writing by the Minister charged with the administration of the Act under which the person is appointed to his office.

There is, in addition, authority for the appointment of honorary inspectors under section 11 of the Act.

This Bill has been drafted on the recommendations made by a special committee set up at the instigation of the Premier. That committee comprises representatives of the following:—

Premier's Department.
Tourist Development Authority.
Forests Department.
National Parks Board.
Department of Agriculture.
State Electricity Commission.
Main Roads Department.
King's Park Board.
Postmaster-General's Department.
Lands Department.
Railways Commission.
Country Shire Councils Association.
Tree Society.
National Trust.
The W.A. Wildflower Society.

Apart then from wildflowers picked by their owners as previously enunciated, the only native flora which may be taken from the south-west and Eucla land divisions will be that required for purposes approved by the controlling authority and obtained under permit or license issued by that authority.

The powers to be given to authorised persons are clearly defined in the new re-enacted section 12, which appears in clause (5) of the Bill, and, generally, will enable the various officers previously referred to, to stop and inspect any vehicle, enter upon places, vehicles or vessels, and open packages and receptacles for the purposes of ascertaining whether wildflowers are contained therein and have been procured lawfully; and, if not, to take such action as is necessary to enforce the provisions of the Act.

Debate adjourned, on motion by The Hon. R. Thompson.

STAMP ACT AMENDMENT BILL (No. 2)

Receipt and First Reading

Bill received from the Assembly; and, on motion by The Hon. A. F. Griffith (Minister for Mines), read a first time.

HEALTH ACT AMENDMENT BILL (No. 3)

Second Reading

THE HON. A. F. GRIFFITH (Suburban —Minister for Mines) [5.10 p.m.]: I move—

> That the Bill be now read a second time.

The purpose of this Bill is to amend section 99 of the Health Act. Subsection (1) of that section specifies that sanitary, bathroom, and cooking facilities shall be provided to the standard prescribed in the by-laws, and if an owner does not observe those by-laws he can be prosecuted. The by-laws can be enforced by local authorities, and power for so doing emanates from section 360 of the Act.

That was the extent of the law in force in that direction until a new subsection (2) was inserted in the Act in 1954. About that time there was a serious housing shortage, with a consequent lowering of the standards demanded by the homeless in respect of sanitary conveniences. At least that was the opinion of some people in a position to advise the Government of the day; and, no doubt, a general acquiescence and willingness of people desperately in need of homes of some sort prompted the introduction of the new subsection. It was consequently inserted in the Act to discourage the acceptance of the primitive standards then being tolerated.

That is the reason why powers of summary action were conferred on health inspectors, and medical officers of health. The granting of such power was quite unusual, for no right of appeal was allowed. On the other hand, a general right of appeal is applicable in respect of action taken under subsection (1).

Viewing the 1954 measure from this point of time, there is no doubt that if such emergency actually existed in those days, it has certainly since passed. Consequently, the Act has been left containing the anomalous subsection which has been found to interfere with the principles of the normal operation of the Act. Furthermore, the conflict between the two subsections has been the cause of some confusion in the past, and the matter came to a head recently.

This Bill accordingly provides for the repeal of subsection (2), because it is regarded as a complication and a hindrance rather than a necessity. Its repeal will not lessen the power of authorities to demand that proper sanitary facilities be installed, and the passing of this measure is commended to members, as it is considered quite unnecessary to retain this redundant subsection in the Act.

May I add that Mr. Stubbs introduced a Bill to amend the Health Act which—I think I can safely say by arrangement with him—I have left at the bottom of the notice paper because, at that time, the Minister for Health had indicated he intended introducing a Bill to deal with the problem.

As far as I can see the result of the two Bills will be the same although the method of putting the provision into effect does appear to be different. I ask the honourable member if he would be good enough—and I am sure he will be—to have a look at this Bill and compare its provisions with those of his own. If the effect of this Bill is the same as his Bill, I ask him to support this measure.

THE HON. R. H. C. STUBBS (South-East) [5.14 p.m.]: I agree with the Bill, because it does precisely what I wanted my Bill to do. I introduced my measure on the 11th October, and I gave my reasons for doing so. I concluded my remarks by saying—

> I do not mind if the Government decides to abolish subsection (2) of section 99. I do not care how it is done; the important thing is that I want to stop this rot, if I may use that word, whereby road boards and shire councils cannot act. If the Minister decides to delete subsection (2) of section 99 I will be quite happy. Either way it will achieve what we seek. I thought I would draw that to the Minister's attention.

I certainly agree that this Bill achieves what we are after. As the Act stands, health inspectors cannot act in districts where there is a medical officer of health; and where shire councils do not have medical officers of health they are absolutely frustrated.

This is a short Bill which seeks to repeal subsection (2) of section 99, and which also endeavours to tidy up subsection (4) by deleting certain words. I agree with the provisions of the Bill, and have great pleasure in supporting it.

THE HON. G. BENNETTS (South-East) [5.16 p.m.]: I was wondering what effect this Bill would have on the facilities provided by the Government—and I refer to toilet facilities at railway stations—because at the stations in some of the places I represent, although septic systems are installed in most of them, the Government appears to be the biggest offender in continuing with the pan system rather than installing a septic system. We had a lot of trouble with Norseman, and I think the pan system is still in use.

The Hon. R. H. C. Stubbs: That is not a fact.

The Hon. G. BENNETTS: I may be mistaken, but I was under the impression that the pan system was in use there. I think, however, the pan system is provided in the old barracks at Merredin for the

station and office staffs. I hope the provisions of this measure will cover the aspects to which I have referred. Since the Government has introduced the Bill, I trust it will carry out its provisions.

THE HON. A. F. GRIFFITH (Suburban —Minister for Mines) [5.17 p.m.]: All I can say is that the Bill will not lessen the power possessed by the local authority at the moment, as I indicated when I introduced the measure.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (The Hon. G. C. MacKinnon) in the Chair; The Hon. A. F. Griffith (Minister for Mines), in charge of the Bill.

Clause 1 put and passed.

Clause 2: **Section 99 amended—**

The Hon. A. F. GRIFFITH: I just want to thank Mr. Stubbs very much for his co-operation on this measure. I greatly appreciate it.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by The Hon. A. F. Griffith (Minister for Mines), and passed.

RESERVES BILL

Second Reading

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [5.20 p.m.] I move—

> That the Bill be now read a second time.

The purpose of this Bill is to submit to Parliament certain necessary amendments to our "A"-class reserves. The first proposal in this Bill is to meet a requirement at Albany in respect of the Anzac War Memorial site. The next reserve to be affected is Reserve No. 6962 at Bunbury, in which it is desired to allocate a site for a boatshed for the Fisheries Department and a consequent alteration in the purpose of the original reserve.

A further item proposes to make provision for the enlargement of the Reserve No. 25637 at Busselton in respect of a local tearooms. The next recommendation affects the provision of a separate reserve for a kindergarten at Dalkeith, and includes a road-widening requirement. There is need at the mouth of the Gardner River to establish a townsite, and that is the requirement of clause 7. A proposal in respect of a swimming pool project at Kalamunda involves the cancellation of a Class "A" reserve in that district, and the excision of a small portion of another reserve thereabouts.

The requirements of the Melville Schoolsite reserve necessitate the passing of the legislation proposed in clause 10; and the interests of the Church of England at Moombekine makes necessary the proposal contained in clause 11. Clause 12 makes provision for the excision of Narrogin Lot 711 from Education Endowment Reserve No. 12080, and authorises the Trustees of the Public Education Endowment to sell the land free of trust. There is a proposal affecting Reserve No. 19673 near Redmond, and making it necessary to provide a separate reserve for municipal requirements in gravel and sand.

Members will recall some discussion last session concerning "A"-class reserves as affected by the Iron Ore (Scott River) Agreement Bill. If my memory serves me right, I think the Minister for Mines promised to have this reserve included in this year's Bill. The purpose of the amendment in clause 14 is to excise portion of Reserve No. 25373 for the provision of land for the works site. The new Swanbourne High School has been established on portion of an Education Endowment Reserve, and the next amendment in the Bill provides for the excision of approximately 34 acres from that reserve for the establishment of a separate school site reserve.

The amendment in clause 16 is for the excision of an area of about 1,400 acres of an "A"-class reserve required for the establishment of a townsite near Thirsty Point on Ronsard Bay, formerly Frenchman's Bay, on the coast south of Hill river.

The next clause proposes the cancellation of an Education Endowment Reserve at Toodyay to empower the Trustees of the Public Education Endowment to dispose of the land free of trust. There is at Toolibin a water reserve no longer required for that purpose, and in clause 18 is a proposal to change the purpose of that reserve to conservation of flora and fauna.

A water supply and parklands reserve at Wagin is required for recreational purposes, and the implementation of that wish is found in clause 19.

The Hon. A. L. Loton: Which is the area referred to at Wagin?

The Hon. F. J. S. Wise: The plans will show it. The Minister will be tabling the plans.

The Hon. L. A. LOGAN: The reserve referred to at Wagin is included in clause 19. Clause 20 excises an area of 18 acres, two roods and 19 perches from Class "A" Reserve No. 8427 at Yallingup, for the purpose of including the land in the contiguous Recreation Reserve No. 24622 after the protection of a road two chains wide to include the existing constructed roadway.

I have the file with me and the maps will be available for members to study if they desire.

Debate adjourned, on motion by The Hon. F. J. S. Wise (Leader of the Opposition).

ROAD CLOSURE BILL

Second Reading

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [5.25 p.m.]: I move—

That the Bill be now read a second time.

The first proposal appears in clause 2 and is for the closure of portion of Margaret Street, South Perth. It was through Margaret Street that access to the old Mill Point jetty was available, and with the acquisitions for the Freeway and Narrows Bridge approaches, much of this street disappeared. A small portion was included in the Old Mill site now fenced in and being Reserve No. 20804.

This Bill provides for the closure of the remaining portion of Margaret Street to enable its inclusion in the reserve which is vested in the National Parks Board of Western Australia for the purposes of public recreation. The next clause deals with the closure of various roads at Walliabup near Bibra Lake in the Shire of Cockburn. It has become necessary to close several undeveloped and unused Crown roads in the area for the purpose of providing a composite reserve for a new public cemetery for the southern area at Walliabup in the Bibra Lake-Jandakot locality. The project involves the cancellation of Walliabup townsite, which was subdivided in 1899. The whole townsite still remains as Crown Land. No lots were sold.

Various surveyed roads in the subdivision, namely, Clamp, Robertson, Bucknell, Needwell, Martin, and Gilchrist Roads, and portion of Dean Road, are to be closed. The Crown also acquired certain freehold land adjoining the townsite for inclusion in the proposed cemetery reserve and Middleton Road. This land has not been used or developed as a road, and is to be closed.

The next clause provides for the closure of portion of Mitchell Avenue, Northam. The portion of Mitchell Avenue on the south-eastern side of Great Eastern Highway provided a gravelled road to Mr. L. C. Sewell's house. The land for it was resumed from Mr. Sewell's freehold property in 1907. The portion of the road the subject of this Bill has remained within the fencing of Mr. Sewell's property. Access to it has been through a cyclone gate on the Great Eastern Highway alignment. It has consequently been regarded incorrectly as a private road.

Mr. Sewell arranged to sell portions of his land to Mr. A. R. J. Paine some time ago, he being an adjoining occupier. The land is separated by the portion of Mitchell Avenue incorrectly included in the newly surveyed lot, and subject to the proposed sale. The Town of Northam has agreed to the closure of the portion of Mitchell Avenue. Mr. Sewell was the only person using the road, and he is now using another track through his property. This clause provides for the closure of the road and the vesting of the land in the owner of the adjoining property, subject to payment of an amount of £50 for the land in the road.

The next clause is for the closure of portion of Morrell Street, Northam. The portion on the north side of Fitzgerald Street near the Northam railway station provides legal road access to a subdivision of freehold land shown on Land Titles Office Plan No. 2674. Although the road has not been constructed, it was dedicated as a public road in July, 1925. Portion of it was encroached on by the Northam Railway Institute Tennis Club through the construction of a tennis court.

There is a substantial watercourse, or drain, down the centre of the surveyed road which renders it inaccessible to vehicular traffic. The Town of Northam has requested that the portion of the road on the western side of the Railway Institute tennis courts be closed, and that the land therein be reserved for drainage and recreation purposes in such manner as the Governor may approve.

The final provision in this Bill also relates to the town of Northam. It seeks to obtain approval for the closure of portion of Milner Road. Provision was made for a road one chain wide, in accordance with the legal requirements of the time, when a subdivision of freehold land on the northern side of Fitzgerald Street near the Northam railway station was being made. The reference to that land is Plan No. 1002 of the Land Titles Office, which was approved in March, 1898. The road was gazetted as a public road in July, 1925, as Milner Road.

In January, 1951, lots 6 to 10, inclusive, each containing one-quarter of an acre, and fronting the northern alignment of the road, were purchased by Messrs. V. Mitic, N. Ristovic, and A. Kostic. They were transferred to Vojislav Mitic in January, 1954, and are still held by him. The occupier of these lots did not properly identify them, and, furthermore, erected a fence down the centre line of the gazetted road, so reducing its effective width to 50 links, notwithstanding that at the time it was not legal to set out a road in a municipal district with a width less than one chain.

The present registered proprietor has also constructed on Lot 6 the foundation for a new house. This has encroached 2 or 3 ft. on to the portion of the dedicated road which has been illegally fenced in

with the adjoining property. The Northam Town Council, in order to legalise the unlawful encroachment on the public road, has suggested that the road be reduced in width to 50 links. This involves the closure of the northern half of the road, as provided in clause 6 of the Bill, and authorises the sale of the land in the closed portion to the owner of the contiguous land at a price to be fixed.

Debate adjourned, on motion by The Hon. F. J. S. Wise (Leader of the Opposition).

ELECTORAL ACT AMENDMENT BILL

Recommittal

Bill recommitted, on motion by The Hon. A. F. Griffith (Minister for Justice), for the further consideration of clause 10.

In Committee, etc.

The Chairman of Committees (The Hon. W. R. Hall) in the Chair; The Hon. A. F. Griffith (Minister for Justice) in charge of the Bill.

Clause 10: Section 182 amended—

The Hon. A. F. GRIFFITH: I move an amendment—

> Page 10, line 10—Delete the word "meat" and substitute the word "food."

I would like to explain that I did not realise my colleague, the Minister for Industrial Development, who represents me in the Legislative Assembly, had given one or two undertakings in respect of things I should do in the Legislative Council.

The Hon. F. J. S. Wise: It is meet that you do it.

The Hon. A. F. GRIFFITH: Yes, that is the situation. When I have time I read through the debates of the other Chamber; and it was then that I realised this situation had arisen. One of the points in question was the inclusion in the Bill of this word "meat." The wording of the amendment to section 182 of the Act relating to the definition of "bribery" was taken from the measure passed by the Federal Parliament. Section 157 of the Commonwealth Act is identical with section 182 of our Act, with the exception that in the Commonwealth Act the word "meat" is used instead of the word "food."

To make the words in the amendment uniform with the provisions of section 182, it may be advisable to use the word "food" rather than the word "meat." Somebody could get to the ridiculous stage of saying, "I did not provide him with meat, I provided him with fruit salad." But nevertheless that would undoubtedly be a contravention of that particular section.

The Hon. G. C. MacKinnon: Legally, would not "meat" and "drink" come under food generally?

The Hon. A. F. GRIFFITH: That could be so; but in order that there shall be no question about it I think the word "food" is more embracing that the word "meat."

Amendment put and passed.

Clause, as amended, put and passed.

Further Report

Bill again reported, with an amendment, and the report adopted.

Third Reading

THE HON. A. F. GRIFFITH (Suburban—Minister for Justice) [5.35 p.m.]: I move—

> That the Bill be now read a third time.

Whilst I do not want to labour the subject, I think I should make one or two explanations that my colleague in the Legislative Assembly undertook I should make in regard to some of the points put to him and to which he did not necessarily give a complete answer.

With your permission, Mr. President, I will run through these as quickly as I can. I regret very much that I asked the House to agree to the third reading of the Constitution Acts Amendment Bill (No. 2), because some of the remarks, put in their proper place, affect that Act and not the Electoral Act. However, the two operate together and are so closely allied, particularly with the alterations that have been made, that I feel you will allow me to make this explanation under the heading of this Bill. It will not take me many minutes to deal with this part.

In the Legislative Assembly the member for Balcatta (Mr. Graham) raised the question in respect of the point expressed in the Act regarding an elector who is going to be more than seven miles from the nearest polling booth within his own Legislative Council province.

The situation is that for a Legislative Council election, an elector who is outside the province for which he is enrolled may record an absentee vote at any polling place open in the State in the same manner as for a Legislative Assembly election. The provision which enables an elector who is enrolled for a province to record a postal vote, if he is more than seven miles from a polling place in that province, enables an elector who is outside the province for which he is enrolled and who is more than seven miles from a polling place in that province to record either a postal vote, or an absentee vote if he is in another province where a polling place is open on the day of the election. The provision in the Bill is the same as the existing provision in the Act, and does not debar an elector from recording an absentee vote.

The Hon. R. F. Hutchison: Is there any provision for a person outside the State?

The Hon. A. F. GRIFFITH: Yes. I went to great lengths to explain that point when dealing with the Bill itself. There is now

not only provision for somebody outside the State to vote, but there will also be provision for somebody outside the Commonwealth to vote. Is that the point to which the honourable member is referring?

The Hon. R. F. Hutchison: Yes.

The Hon. A. F. GRIFFITH: I mentioned the question of the wording of that section of the Act which says a person is either on the roll or an elector entitled to vote at an election of a member of the Legislative Assembly, or one who is qualified to vote as an elector. In my second reading speech I did qualify that to some extent, and I would like to add this: If the word "either" and the passage "or is qualified to become such an elector" are taken out of the amendments to sections 7 and 20, it would mean that a person must be an elector entitled to vote at an election of a member of the Legislative Assembly before being qualified to be elected to either House.

The amendment as printed would protect an elector's qualification for election whose name by some mischance may have been taken off a roll correctly in accordance with the provisions of the Electoral Act; that is, by objection to the enrolment. In such a case the name could not be reinstated, and it would be necessary for a fresh claim for enrolment to be lodged. If the claim was not received prior to the close of the roll, this person could not claim that he was an elector entitled to vote at an election for a member of the Leglislative Assembly, despite the fact that he was qualified to become such an elector.

If the word and passage are deleted, it would mean that any person who has failed to enrol for the Legislative Assembly, either by neglect or design, would not be qualified to nominate as a candidate for an election. There may be some justification for this restriction because it would exclude any person from being elected who refuses to enrol for the Legislative Assembly on account of opposition to compulsory enrolment.

It may be contended that a person should not be capable of being elected to either House of our Parliament if he is not prepared to comply with the laws passed by Parliament. Nevertheless it might be dangerous to make it mandatory for a person to be an elector entitled to vote at an election of a member of the Legislative Assembly—that is, to be enrolled—before being qualified for election, and I feel that it may be better to retain the word "either" and the passage "or is qualified to become such an elector" rather than disqualify a person from being elected whose name might have been removed from the roll by some mischance, but who was qualified and is still qualified to be enrolled as an elector for the Legislative Assembly.

The Commonwealth Act has similar provisions to those in this amendment to entitle a person to be nominated as a senator or a member of the House of Representatives. In addition to the qualifications of age, residence, etc., he must be either an elector entitled to vote at the election of members of the House of Representatives, or a person qualified to become such an elector.

The next point, in connection with a person entitled a section 122A vote, was raised by the member for Beeloo (Mr. Jamieson) and the member for Mt. Hawthorn (Mr. W. Hegney). They said that a person entitled to a section 122A vote could not get a postal vote. That is quite right. Section 122A is not applicable to postal voting. The provisions of section 122A, which entitle a person to record a vote if his name has been left off the roll, or if his name cannot be found on the roll, do not apply to a postal vote, nor do they apply to an absentee vote. Before an elector is issued with a ballot paper under the provisions of section 122A, he is required to make a declaration as prescribed. It would not be practicable to include this declaration in an application for a postal ballot paper or in the declaration required for an absentee vote.

However, if it is found that a name has been wrongly omitted from the print of the roll to be used at the election, the name may be added at any time not later than the 14th day prior to a polling day, and in that case a postal ballot paper could be issued.

As far as I am aware, neither the Commonwealth nor any State in the Commonwealth has a provision for a section vote to extend to a postal vote or an absentee vote. However, whilst this provision cannot be included in this particular Bill at this stage, consideration may perhaps be given to framing a satisfactory amendment to provide for such a state of affairs in the Electoral Act.

I am informed by the Chief Electoral Officer that very few cases can be sustained where the names of electors who had applied for postal vote ballot papers had been omitted from the rolls. Apparently, it is not an instance of great frequency.

When I was asked to have a look at these matters, I took the trouble to read through the debates on this Bill in another place, because electoral laws and changes in practices usually bring forward some debate in Houses of Parliament, as this one did in another place. I read—in a somewhat concerned way—some of the remarks which were made by Mr. Jamieson, the member for Beeloo. I noticed he accused the Electoral Office of acting in a dilatory manner, and said that the Chief Electoral Officer—

Point of Order

The Hon. F. J. S. WISE: On a point of order, Mr. Speaker, is the Minister in order in so alluding to debates which have taken place in another place during this session?

The PRESIDENT (The Hon. L. C. Diver): In reply to the Leader of the Opposition, the Minister is distinctly out of order. He is contravening Standing Order No. 392 which reads as follows:—

> No Member shall allude to any Debate of the current Session in the Assembly, or to any measure impending therein.

The Hon. A. F. GRIFFITH: I am very sorry, Mr. President. It was merely an attempt on my part to fulfil promises I gave to make these explanations to the House. If members do not wish to hear them, I will not continue.

The Hon. F. J. S. WISE: That is not the point; it is distinctly out of order. It is not that we do not want to hear them.

The PRESIDENT (The Hon. L. C. Diver): That is the point.

Debate Resumed on Motion

The Hon. A. F. GRIFFITH: It would be mere subterfuge for me to give explanations without referring to what was said, and I will not endeavour to do so or to infringe Standing Orders. I have given a general explanation of the sections in the Act and I will be satisfied to leave it at that. Perhaps on some later occasion when an amendment to the Electoral Act is being dealt with these matters may come under notice and I may have an opportunity to make some comments.

I was anxious, however, to say that the Chief Electoral Officer and his staff are—and I am sure it is the opinion of every member in this House—never dilatory in the execution of their duties. They may make mistakes, as we all do, but never are they dilatory.

It is a pity that I cannot deal with the points which were raised, because they are of interest to members. However, I must obey Standing Orders.

Question put.

THE PRESIDENT (The Hon. L. C. Diver): This Bill requires the concurrence of an absolute majority. I have counted the House; and, there being an absolute majority present, with no dissentient voice, I declare the motion carried.

Question thus passed.

Bill read a third time and returned to the Assembly with an amendment.

HOUSING LOAN GUARANTEE ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 30th October, on the following motion by The Hon. A. F. Griffith (Minister for Housing):—

> That the Bill be now read a second time.

THE HON. E. M. DAVIES (West) [5.50 p.m.]: This small Bill seeks to amend the Housing Loan Guarantee Act. The purpose of the amendments is to enable building societies and other approved institutions to provide progressive payments to building contractors on behalf of member applicants. The Bill proposed three amendments: firstly, to enlarge the definition of a new house to include a boarding house in the course of erection; secondly, to authorise the Treasurer to draw up conditions for progress payments to be made; and, thirdly, to add a new section requiring approved institutions to furnish progress certificates by valuers approved under the Act.

These amendments will enable approved societies and institutions to provide progress payments under the Housing Loan Guarantee Act. At present the Act makes no provision for progress payments, and borrowers of Government guarantee funds from building societies have been generally inconvenienced. These amendments will be helpful to give a wider selection of contractors and, in some instances, to avoid higher interest payments in raising temporary loans.

I think that is the genesis of the small Bill which has been introduced. It will overcome some difficulties which have made themselves manifest since the Bill was amended to enable building societies and other approved institutions to make loans available; and some people have found it necessary to obtain short-term loans at higher interest rates and they have been restricted in regard to the contractors they could engage by virtue of the fact that there were no progress payments. I think the Bill, as introduced, will serve a good purpose, and I support the second reading.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by The Hon. A. F. Griffith (Minister for Housing), and transmitted to the Assembly.

STAMP ACT AMENDMENT BILL (No. 2)

Second Reading

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [5.57 p.m.]: I move—

> That the Bill be now read a second time.

This is one of the measures being introduced to provide additional revenue, and which was referred to when the Budget for 1962-63 was brought to Parliament.

The final balance of the special grant, which is annually paid to the State by the Commonwealth Government on the recommendation of the Commonwealth Grants Commission, is determined by that body after making comparisons of this State's financial results with those of the standard States of New South Wales and Victoria.

The final grant for 1960-61 has left the State with a substantial deficit in the Consolidated Revenue Fund which will have to be cleared by a charge of £895,000 to State loan funds. There are obvious reasons why it is necessary to levy increased taxes and why attention must be paid to the level of taxation imposed in the standard States.

In the field of stamp duty our rates for conveyances or transfers on sale of property have been below those levied in New South Wales and Victoria for some time past. In general, conveyances at present attract in New South Wales a stamp duty of 25s. per £100, or part of each £100 of consideration. In Victoria, an equivalent rate applies for amounts of consideration up to £3,500, but for every £50 of consideration above £3,500 the rate is increased to the equivalent of 30s. per £100.

The average of the rates applying in New South Wales and Victoria is consequently in excess of 1½ per cent.—that without regard for the fact that, in New South Wales, it is proposed to increase the existing rate from 25s. to 30s. per £100 or part thereof for amounts of consideration above £7,000. Western Australia is ½ per cent. below the average of New South Wales and Victoria.

The Western Australian Stamp Act currently imposes a rate of 5s. for each £25 or part thereof of the value of property conveyed or transferred. This is equivalent to 1 per cent. and as a result of the disparity between our rate and rates in the standard States we received an adverse adjustment of £140,000 for the year 1960-61. That adjustment was based on the rates ruling before New South Wales announced the increased rate for properties of over £7,000 in value.

The Bill proposes to increase the rate to 12s. 6d. for each £50 or part thereof of the value of the property conveyed or transferred. This should yield additional revenue of £70,000 in 1962-63 if operative from the 1st January, 1963, as proposed.

In 1959, action was taken to impose stamp duty at the rate of 1 per cent. on hire purchase transactions, and provision was made for the hirer to pay this duty.

Victoria charges a rate of 2 per cent. on these documents and New South Wales 1 per cent. As a result of the standard rate of 1½ per cent., an adverse adjustment of £130,000 for 1960-61 was made by the Commonwealth Grants Commission.

In order to obviate this adjustment, the level of duty is to be raised to 1½ per cent. It is estimated that the increased rate will provide additional revenue of £65,000 in this financial year.

In the existing second schedule to the Stamp Act will be found under the heading "Policy of Insurance" six different subheadings detailing varying rates of duty. Some rates of duty, it will be noticed, are imposed on premiums and others on the amount of insurance cover.

The scale is complex, and entails a considerable amount of work for insurance companies, which are required by regulation to collect the duty and remit it to the Stamp Office. Its complexities make the checking by stamp assessors an involved and time-consuming process.

The present scale implemented many years ago has brought about present-day anomalies in respect of certain types of insurance. For example, in the case of personal accident insurance for air travel, the stamp duty for cover of 24 hours or less, exceeds the premium payable. That is because the duty is levied on the amount of cover given by the policy and is not related to the premium paid.

The Bill provides for the calculation of stamp duty to be simplified by expressing the rate as a percentage of the premium payable, except in the case of motor vehicle third party insurance policies. In that case, the present flat rate of 2s. 6d. per policy is to remain unchanged. It is proposed that there shall be only two rates of duty, apart from the flat levy of 2s. 6d. on compulsory third party insurance policies.

A duty amounting to 3 per cent. of the premiums payable in respect of workers' compensation insurance policies is included in the Bill. The rate is to be 5 per cent. for other classes of insurance, except life and compulsory third party. Premiums payable with respect to policies of life insurance will continue free of duty.

Companies and persons carrying on insurance and assurance business in Victoria, are required to take out an annual licence on which the duty chargeable is fixed at 5 per cent. of the previous years' premiums. This duty, or any part of it, may be passed on to the policy holders as a charge additional to premiums.

Workers' compensation insurance premiums in Victoria are chargeable with a 5 per cent. stamp duty, though this class of business was exempt from duty prior to October, 1959. The fact that Victoria now charges duty at the full rate of 5 per cent. is one of the reasons for our adverse adjustments under this heading of taxation.

On the other hand, New South Wales has a much lower rate of duty on workers' compensation insurance policies, and only charges a flat duty of 1s. 6d. per policy with a similar charge for renewals.

The standard or average duty on workers' compensation insurance for the States of New South Wales and Victoria, is therefore 2½ per cent. plus, and accordingly it has been decided to fix 3 per cent. as the appropriate rate in Western Australia for this class of insurance. The Bill provides accordingly.

The proposed new rate of 5 per cent. for other classes of insurance, excluding life and compulsory third party, is similar to the rate in Victoria, and generally is much lower than that payable in New South Wales. The New South Wales rates being based on 9d. for every £100 or part of £100 insured, are extremely high for some classes of insurance business.

For example, the annual fire insurance premium on a £5,000 brick house would attract duty of 37s. 6d. in Sydney. In Perth, the existing duty is 25s. for the first year, and 12s. 6d. thereafter, However, if the proposals set out in the Bill are adopted, the duty payable on a £5,000 brick house in Perth will drop to 6s. 11d., being 5 per cent. of the average premium payable for cover against fire. And so the comparison will be 6s. 11d. in Perth as against 37s. 6d. in Sydney.

Another class of insurance where there will be a substantial reduction in our present rate of duty is in the case of personal accident insurance for air travel. The premium for cover of £10,000 for one day is only £1 and yet the present stamp duty is 25s. Under the provisions of the Bill, the amount of duty will drop to 1s. which is a much more realistic figure.

There will, of course, be increases in the duty at present payable on certain classes of insurance, which will more than offset the decreases in other classes. The proposals are expected to return additional revenue of £200,000 for a full year, and £100,000 for this financial year, if made effective from the 1st January, 1963.

Initially, a duty of 3 per cent. on Workers' Compensation Insurance premiums should yield approximately £70,000 in a full year, compared with very little receipt indeed from the present nominal rate of duty which imposes a maximum charge of 1s. on new policies and exempts renewals of policies.

A duty on other classes of insurance amounting to 5 per cent. of premiums payable is expected on the current level of business to result in a net increase in revenue of £130,000 in a full year.

Comprehensive motor vehicle insurance is one class of business which will attract a higher duty under the proposals contained in the Bill. As an example, a car insured for £650 on which the premium payable is £20 less a 50 per cent. no claim discount would attract a duty of 10s. under the new scale compared with the present duty of 3s. 6d.

In view of the increase in the duty payable under the new scale for comprehensive motor vehicle insurance, it is not intended to apply the 5 per cent. rate to compulsory third party insurance premiums. For this reason, the existing flat duty of 2s. 6d. per policy will remain unchanged if the proposals in the Bill are accepted.

Opportunity is also being taken to make other desirable amendments to the Stamp Act under the heading of receipts. The present Western Australian rates of stamp duty on receipts are:—

1d. on receipts for amounts of £1 up to £24 19s. 11d.
2d. on receipts for amounts of £25 up to £49 19s. 11d.
3d. on receipts for amounts of £50 up to £100.
and on receipts for amounts of over £100 the duty is 3d. per £100 and every part thereof.

In Victoria and New South Wales, the current rate of receipt stamp duty is 3d. on receipts of £2 and over. Requests have been made, from time to time, by organisations and individuals for the exemption from stamp duty on receipts to be raised. Exemptions, at the present time, apply only in respect of amounts under £1. It has been suggested that the exemption should be raised to £5.

Such a concession is desirable, as it would relieve many people, particularly those engaged in the retail trade, of the obligation of affixing 1d. duty stamps to receipts covering a very large proportion of their transactions. However the exemption from stamp duty of receipts given for amounts of less than £5 would reduce State revenue by an estimated sum of £93,000 per annum, which the Government cannot afford to forgo.

It has therefore been decided to provide the concession sought, but to adjust the present scale to ensure that total revenue collections from receipt duty will not be reduced. This result will be achieved by fixing the rate of duty at threepence on receipts for amounts of £5 or upwards, but not exceeding £100, and leaving unchanged the present rate for amounts exceeding £100. The Bill provides accordingly. The effect of the new rates will be:—

To abolish the duty now payable on receipts for amounts between £1 and £5;
To increase the duty now payable on receipts for amounts between £5 and £25 from 1d. to 3d.
To increase the duty now payable on receipts for amounts between £25 and £50 from 2d. to 3d.

To leave unaltered the duty now payable on receipts for amounts in excess of £50.

It is not expected that there will be any material variation in total revenue collections from receipt duty as the result of adopting the proposals outlined. The higher rates of duty on receipts for amounts between £5 and £50 will do little more than offset the loss in revenue from the abolition of duty on receipts for amounts under £5.

Under modern commercial practice, increasing use is being made of bank cheques as a means of both payment and receipt. Under this system, it is usual for a form of receipt to be printed on either the face or back of the cheque, and space is usually provided for affixing the requisite duty stamp. The endorsement by the payee then also serves as an acknowledgment of payment. The usual arrangement is for the paying bank to return to the drawer the cheques, which are then used as vouchers for payment.

While this system may suit the person making the payment, it does not always suit the payee who, for accounting purposes, wishes to keep a record of his receipts. They therefore often issue also, a duly stamped separate official receipt for the payment. However, when the payee endorses the cheque in the space provided, two receipts for the one payment are made—perhaps inadvertently.

In those cases, if one of the receipts issued is unstamped, the person giving the receipt has committed a breach of the Stamp Act and is subject to the penalties prescribed. Recent inspections have revealed quite a large number of these cases requiring action.

It was never intended to collect revenue twice on the one transaction, particularly if the second receipt is given inadvertently, so an amendment to the Act is contained in this Bill to exempt one of the receipts, provided that the person issuing the receipt can arrange for the production of the other, duly stamped, if required to do so by the Commissioner of Stamps.

It is proposed that the new rates and procedures detailed in this Bill shall come into operation on the 1st January, 1963.

Debate adjourned, on motion by The Hon. J. D. Teahan.

Sitting suspended from 6.13 to 7.30 p.m.

SUPPLY BILL (No. 2), £22,000,000.

Third Reading

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [7.31 p.m.]: I move—

That the Bill be now read a third time.

THE HON. N. E. BAXTER (Central) [7.32 p.m.]: Unfortunately I was absent when the second reading of the Bill was introduced, and as I wish to make some remarks on the measure I am taking the opportunity now at the third reading stage. I have been glancing through the Public Accounts and it has occurred to me that possibly a good deal of saving could be effected on some of the education items, particularly.

The Hon. A. F. Griffith: I am sorry, but I am having a little difficulty in hearing the honourable member.

The Hon. N. E. BAXTER: Glancing through the Public Accounts on the Education vote for 1961-62 I noticed that a sum of £22,900 odd was spent on visual education. I have nothing to say against this item, but I often wonder what value is gained by children in schools from expenditure on visual education. I realise it is a modern educational trend, but without being in possession of any details regarding it, I have some doubts as to its value in the educational system.

The amount of £15,000 odd spent on the teaching of arts and crafts in schools also attracted my attention. This is an item upon which I believe some saving of public money could be made. Arts and crafts are not only taught in high schools, but also in the primary and infant schools. In the Education Department today there are specialists in the teaching of arts and crafts. As we all know, not every child or every person is a natural artist, and yet every primary school child is obliged to have some education in art. To a degree I admit that some attention should be paid to this subject but why there should be the necessity to employ specialist teachers in the department to attend schools and spend brief periods teaching art to children, I cannot understand.

I believe that art should be taught to the primary school child, and if any boy or girl shows some aptitude for art he or she should be given the opportunity to practise it and be given further tuition. But to spend money on trying to teach every child to draw, and to engage specialists to teach art in general throughout all schools is, I think, in many cases a great waste. I know that as a child I had great difficulty in drawing a stick-man. I am still unable to draw, and I am sure there are many people like me. There are probably members in this Chamber who, if they tried to draw a human being, would make as horrible a mess of it as I would. I am not pulling any punches when I say that. On the other hand there would probably be some members who would be quite adept at drawing.

The Hon. G. C. MacKinnon: Some of us even get into trouble in trying to draw money from the bank.

The Hon. N. E. BAXTER: Yes, that is a fact. I am of the opinion that the department is becoming imbued with the idea

of employing specialists to teach art or similar subjects, and is spending money on items that are not really necessary for the education of every child attending school. Therefore, I consider a saving could be effected in the Education vote alone. I am quoting only education at the moment because I am dealing with this particular section set out in the Public Accounts.

I know that these specialists arrive at the various schools at odd times of the day. The headmaster is not even notified of their arrival. They interrupt a teacher in the middle of a period and announce they are going to give a lesson in art. They then proceed to take over from the teacher in charge of the class and map out their programme. After they have left, the teacher is obliged to pick up the threads of the lesson upon which she was engaged before being interrupted.

Similar happenings occur with physical education. I am of the opinion that physical education, as taught in the schools today, has deteriorated. In our day most of us were obliged to do drill, to march up and down, and to turn to the left and right. That was an excellent method of physical education. Nowadays children are taught to twist themselves around chairs, do turns on bars held by other children, do handstands, and so on. In the teaching of physical education, I do not think these methods have much value. I think the old method of drilling the children and teaching them to build up a good posture and bearing had much more value.

Despite this, a great deal of money is being spent on physical education in the schools today, and it is high time, I think, that some investigation was made into where the money is going. The trend today seems to be to send the Director of Education or some other officer of the department overseas, and whilst abroad they see some new practice that is followed by education authorities in other parts of the world and they bring it back to Western Australia for adoption in our schools before it is even proved that it will be an advantage to the children.

Apart from physical education, there are other subjects to which I can refer which are taught by specialists in the Education Department and which are set out in the Public Accounts. I do not believe that full value is being obtained for the money that is being spent annually by the State on such items.

For example, another new idea in education, is the Cuisenaire arithmetic system which, in recent years, has been introduced to the infants' schools. This system is made up of a number of coloured wooden rods of various lengths and colours. For example, the children are taught that three or four ¾ inch rods of one colour equals another rod of 2 to 2½ inches of a different colour. The principle of this system is to teach number work to children visually and manually. The Cuisenaire system is not generally used in the schools, but the tendency is growing to use it in classes of younger children, particularly in the first and second grades.

Recently I was rather astounded to encounter a certain party, whose name I will not mention, who produced a sheet of paper across which were set out a number of fractions which I considered on no account should be given to second grade children to work out. However, this person, who has a high position in the Education Department, thought it was rather wonderful that a child in second grade could do these fractions which normally would be given to children in fourth and fifth grades. I wondered why fractions such as those were given to second grade children when they did not understand fully the rudiments of number work and when they had so much to learn about English and other subjects.

I bring these matters to the attention of the House because I believe, very sincerely, that although we are spending some £74,000,000 from general revenue and £21,000,000 from loan funds within the State this year, we are not getting full value for it by any means. One has only to travel around to see the modern, well-built schools and hospitals today. They are exceptionally fine structures. However, I often wonder if we are getting a little beyond ourselves in building such lavish schools and hospitals.

I admit that establishments of this nature should be well constructed, but this subject reminds me of a talk which I had one day with The Hon. A. F. Watts who, at that time, was the Minister for Education. In a discussion with him I referred to this matter. He decided to take another look at it to see if some ways could be devised to build good and adequate schools without involving the State in huge expenditure. Under the present set-up it is very difficult for the Education Department to keep a check on the costs of building new schools.

In the building of schools, hospitals, and public buildings the practice is for loan funds to be allocated to the particular departments. Last year just over £2,500,000 was spent in the construction of new schools, excluding those in the north-west. Although the allocation was made to the Education Department, the actual expenditure of the money is made by the Public Works Department. For instance, if the Education Department decides to build a new primary school at some centre it advises the Public Works Department, which calls in an architect. Plans are prepared and tenders are called, and the new building is proceeded with. All this is done outside the control of the Education Department, as far as the expenditure of the money is concerned.

If a Government department is allocated loan funds for a specific purpose it should be able to ensure that the money is spent wisely, in accordance with its designs. In other words, the department should be able to plan on how far it can proceed with the projects on the loan funds available. This is only a reasonable and logical point of view, and in the instances I mentioned the Education Department should not have to hand over its projects to the Public Works Department, and leave the construction to that department, without being able to keep a check on the expenditure.

There are two suggestions which I can make to overcome the problem. In respect of the construction of buildings a liaison should be established between the Education Department and the Public Works Department, so that the two together can decide on the cost of such projects and consider the tenders received. If the Education Department is not satisfied with the quote for a particular construction, or an item, it should be permitted to call other tenders so as to bring the cost within the finance available. The other suggestion is this, and it is similar to the practice adopted by the Commonwealth Government: Appoint a public works committee and a public accounts committee, which together can keep a check on the plans and specifications received, and on the tenders accepted, for the construction of public works. These two committees would have a finger on the pulse of public works being built. This method has proved successful in the Federal sphere in effecting economies in expenditure.

From these two Houses of Parliament the two committees I referred to could be appointed. Each could be composed of three members from each House, and by that means Parliament would have a constant check on the expenditure on public works. Perhaps the scheme could be extended in other directions. At the present time much concern is felt at the large amount of money which is being spent on public works, and it is considered that economies can be effected.

Recently we were informed that additional taxes will be levied in certain directions, and there is to be a new tax on this and that. Over all, the Government anticipates some hundreds of thousands of pounds in additional revenue. Over the years the imposition of additional taxes can be compared to the spiral in the cost of living. It is like the dog chasing its tail, the head being the Grants Commission, the tail Western Australia, and the flea on the dog being Victoria and New South Wales. When the flea bites a little off the dog, the dog bites a little off here and there.

Every time a new tax is imposed, the cost of living in Western Australia is increased. The reason given for increasing taxes is this: If Western Australia does not impose the tax then it will be penalised by the Grants Commission. I am not blaming any particular Government for putting forward that argument to increase taxes; it is a reason which has been put forward by all Governments. I realise that the Government requires money in increasing quantities as the years pass, but how long are we to hear that Western Australia is to be penalised if it does not impose a certain tax because the standard States have imposed that tax?

The Hon. A. F. Griffith: It will continue as long as the formula, under which we operate, exists.

The Hon. N. E. BAXTER: I agree. How long will we have to carry on putting forward this reason and blaming the Grants Commission?

The Hon. A. F. Griffith: The Grants Commission is not the primary body involved. We should be grateful to that commission for the assistance it gives to Western Australia.

The Hon. N. E. BAXTER: I agree; but should we be operating under this system all the time? When the standard States impose a tax for the purpose of providing lavish buildings—which are built without much check on the expenditure—then Western Australia has to follow suit and impose the tax on the people, on secondary industry, and on primary producers.

The Hon. R. F. Hutchison: Anyhow, it is mostly our own money coming back.

The Hon. N. E. BAXTER: Perhaps it is mostly our own money coming back, but that does not overcome the problem.

The Hon. F. J. S. Wise: To start with, they have a field of consolidated wealth to tax.

The Hon. N. E. BAXTER: Every time the standard States impose an additional tax the same is done in this State and a greater burden is imposed on the public; consequently, there is a rise in the basic wage, and so the process is repeated.

The Hon. A. F. Griffith: What do you suggest we should do about the matter?

The Hon. N. E. BAXTER: I suggest some attempt should be made to alter the formula so that this practice can be stopped.

The Hon. A. F. Griffith: How do we get on when the Premier has said that the other States are unwilling to alter the formula?

The Hon. N. E. BAXTER: That has to be proved, and an approach has yet to be made in that direction. If no approach is made we will have to accept the existing method, and Western Australia will have to cut the cloth according to the measure, by finding the directions in which expenditure can be saved in order to keep the total expenditure within the finances available.

A rather peculiar set-up has developed in the construction of public works. In the term of office of the previous Government, public works, in many instances, were constructed by the Public Works Department under the day labour system, which, in the opinion of many people, was not a satisfactory system.

Under the present Government the construction of public works has been diverted to private contractors, but we find that private enterprise has not been able to give the State a better spin than the Public Works Department gave under the day labour system.

The Hon. G. Bennetts: We got a better job from the Public Works Department than from private enterprise.

The Hon. N. E. BAXTER: The cost under private enterprise has not come down, and no-one can claim it has. If there is no reduction in costs, something appears to have gone wrong. Often we find this situation developing: A private architect is engaged to draw plans and specifications for a particular public work, and tenders are called. When the project is completed the cost exceeds the original estimate by some thousands of pounds, because unnecessary or lavish additions have been included.

The Hon. A. F. Griffith: Do you not think the architect prepares plans and specifications according to instructions?

The Hon. N. E. BAXTER: Admittedly he draws them according to instructions to a certain degree, but not to the nth degree.

The Hon. A. F. Griffith: If you were deciding to build a house you would not give the architect a free hand to do as he liked.

The Hon. N. E. BAXTER: I would watch the items carefully and find out how much they cost. I would ensure that no additional items were added, so as to keep the total costs within the estimate.

The Hon. A. F. Griffith: Do you think the officers of the departments are so irresponsible that they do not look at these matters? You do not give them much credit.

The Hon. N. E. BAXTER: The Minister should do some thinking about this aspect: There could be an inclination to bring back the construction of public works under the Public Works Department; and the Minister should bear it in mind. Those concerned will claim that private enterprise has been given a trial, but it has not been able to reduce costs, so the Public Works Department should again be given the responsibility of constructing public works. We have to be extremely careful.

The Hon. A. F. Griffith: As Minister for Housing I know what houses built by the Housing Commission cost at the present time in comparison with the cost of those built under the day labour system.

The Hon. N. E. BAXTER: The Minister might be right.

The Hon. A. F. Griffith: I am right.

The Hon. F. R. H. Lavery: What quality houses are you getting?

The Hon. A. F. Griffith: Good quality.

The Hon. N. E. BAXTER: A comparison cannot be made between the construction of cottages and large public buildings. It is much easier to keep a check on the costs of small constructions; but in the case of large public buildings it is very difficult to do the same, unless a special committee is set up to keep an eye on the costs. A scheme should be evolved to ensure that the State gets value for the money spent on public works and buildings. It is not so much a case of an increase in the estimate itself, but an increase in the cost due to lavish and unnecessary additions.

A good type of school could be built at a much lower cost than the cost involved at the present time, due to the lavish way in which schools are being constructed. The cheaper type of school would be just as comfortable and would provide the children with good facilities for education at a low cost compared with the cost at the present time.

For that reason the committees which I have proposed should be appointed to keep a check on public buildings and expenditure, with a view to keeping the costs down so that more schools and buildings can be provided in this State. That is most essential. I do not care who is the Minister for Works, it is not possible for one man, with all the duties he has to perform, to keep his finger on the pulse of the total expenditure which is involved in the provision of public works. I say that, because the Minister who has the control of public works, is Minister for Water Supplies, and is also Minister for Labour. It is not possible for one man to keep his finger on the pulse of expenditure in all those departments, particularly in relation to the building of public works and the expenditure on water supplies.

After all is said and done we, the members of this Chamber, and those in another place, were elected by the people to deal with particular subjects. Not only were we elected to deal with the legislation in these Houses but also to keep in touch with the finance of the State and to ensure that it is used judiciously and well in the interests of the people.

I do trust that the Government will give some consideration to having appointed both a public works committee and a public accounts committee to consider these matters and to keep their fingers on the pulse of public finance.

THE HON. H. K. WATSON (Metropolitan) [8.1 p.m.]: Last night Mr. Wise referred to the upper crust, to crumbs, and to dough. He was dealing with three

separate portions of a loaf but I desire to make a few remarks on the whole loaf of bread.

I would remind members that the Bread Act has governed for the past 20 or 30 years both the baking of bread; that is to say, the hours and the days on which it may be baked, and the delivery of bread; that is to say, the days and hours on which bread may be delivered.

The Hon. G. Bennetts: Are you on a bread Bill now?

The Hon. J. J. Garrigan: Bread line!

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. H. K. WATSON: The whole idea behind the Act has been to tie in the delivery of bread with the baking of bread; but it so happens that in the Act as it stands at the moment different modes of expression have been employed in section 12 which deals with the baking of bread, and in section 13 which deals with the delivery of bread.

In section 12, which deals with the baking of bread, it is stated that bread shall not be baked except during the hours prescribed by the then current industrial Arbitration Court award relating to baking. Now, if section 13 had been expressed in the same terms, the particular point to which I desire to address myself would not have arisen. If section 13 of the Act had simply said that the delivery of bread shall likewise be confined to the hours fixed for the delivery of bread by the Arbitration Court award, the orderly position which has existed in the bread industry for the past 30 years would have continued to exist; but it so happens that in section 13 instead of the position being stated in general terms it is unfortunately stated in express terms and, in fact, the days on which bread may be delivered are expressly stated.

It is probably known to members that about six weeks ago the Arbitration Court in its wisdom—or shall I say in the exercise of the powers conferred upon it knowingly or unknowingly by Parliament—awarded a five-day baking week. In other words, the Arbitration Court ordered that bread could be baked on only five days a week. The Court made that award despite the very strenuous opposition of the bread manufacturers, who, profiting by the experience of the bread industry in the Eastern States where such conditions had been in force in recent years, submitted the two evil effects which would result from such a provision. It had disorganised the bread industry and had produced what could almost be described as lawlessness.

However, notwithstanding the desire of the bread manufacturers to be permitted to bake and deliver six days a week, even though they paid the employees and put them on a five-day week basis, the Arbitration Court imposed a five-day week within the metropolitan area; that is to say, within an area covered by a radius of 25 miles from the Perth General Post Office.

Now the practical effect of that decision is this: Whilst up to now the Bread Act has tied the baking of bread to the delivery of bread under the relevant awards of the Arbitration Court, there is at the moment a discrepancy between the two so that delivery of bread may, in peculiar circumstances which I will mention in a moment, be delivered in the metropolitan area on Saturdays by some bakers, but not others. In other words, it can be delivered in the metropolitan area by any baker whose bakery is outside the metropolitan area.

So it comes about that the baker at Rockingham, for example, now finds that he is compelled to refrain from baking on a Saturday and delivering bread on a Saturday to his customers in Rockingham, while the baker a couple of miles away at Safety Bay can completely upset the business of the Rockingham baker by going to Rockingham and selling to all the customers of the Rockingham baker and taking over his custom on a Saturday. The same position obtains in respect of other towns and in respect of the position generally. Failing the necessary and natural and consequential alteration to section 13, there could be a complete disorganisation in the metropolitan bread-making industry through stunting by chain stores and others in respect of Saturday morning bread-baking outside the 25-mile area.

As I have said the award was delivered some six weeks ago or thereabouts, and I understand that at the request of the bread manufacturers and the employees' union, the actual formal bringing into effect of the award has been temporarily postponed until next week or thereabouts in the firm expectation that in the interim Parliament would pass a Bill rectifying the weakness in the Bread Act and bringing section 13 into line with section 12, or, in other words, bringing the delivery and baking of bread into line with the respective awards.

Nothing has been done in this matter and I would submit that if nothing is going to be done then the bread-making industry in the metropolitan area is going to be very seriously disorganised by what I think could be fairly described as the action of the Arbitration Court and the inaction of the Government.

I have given the illustration of the unfortunate position in which the Rockingham baker will find himself. I pose this question: Is it seriously expected that the Rockingham baker is going to stand by and see his business white-ant-eaten, undermined, and torpedoed by the Safety Bay baker? Is he going to see his business upset because of this peculiarity in the Act?

Are the 50 metropolitan area bakers going to stand by and see their industry likewise disorganised? They have a couple of alternatives. If nothing is done there would be a great encouragement for them—no less for them than the fringe bakers—to preserve their business by breaching the law. The other alternative would be for them to go to the unnecessary expenditure of tens of thousands of pounds in the building of a bakery 26 miles from the G.P.O. in order that they might supply their customers on a Saturday morning. In addition to these possibilities there is that of real general friction which would result between the different sections of the industry.

There is one other means of preventing such an absurd state of affairs, which up to date seems to have disturbed no-one except the unfortunate individuals or concerns who are to be affected by this bleak prospect. I understand the Bakers' Union of Employees has indicated that if nothing is done it will apply to the Arbitration Court for the award which restricts baking to five days a week, and which at the moment relates only to the metropolitan area, to be made uniform right throughout the State.

Speaking for myself, I could think of nothing more logical than that if no other action is taken to remove the very unfortunate, anomalous, and unfair position which would arise if no action is taken to amend the Bread Act.

The Hon. G. C. MacKinnon: That action would not accomplish it.

The Hon. H. K. WATSON: Yes it would.

The Hon. G. C. MacKinnon: Not to the non-employer.

The Hon. H. K. WATSON: It would not apply to the country non-employer who made and delivered his own bread; but I would say the majority of country bakers do not come within that category. Therefore I express the hope that before Parliament rises something will be done to amend the Bread Act in a manner which, as I have indicated, is nothing more than a natural consequence of a decision of the Arbitration Court, with a view to making the Bread Act operate as it has operated during the past 20 years.

THE HON. F. R. H. LAVERY (West) [8.18 p.m.]: I shall not keep the House for more than a few minutes, but there are two points I would like to raise. I want to ask whether it is possible for the Water Supply Department to review the position in certain areas where the department says it is not economically possible to reticulate scheme water.

Before I state the case concerned, I would like to say that the utmost consideration and courtesy has been extended to me by Mr. Clarkson, Mr. Yerof, and Mr. Johnson, whenever I have put the proposition forward to the department.

In Newton Road, Spearwood, it is not possible, because of the town planning regulations, for blocks of land less than 2½ acres to be subdivided. There are eight homes in this street, and under the situation as it now exists, it is not possible to build more than one home on each block. Several applications have been made for water to be supplied to the homes in Newton Road, Spearwood, but the department has said that it cannot grant the extension because it is not an economically sound proposition.

The distance involved is approximately 1,800 feet, and seven residences are affected. At the moment the only water supply the people have is from wells; and, as a matter of fact, the well in one home is supplying water for two other homes. In the driest part of the summer, because the water table has dropped approximately 9 feet in the last four years in this area, it is not possible for the people who own the well to supply water other than for their own requirements.

On the corner of Shallcross Street and Newton Road, Spearwood, the Fremantle Gas and Coke Co. occupies a large block of land that runs back to Railway Parade, and the building faces Newton Road. This precludes the possibility of any further homes being built in that street, and some of the homes which are already there have been built for a considerable number of years. The distance from Fremantle is under six miles and, although this road is in a very productive area of Spearwood, the properties in Newton Road itself are not productive.

When I approached the department about the matter I was told that because the gas company takes its water off the line from the corner of Shallcross Street and Railway Parade, there is no access for a service to be provided for the residents in Newton Road. The gas company's frontage in Newton Road is so large, that there is no possibility of any other homes being built, and therefore no possibility of more rates being payable to the department, and the department states it is not an economical proposition to extend the scheme to those homes.

The gas company pays approximately £60 a month for excess water, and it is my belief, and the belief of the people concerned, that that fact should be taken into consideration by the department. Also, the fact that the gas company's premises face Newton Road and thereby deprive the people in the street from receiving a water supply at the moment should also be considered by the Minister.

The position is now becoming grim, firstly because the gas company occupies so much land; secondly because the town planning authorities will not allow any further subdivisions; and thirdly, and most importantly, because of the sudden drop in the water table in this area over the last four years. Because of these factors

I ask the Minister, if he can, to do his best to convince the Minister for Water Supplies that special consideration should be given to the people in this particular street.

There is just one other matter I would like to mention. I want to congratulate the Minister for Education on his statement in the Press yesterday in support of Asian students in this State. During my trip to the Asian countries I made many friends. I travelled both ways by boat; I went up on a boat known as a school boat —most of the passengers were students returning to Singapore and Malaya—and I came back on a school boat, most of the passengers being students returning to the University of Western Australia. I came into contact with the oldest and the youngest people on the boat, and I can say without fear of contradiction their conduct was absolutely exemplary.

Since I have been back I have been in touch with a fair number of Asian people, and I have made great friends with many of them. I was pleased to see that the Minister disagreed with the report made in Malayan papers regarding the conduct of students in this State, and I wholeheartedly support his action. Naturally enough, a number of young people take some time to settle down. But the same thing applies in our own State with our own children. Some children naturally make mistakes, and there is a percentage of the Asian students who are not capable of carrying on with their education. But there was absolutely no reason for the Malayan Press to say, or indicate, that all of the Asian students here are not playing the game. I say without fear of contradiction that what the Malayan Press said was completely wrong, and I congratulate Mr. Lewis for the action he took.

THE HON. A. F. GRIFFITH (Suburban —Minister for Mines) [8.26 p.m.]: As I said I would do on the second reading yesterday, I have endeavoured, in the brief time available, to accumulate as much information as I can to convey to members in respect of the questions which were raised.

Before I get on to those points, and the answers which I have been able to have prepared, I would like to make one or two comments concerning some of the matters which were raised this evening. As regards Mr. Baxter's remarks, I would like to say that the Under-Treasurer of this State, and his staff are, I am sure, some of the most hard-working people that the Government has in its service. The Under-Treasurer and his staff are constantly looking for avenues and ways and means of saving money for the State. They work long hours in the service of the people of Western Australia in an effort to do that for the Government, irrespective of what Government may be in power.

The Hon. N. E. Baxter: I was not condemning anyone.

The Hon. A. F. GRIFFITH: I am not suggesting that, but I am merely telling the honourable member something of which he may not be aware.

The Hon. N. E. Baxter: I am quite aware of it.

The Hon. A. F. GRIFFITH: We know that we suffer from these difficulties. We know that the situation in respect of the Grants Commission is what it is, and I remember on one occasion listening to a most interesting speech on the Grants Commission made by Mr. Wise when he was on the other side of the Chamber.

The Hon. L. A. Logan: When he was having a crack at me?

The Hon. A. F. GRIFFITH: I was not going to refer to that.

The Hon. F. J. S. Wise: When was this?

The Hon. L. A. Logan: You had a crack back at me.

The Hon. A. F. GRIFFITH: I was not referring to anything of that kind. That was not in my mind.

The Hon. L. A. Logan: I remember it.

The Hon. A. F. GRIFFITH: However, I do remember the manner in which Mr. Wise justifiably defended the Grants Commission's actions, and gave it credit, to which its members are well and truly entitled so far as Western Australia is concerned.

I think this is the proper time to pay a tribute to the members of the Grants Commission, and particularly those who have represented Western Australia. Sir Alexander Reid has been of tremendous value to Western Australia.

The Hon. F. J. S. Wise: And so it was with his predecessor.

The Hon. A. F. GRIFFITH: Yes, of course, but those disabilities continue to occur, and we have the situation where we are penalised if we do not live up to the standards imposed by the standard States of New South Wales and Victoria.

The Hon. N. E. Baxter: I quite realise that. I was not reflecting on the Grants Commission.

The Hon. A. F. GRIFFITH: I know the honourable member realises it. However, that is the difficult situation in which we find ourselves if we do not face up to the responsibilities that we have in respect of increasing taxes when the taxes in the standard States are higher than ours.

The Hon. N. E. Baxter: But do you think it is the correct system to use?

The Hon. A. F. GRIFFITH: I did not say it was the correct system, but it is the system under which we operate.

The Hon. G. C. MacKinnon: It is the correct system, but it may not be the ideal system.

The Hon. A. F. GRIFFITH: Perhaps it may not operate as well as the honourable member or anyone else would wish it to operate, but—

The Hon. F. J. S. Wise: The commission has a very generous interpretation of section 96 of the Constitution.

The Hon. A. F. GRIFFITH: My word it has! If it were not for the Grants Commission Western Australia would be in a far worse situation than it is at the moment.

The Hon. N. E. Baxter: I fully realise that.

The Hon. A. F. GRIFFITH: I thought I would make those one or two comments. I know nothing of course of the particular problem raised by Mr. Lavery, but I will refer it to the appropriate department to see what the position is, and what can be done.

The Hon. F. R. H. Lavery: Thank you.

The Hon. A. F. GRIFFITH: I listened with interest to the remarks made by Mr. Watson. It is not true to say the Government has been inactive on the question of bread. The Government has given very careful consideration to the matter. But we all know that the Bread Act is an extremely unusual type of legislation. It is one in which the freedom of the individual is restricted; one under which a person cannot work in private enterprise in a manner in which he can, perhaps, in other industries.

The baking of bread is limited. The point Mr. Watson did not mention was that if what we think is going to happen if the decision of the Arbitration Court is in fact put into effect, then the consumers of bread in Western Australia—the housewives—will find themselves with bread very early on Friday morning, with no renewal of fresh supplies of bread until Monday morning. That is a situation for which we must have considerable regard.

I was able to get some information for Mr. Wise, and as I indicated when winding up the debate on the second reading I will give whatever information I have obtained in the limited time available. Time has permitted for some of this information to be established. Mr. Wise pointed out that work was not yet evident in connection with proposals for enlarging the Broome hospital. I would like to inform Mr. Wise that I am advised the local people were advised on the 30th October, 1961, that work would commence during this current financial year, 1962-63. Prior to that the local interests were advised that there had been a decision by the department to make provision for such work in the Loan Estimates, and the letting of a contract to permit work to commence before July last.

The work to be undertaken consists of a new wing, including a children's ward and other services. A preliminary plan embodying all this work was shown to the local people earlier this year, on which occasion the department indicated that everything possible would be done to carry out the undertaking previously given. However, the plan had to be revised following upon a visit to the town by the Assistant Principal Medical Officer, when he further discussed the plans with the local people.

The situation now is that the preliminaries to the first stage of additions, which will involve the erection of kitchen and laundry facilities, including a cool room, are well in hand. A contract will be let early in 1963, and that part of the work will take six months to complete.

So far as the construction is concerned, the new plan will provide a more satisfactory and efficient hospital service than the original design, and every effort is being made to finalise these plans so that work can commence on the ward accommodation this financial year. Funds have been set aside for the purpose, and Mr. Wise can be assured that before finality has been reached further discussions will take place with the local people.

Mr. Wise also raised two other points, about which I am not in a position to make comment at this point of time. But I will either communicate with him myself, or have the department communicate with him, on the points he raised. I have not been able to obtain further information.

I would like now to turn to the very important point raised by Mr. Jones in the matter of farm labour. The Education Department considers that the erection of new agricultural schools or colleges has to be considered in relation to other very pressing Education Department requirements.

The Hon. F. R. H. Lavery: That is an old story.

The Hon. A. F. GRIFFITH: Is it?

The Hon. F. R. H. Lavery: My word!

The Hon. A. F. GRIFFITH: It sounds like a very sensible story to me.

The Hon. F. R. H. Lavery: It is always the same excuse. I did not want to weary the House, but I could have told a story about this.

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. A. F. GRIFFITH: Perhaps Mr. Lavery might change his mind if he listens to the rest of the explanation. The proposal to set up a new agricultural school would involve an expenditure of somewhere between £150,000 and £200,000. That was the approximate cost of the school at Cunderdin. A school requires approximately 2,000 acres of commercial farm land, which could cost up to £50,000.

The Hon. A. L. Loton: There are a number of buildings on the school site at Cunderdin.

The Hon. A. F. GRIFFITH: That is all to the good. I take it the honourable member means they are not fully occupied.

The Hon. A. L. Loton: I agree it is a very expensive business to establish this.

The Hon. A. F. GRIFFITH: I do not want to be mistaken in thinking from Mr. Loton's remarks that some of the buildings at Cunderdin are not occupied. The erection of dormitory accommodation is expensive—that at Narrogin cost roughly £60,000. Much more stock and machinery is required at an agricultural school than on a normal commercial farm. An expenditure in the vicinity of £30,000 on those items would be needed.

The Hon. F. R. H. Lavery: If the machinery firms were State-minded they would supply it.

The Hon. A. F. GRIFFITH: Apart from this there are all the other specialised activities. The staff-to-student ratio is much higher in an agricultural school than in a normal school. Including domestic staff, etc. the ratio in an agricultural school is one teacher to nine students. It will be appreciated that the expenditure of such a substantial sum, as originally indicated, would go a long way towards providing another high school.

The department has consequently decided that it can make greater use of existing facilities; and current thinking is in this direction. A case in point is at Narrogin where it is hoped to increase that school to cater for 200 pupils, against 100 at present. At Cunderdin £15,000 is to be spent to increase accommodation and facilities. The course at Cunderdin is of two years duration, and the expenditure of that small amount of money will enable the Cunderdin roll to increase as follows:—

> From 24 first-year, and 22 second-year students in 1962, to 44 first-year and 24 second-year students in 1963.

further to be increased to 44 first-year, and approximately 44 second-year students in 1964. Ultimate plans for Cunderdin envisage tuition for 150 boys.

The department is constructing more dormitories at Harvey, so it is again making greater use of existing facilities without affecting the efficiency of training. The farm labour problem is very closely associated with active experiments in the principle of non-residential tuition taking place at Margaret River. At that centre there are small pilot plots of poultry, sows, orchard—with cattle to come later.

At Mt. Barker there is a very strong local advisory committee which is leasing 230 acres for the purpose of using it as a means, eventually, of establishing a local farm school. All the work done, and stock there, have been by donation. One hundred acres of pedigree seed oats has been sown; and 70 head of cattle are on the land. It is estimated that this project will raise £1,500 this year, and that money will go back into the property to build it up until the time is ripe for the Education Department to go in.

Similar activities are evident at Wyalkatchem. It will be appreciated that all this is directed towards better husbandry in this State. So I think the situation is being attended to. It is of interest to me to see in the notes of the department a reference to a small amount of £15,000. I would be grateful if my department could get an extra £15,000 to put into some of the things I want to do; particularly in regard to court houses in the country. As I have said the situation is being attended to as well as it can be in the circumstances, and the importance of this problem is not by any means forgotten.

I am not able to make any comment in respect of the points raised by Mr. Murray on the timber tribunal not being reappointed, but I will refer his remarks to the appropriate Minister. I think there were one or two other matters which I cannot call to mind at the moment but, as I said—and I repeat again—whatever information I am able to gather I will forward to members as soon as it is available.

Question put and passed.

Bill read a third time and passed.

VERMIN ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Council; and, on motion by The Hon. A. F. Griffith (Minister for Mines), read a first time.

Second Reading

THE HON. A. F. GRIFFITH (Suburban —Minister for Mines) [8.42 p.m.]: I move—

> That the Bill be now read a second time.

Certain amendments to the Vermin Act are required on account of the passing of the Local Government Act in respect of the appointment of vermin boards, council nominees, and boundaries of vermin districts, the general provisions of which remain otherwise unaltered.

The Vermin Act is related to the Local Government Act in matters of administration, elections, and the formation of vermin boards. The draftsman has recommended, in the interests of clarity, the repeal of some sections and their re-enactment as provided for in this Bill.

The Bill redefines the word "vermin." In the administration of the Act, it is necessary at present to name specifically fauna which is to be declared vermin. It is considered desirable that, after the

passing of this measure, all fauna non-indigenous to Australia—but with certain specific exceptions—be banned. As already indicated, the present procedure in accordance with the provisions of the Act entails exhaustive listing of the named types of fauna, and this procedure has become impracticable because, for this list to be effective, hundreds—and probably thousands—of names would need to be included in the schedule to the Act.

For instance, the provisions of the Vermin Act are there to restrict the activities of rabbits, kangaroos, emus, many types of birds, grasshoppers, and so forth. Until a few years ago, the many types of birds scheduled as vermin were reasonably well covered, though not as thoroughly as many of the vermin boards would have desired.

The listing of all of the names of the pests declared vermin is almost an impossibility. The authorities wished recently to bar overseas finches. These, with few exceptions, would, as the Act stands at present, all have to be named. There are, perhaps, a thousand named types of finches, and that in itself, at present renders the administration of the Act most difficult. The logical solution is the one contained in this measure, which will permit the banning of all finches, and the naming only of the few exceptions to be admitted.

The passing of this measure will permit the general declaration of groups of fauna as vermin. Groups which come to mind are those classified as non-indigenous to Australia, as also specified classifications such as zoological families, or perhaps individual species. I am sorry, Mr. President, that it is very difficult to concentrate on a speech of this nature when there is so much talking going on in the Chamber. The new procedure to be introduced will be much more concise. Lists of vermin may, in future, be published annually in preference to the present method which entails adding to the third schedule of the Act.

There have been many complaints from country folk concerning cats. Apparently, cats have multiplied to a great extent in rural areas, and to the point where their destruction of birds—which usually are relied upon to reduce insect pests—is a cause of some concern, as also are their depredations against poultry. Remedial action in this regard is intended.

Last year, with the advent of the commercial keeping of rabbits, a decision was made that permits isued under the regulations would be for a period of five years, and no longer. Many protests of concern have been received, lest the five-year limit might not, in fact, be enforced.

The amendment which appears in subsection (3) of the re-enacted section 115 has been inserted with a view to dispelling such misgivings. The amendment will, however, not affect the keeping of rabbits necessary for scientific or zoological purposes.

There is provision in clause 11 for the insertion of new subsections (5) and (6) to section 97. Subsection (5) will authorise any inspector or any authorised person to stop at any time, any conveyance or vessel and may himself, or with assistants, enter into or upon the conveyance or board such vessel and search and inspect it for the purpose of ascertaining whether any vermin or eggs of vermin are contained therein. Furthermore, such inspector or authorised person will be empowered to seize or carry away any vermin or eggs of vermin found.

In subsection (6) is provided a penalty of £50 for the offence by the person in charge of a conveyance or vessel, failing to stop when so required by any person who makes himself known as being an inspector or authorised person. These proposals have a direct bearing on proposals which are in mind for the setting up of a road-check on interstate traffic.

The power also will apply to ships as indicated, and will enable these to be inspected in the search for such pests as Ceylon crows. The Agriculture Protection Board is at present powerless to deal with all ships from which Ceylon crows have escaped inland. That is so, even when it has been known that they have been carried as pets of the crew and released when approaching, or in, port. Such release has resulted in the employment of teams of men to hunt down and destroy the pests at heavy cost. The amendment will enable action to be taken when reasonable attempts have not been made to prevent the escape of such pests from ships.

There is provision in this measure for an increase in the maximum rate of the vermin tax payable on pastoral holdings, from 2d. to 3d. in the pound on the unimproved capital value of such holdings. Pastoralists favour an increased contribution for vermin destruction in their areas, but as the maximum they can now contribute aggregates only £12,000 a year, as compared with collections from the agricultural areas amounting to about £110,000, an amendment to the Act is necessary for such increased contributions to be made.

The Hon. F. J. S. Wise: Was this endorsed by the Pastoralists Association, do you know?

The Hon. A. F. GRIFFITH: I understand so, but on that point I would not be positive. However, my colleague said there is a pastoralist on the Agriculture Protection Board. The point can be checked.

Pastoral areas are represented on the Agriculture Protection Board, and the people living in these areas are very well aware that the proposed increase will be in the interests of their district. The effect of the increased maximum will be that a further £6,000 per annum may be collected.

All collections are matched on a pound for pound basis by the Government. Consequently, the effect of the increased maximum will be to bring in an additional £12,000 for the destruction of vermin in pastoral areas.

It is considered the amendments proposed to the Act are essential to permit of its practical administration for the better protection of the important agricultural and pastoral industries, and will be beneficial in their effect on the production of fruit, cereals, wool, and fat lambs in particular, by giving further protection from the natural depredation of vermin pests.

Debate adjourned, on motion by The Hon. N. E. Baxter.

WORKERS' COMPENSATION ACT AND MINE WORKERS' RELIEF ACT

Inquiry by Select Committee: Amendment to Motion, as Amended

Debate resumed, from the 24th October, on the following motion by The Hon. E. M. Heenan, as amended:—

> That this House requests the Government to institute an inquiry into the diagnosis of pneumoconiosis and into the existing provisions of the Workers' Compensation Act, 1912-1961 for the compensation of workers afflicted with pneumoconiosis and its effects.

To which The Hon. R. C. Mattiske had moved an amendment—

> That after the word "effects" in the motion as amended the following words to be added:—
>
> > by a committee of which the chairman is a medical practitioner who has had extensive experience in the field of pneumoconiosis, into the diagnosis of pneumoconiosis and into the existing provisions in the Workers' Compensation Act, 1912-1961, relevant to pneumoconiosis and related medical conditions and compensation of workers so afflicted.
> >
> > The committee shall have the powers as if it had been appointed a Royal Commission, shall have power to call and examine such witnesses as it may require; call for papers, files and documents; move from place to place; examine any institution or workings as may be necessary; call for medical reports of afflicted miners; and possess such other powers as the Government may think fit.
> >
> > The committee shall make recommendations to the Government for the improvement of the provisions of the Workers' Compensation Act, 1912-1961, which refer to pneumoconiosis.
> >
> > The committee shall report to the Government on the advisability or otherwise of coalescing the Mine Workers' Relief Act, 1932-1961, with the workers' Compensation Act, 1912-1961.
> >
> > The committee shall report on any recommendations they may consider necessary for the improved working conditions of the mines.
> >
> > The committee shall make such recommendations as it considers necessary into the administration of the relevant provisions of the Workers' Compensation Act, 1912-1961.

THE HON. R. H. C. STUBBS (South-East) [8.52 p.m.]: I wish to speak to this motion as there is a part of it which I like and a part which I certainly do not like. I will briefly mention the part I do not like and elaborate on it later. I am against coalescing the Mine Workers' Relief Act with the Workers' Compensation Act because I consider the people are called upon to make their own compensation payments when that is a responsibility of the mine owners, who can well afford to pay it. I will elaborate on that later.

It is quite a few weeks since Mr. Heenan first introduced this motion for a Select Committee; and it is also quite a while since Dr. Hislop told us of the medical side of it. Perhaps I can again remind the House of the position by quotation from *Ventilation of Mines* by Weeks, a book I had when I was in an executive position in the mines. Pneumoconiosis comes from a Greek word meaning "lung" and "dust". The book states as follows:—

> Certain rock dusts are a serious menace to the health of the miner. They produce a disease known as pneumoconiosis, but more commonly called silicosis.
>
> Probably only the smallest particles reach the alveoli. According to most authorities, the size of the particles that damage the lung is below 12 microns in largest dimension and most of the particles are 5 microns or less.

One micron is 1/25,000 of an inch. Continuing—

> Silica dust, for reasons not definitely known, is not easily eliminated from the lymph ducts. It there sets up an irritation, and scar tissue forms about it. If much dust is present, a large part of the lung is changed into a fibrous condition by the formation of this tissue. This is silicosis. For

the disease no cure exists, because the normal structure of the lung is destroyed.

I repeat that no cure for the disease exists. Continuing—

> All dusts which are insoluble in the fluids found in the lung and which are of sufficiently small size to be inhaled impair the functional activity of the respiratory mucosa and are influences predisposing to bronchitis and pneumonia. The extreme fineness of the dust makes the danger a subtle one.

The McIntyre Porcupine Mines Limited booklet states—

> But the silica keeps on dissolving and damaging more and more cells and nature keeps on trying to stop it by building up more and more scar tissue until finally there are groups of scar tissue scattered through the lungs, as is shown in the X-ray film. The condition is then known as "silicosis".
>
> This scar tissue, which nature forms to try to stop the damage from spreading, hinders the passage of oxygen through the walls of the air sacs into the bloodstream; thus, the whole body with its millions of cells begins to suffer from lack of oxygen. Breathing gradually becomes faster and more difficult. Also, due to this scar tissue, the lungs are weakened and an infection like the common cold, is harder to cure.

I thought I would remind the House again of the effects of dust. Other diseases are caused by silicosis. There is emphysema, which is a disease described as silicosis; and there is fibrosis of the lung, which may proceed to bronchitis from emphysema. Asbestosis is another disease of the lung which is contracted in the asbestos mines, particularly at Wittenoom Gorge.

In the goldmining industry there is not much a person can look forward to except perhaps a violent death, or a slow death by silicosis, or disablement. Anyone who has had anything to do with the mining industry will know that one virtually sees men coughing their lives away because of silicosis.

In my humble position I feel I cannot state the case of these miners well enough to show what a subtle disease silicosis is. When we attended the School of Mines in Kalgoorlie, we learned that the dust recovered from a miner's lung, when exaggerated 8,000 times, is at its smallest about the size of a cigarette end, and at its largest about the size of an orange. Therefore, one can see it is difficult to do much about it.

I feel there is only one answer, and that is ventilation in the mines so that plenty of air can sweep the dust away. It is a well-known fact that water will not lay dust. It will lay the large particles; but it is not those large particles that enter the lungs. In regard to the small particles which do enter the lungs, water will not lay them.

The Hon. A. F. Griffith: Ventilation in the mines has improved tremendously in recent years.

The Hon. R. H. C. STUBBS: I admit that, because I have had a lot to do with the mines. Just the same, silicosis has not been reduced, nor has tuberculosis. In the mining industry there is quite a lot of heart trouble and this complaint is not compensable. Dr. Hislop emphasised this when he showed us his X-ray films the other night; and probably if this inquiry is instituted we will achieve some improvements. The problem of ventilation is essentially an engineering one and it could be covered by the following portion in the motion:—

> The committee shall report on any recommendations they may consider necessary for the improved working conditions of the mines.

The Mines Regulation Act is not very specific when it deals with the standard of purity of air. That Act says that it shall not exceed 0.25 per centum by volume, but at any point where firing of explosives has taken place, a greater percentage of carbon dioxide shall be permissible until 30 minutes have elapsed since the last explosion. That only deals with the quantity of oxygen that will assist life; and 50 cubic feet of air per minute is what the human body needs to sustain normal life. In America and such places, where the incidence of silicosis is much less, they have huge volumes of air going through the mines. We have, too, in parts of Kalgoorlie and Norseman; but that 0.25 simply represent enough air to sustain human life. It says here—

> The quantity of air circulating in each ventilating district shall be determined at least once in every three months and recorded in a record book.

Coming back to asbestosis, it is a very damaging disease about which we seem to know little. It says, in this book titled *Occupational Health Review*, as follows—

> From the data it can be concluded that lung cancer was a specific industrial hazard of certain asbestos workers and that the average risk among men employed for 20 years or more has been of the order of 10 times that experienced by the general population.

There seems to be some misunderstanding about the examination of men in the mining industry. I will quote from the case of a man in Norseman. He received an industrial ticket in 1959, 1960, 1961 and again in 1962. It says here—

> Take notice that you are reported as having developed silicosis in the early stage, and that further employment underground at a mine may be detrimental to your future health.

That was in 1959. He received a similar one in 1960, and again in 1961; and he has now, in 1962, received a notice which reads—

> Take notice that you were found not to be suffering from silicosis, asbestosis or tuberculosis.

In 1959, 1960, and 1961 this man is silicotic and in 1962 he is not. There seems to be something wrong there. Here is another case. I will not mention the man's name. He is 55 years of age and he has worked in the mines for 39 years, doing different types of work. After all those years he is not well and yet he has a clean ticket. He has worked in the mines for 39 years and he is not suffering from silicosis. People who know about mining cannot understand that. People who work in the mines where the silica exists know that 39 years is a terrifically long time.

I have here the case of a man who has been connected with the mining industry since 1936. This man is suffering from shortage of breath. The breathing action of all these men is laborious; yet they are told they are not suffering from silicosis. It is obvious they are suffering from something. I think the situation comes down to the fact that we should look into this sort of thing. That is why I support the amendment to an extent, although there are parts of the amendment with which I do not agree. In my opinion, a doctor or the Commissioner of Public Health should be on the committee. Also, the Australian Workers' Union and the Chamber of Mines should be represented on the other side.

The Hon. A. F. Griffith: We will get as representative a committee as possible, so long as it is not too large.

The Hon. R. H. C. STUBBS: Both sides should be heard on this matter. The Chamber of Mines is vitally concerned, and so are the miners and their representatives. As the terms of reference point out, we should be able to examine all the information which is available.

I now wish to refer to the payment of a lump sum for compensation. I am not happy about that. I think it is a confidence trick. It has been going on for years, I admit, but I think the worker should be protected against himself.

I have here details of a man in Coolgardie who was 25 per cent. silicotic. He accepted a lump sum payment to go prospecting. Unfortunately, silicosis being a progressive disease, he got worse and worse. He then contracted tuberculosis and had one lung removed. This man has progressed to being 50 per cent. silicotic, but because he accepted a lump sum he is now debarred from any further payment—yet there has been an increase in his condition from 25 per cent. silicosis to 50 per cent.

I am against these lump sum payments, because workers should be protected. I know that adverse situations arise, and these workers are tempted to take the lump sums. Some of these men can hardly get around because of the advanced state of the disease.

The incidence of tuberculosis in the mining industry has been with us for years, and it does not get any better. The Commissioner of Public Health in his report for 1954 had this to say—

> The Tuberculosis Case Register in this State supplies the following facts as at 31st December, 1954:—
>
> Of the total number of 2,769 notified cases, there are 218 known to be ex-goldminers; of these 138 are registered as suffering from pulmonary tuberculosis, and 80 from silicosis with superadded pulmonary tuberculosis (silico-tuberculosis).
>
> In addition to the above, 141 ex-goldminers have been removed from the Register since 1949 . . . The majority of these removals have been because of death.
>
> An analysis of the admissions to the Wooroloo Sanatorium over the last four years shows that out of a total of 763 male admissions and re-admissions, 124 or 16 per cent. have been ex-goldminers.
>
> The above facts must be correlated to the population of the goldfields in relation to the total population of the State . . . Given in round figures, there is a population of 25,000 on the goldfields related to the total population of 650,000 of the State . . . At the Wooroloo Sanatorium it is quite common for 20 per cent. of the male beds to be occupied by ex-miners . . . Out of the last 173 deaths at the Wooroloo Sanatorium 47 (or 27 per cent.) were ex-miners.

The 1958 report of the Commissioner for Public Health dealt with the Kalgoorlie Chest Clinic. It says—

> Despite intensive effort since 1952, the amount of tuberculosis infection in the Goldfields is still much greater than it should be in relation to the relatively small population. However, the Clinic Chest Physician, Dr. McNulty, has worked very hard on the problem and in his second year has achieved more satisfactory supervision . . . .

Dr. McNulty's report is included. It says—

> During 1958, all miners accessible to the Clinic with abnormal chest x-rays were examined and investigated. Where indicated, investigation included admission to hospital . . .
>
> The routine examinations revealed seven miners and 25 ex-miners with tubercle bacilli in sputum or gastric contents.

There were 238 miners who required special supervision. So, in 1958, Dr. McNulty was not happy about the situation. In 1959

there was a brief reference in the report of the Commissioner of Public Health. He deals with examinations, and he concludes by saying the results were disappointing. It would appear there has been little improvement in the incidence of this disease for many years, despite the great advances in medicine and better conditions.

We can therefore see what a problem it is. We are improving ventilation, yet we still have silicosis and tuberculosis occurring in all the mining towns on the goldfields. I now wish to deal briefly with pneumoconiosis in relation to pulmonary tuberculosis. The 1960 report of the Commissioner of Public Health had this to say—

> Tuberculosis remains a problem in the mining areas. A third mass survey of the Kalgoorlie-Boulder Goldfields district during the year produced a crop of new notifications representing an incidence of 2.1 per 1,000 persons X-rayed.

Here again, we can see that we have not improved. The name of Dr. Schepers has been mentioned. He was reported in *The Kalgoorlie Miner* on Friday, the 6th June, 1961, when he visited Kalgoorlie. If Dr. Schepers was examined by the committee, I think that some of his statements which appeared in the Press would be considered as being incorrect. The Press report says—

> Impressions gained by Dr. Schepers included:—
>
> > Features of silicosis which usually make persons ill—such as bronchitis, emphysema and heart diseases—were relatively uncommon to the Kalgoorlie district.

I do not think that is right.

The Hon. R. F. Hutchison: I don't, either.

The Hon. R. H. C. STUBBS: I am quoting from the newspaper. He was in Kalgoorlie for two days, and this was attributed to him. It says further:

> He pointed out that the tuberculosis rate in the United States was now down to one in every 100,000.
>
> In Kalgoorlie it is a great deal more than that. This is something that must be eradicated, as it will maintain silicosis.

The report further notes—

> He continued: I am of the impression that the features of silicosis which usually make persons feel ill are relatively uncommon here. They are bronchitis, emphysema and heart disease.

Nearly everyone who works underground contracts silicosis. High humidity has a lot to do with it. On the plat it is cold. In some areas the work sites are more than a mile away—or a considerable distance—and these men have to go into hot places. They work in conditions of high humidity and they perspire profusely. They are breathing artificial air all the time.

Then they come out to the plat and there is a change of conditions. Perhaps that is the reason for the bronchitis. I do not know, but it might be. I think it might have some bearing on the cause.

The mines try to keep the conditions as good as they can, but then the human factor comes into it. The venturis get blown up, motors burn out, and fans stop. These things cannot be helped, but they do happen and as a result the men breathe air with a high dust content. Dr. Schepers also thinks aluminium therapy might help. I will have a little to say about that later.

Dr. Davidson (the Acting Commissioner of Public Health) replied to Dr. Schepers in *The Kalgoorlie Miner* on the 21st January, 1961, and said—

> My attention has been drawn to statements made in Kalgoorlie by Dr. G. W. H. Schepers as reported in the edition of your paper of January 6.
>
> Dr. Schepers has apparently made statements regarding the health of goldfields miners for which I can find no justification in the figures available to this department.
>
> Respiratory diseases are still prevalent in Kalgoorlie miners and there is no indication of a decrease in the prevalence of silicosis since the introduction of aluminium therapy.
>
> The incidence of tuberculosis is falling in all parts of the State except Kalgoorlie-Boulder and this is despite the fact that control measures have been more intensively applied at Kalgoorlie than elsewhere.
>
> The high tuberculosis incidence in Kalgoorlie is directly linked with the prevalence of silicosis and will not be overcome until silicosis is controlled.
>
> In the opinion of this department there is no effective prophylactic against silicosis that replaces or minimises the need for stringent measures of dust control.

As far as I know, Dr. Schepers did not visit any other mining area.

There is just one other matter I would like to mention. As I said earlier I am against the coalescing of the Mine Workers' Relief Fund with the Workers' Compensation Act. I can see no justification for it, and I am definitely and emphatically against it. I fail to see why men should, in effect, be called upon to pay their own compensation; and that is simply what it amounts to.

The Hon. A. F. Griffith: It does not necessarily mean that.

The Hon. R. H. C. STUBBS: In my opinion it does.

The Hon. A. F. Griffith: No.

The Hon. R. H. C. STUBBS: I think we would be doing the right thing by the miners if we tried to bring in some pension scheme for them; and I think they would willingly contribute to a pension scheme. I am led to believe that there is quite a large sum in the silicosis fund in the State Government Insurance Office.

The Hon. R. F. Hutchison: There is, too.

The Hon. R. H. C. STUBBS: If that fund were invested it could be the basis of a pension scheme for the miners. It is high time we gave serious consideration to this matter.

From answers to questions recently put by me, I learned that the coalminers are much better off than the goldminers. I put it to the Minister that he should try to do something for the goldminers. When we compare the coalminer with the goldminer we find that the coalminer gets a pension of £6 2s. 6d.; his wife £5 7s. 6d.; and each child £1. The goldminer gets £2; his wife £2; and each child 10s.; and it is only after a goldminer has cut out his silicosis money that he can get the £2 pension; or if he, or his wife, is on the age or invalid pension.

The Hon. A. F. Griffith: Be fair and finish it off by telling us what each section provides to each fund.

The Hon. R. H. C. STUBBS: I will. It is a matter of money; and I suggest that the goldminers would willingly pay for it.

The Hon. A. F. Griffith: You know the job we had to get another 9d. a week out of them for the Mine Workers' Relief Fund.

The Hon. R. H. C. STUBBS: Yes, because they have to exhaust their compensation payments before they go on to the relief fund. If there were a pension scheme of some sort, I think the goldminers would gladly contribute to it.

The Hon. G. Bennetts: What about the surface workers and the Mine Workers' Relief Fund?

The Hon. R. H. C. STUBBS: I am coming to that point.

The Hon. G. Bennetts: They pay in but do not get anything.

The Hon. R. H. C. STUBBS: They pay into the Mine Workers' Relief Fund—winding engine drivers, fitters, and all other surface men pay into it as it is a condition of their employment. But when they leave the industry they get nothing out of the fund. They can work in the industry all their lives, but under present conditions they get nothing unless they have silicosis. I think those people would gladly contribute more money to a pension scheme than they do the Mine Workers' Relief Fund, as it would be fairer for them. The only ones who get anything out of the fund now are miners, silicotics, age pensioners, and invalid pensioners.

The Hon. J. J. Garrigan: Certified by a doctor.

The Hon. R. H. C. STUBBS: Yes. The point is this: What chance has a surface worker of getting anything out of this fund? He has no chance. This is just taking money under false pretences. These men would gladly contribute to something from which they would get a return when they retired.

The Hon. J. G. Hislop: Is not that what I said?

The Hon. R. H. C. STUBBS: Yes; and I said I agreed with part of what the honourable member put forward; but I disagree with some of it. That is all I have to say about silicosis at the moment.

I was going to speak about aluminium therapy, but I do not think it does much good. Aluminium therapy has been tried and is still being tried but, in my opinion, there is no evidence that it has done any good. Under the Mines Regulation Act, the men undergo this treatment for ten minutes in the morning and ten minutes at night in change rooms. I know many people who have had the treatment ever since the inception of aluminium therapy, but they still get silicosis.

The theory of aluminium therapy is that the aluminium dust puts a coating around the silica dust. If we put varnish over a lump of sugar we could put the sugar in water and it would not dissolve, but without the varnish it would. Well, that is the effect that aluminium has on dust. The theory is that it puts a coating around the dust so that the dust cannot damage the lungs.

At this stage I am neither supporting nor opposing the amendment. There are parts I like and parts I do not. I reserve the right to decide later the way I shall vote.

THE HON. G. BENNETTS (South-East) [9.23 p.m.]: I am pleased to see something come before us in connection with workers compensation. Mr. Heenan's motion could not achieve anything now because it is too late in the session. The only thing is to appoint a Royal Commission, which I do not believe in. Dr. Hislop's amendment would mean getting people here from other parts of the world.

The PRESIDENT (The Hon. L. C. Diver): Order! Dr. Hislop's amendment has been dealt with.

The Hon. G. BENNETTS: I am all for doing whatever we can to set up an inquiry into workers' compensation which, after all, is only an alternative to common law. The Workers' Compensation Act provides for compensation for injuries to persons who are employees in industry, as a result of their own mismanagement or through the neglect of some other employee who fails to take reasonable care, or because the management fails to provide safe-working conditions.

Many compensation cases are caused by neglect of the employer to ensure proper safety for the worker. A person who is injured always looks for compensation; and when we consider the compensation that is paid to a person under common law, we find that he can get a judgment for up to £20,000 for injury or death. Also under common law a person can receive payment for the time he is in hospital in accordance with the wages he is earning; and he can also get a considerable amount of money for his own and his wife's expenses; and the children are better covered under common law than they are by workers' compensation.

Under workers' compensation the maximum allowed for the medical practitioner is £150; and, as members know, £150 does not go very far these days. At the moment I know of three persons who are receiving workers' compensation payments. They are in Boulder and Norseman. At Boulder there are two of these people and they would have been under the doctor for 12 months, and the one in Norseman for about 15 months. I would hate to think what their medical expenses will be.

Also at present £250 is allowed for hospital expenses, and that does not go far. The person in Norseman is up for a few hundred pounds—I think £900 on the last occasion when I visited Norseman and spoke to him. The amount he could get if he were fully incapacitated would be £2,700 plus £300. If he is fully incapacitated he gets two-thirds of the weekly wages he was earning at the time of the incapacity. So members can see that a person on workers' compensation receives very little. Therefore if many of these people could come under common law they would be much better off.

I have been on the goldfields since 1896 and in the early days it was shocking to see the number of miners affected by what we called miners' complaint. Many of the people who were buried in the cemeteries then were young men of 40 to 50 years of age, and I would say that 80 per cent. of them were dusted miners.

When I worked underground on the Ivanhoe mine in 1912 I met with an accident—I was buried in a pass; and the compensation then was practically nothing. But through conferences of the unions, the Chamber of Mines, and the mine managers we have got better compensation conditions; and I will say that the underground working conditions today, because of the ventilation that is provided and the exhaust fans that take the foul air out of the long drives, are considerably improved.

When I was working in the mines the machine miners would often fire out while we were still in the drives; and on many occasions, as a result of the dust and fumes, one would go home suffering from a severe headache and, at the end of the week, one could hardly hold one's head up. Today, however, they have overcome many of these difficulties. At the present time most of the miners seem to be suffering from bronchitis.

Mr. Stubbs referred to the difference between the air underground in a mine and that on the surface. He is quite correct in his assertions. Once a man enters the cage and steps off at the 1,600 ft. level he enters a cool stream of air which is travelling along the drive and from then on he is subjected to varying degrees of temperature. At the conclusion of the shift he enters the cage again and is brought quickly to the surface to be again subjected to different conditions and temperatures.

In these circumstances, it is only natural that the men suffer from colds and bronchitis. I would like to see the formation of a board to assess to what degree these men are incapacitated and eligible for workers' compensation payments. At the moment Dr. McNulty in Kalgoorlie is doing a wonderful job, but he is only one man and, in my opinion, his responsibilities are too great. I do not know whether any further check is made on a man's incapacity to work in the mines other than that which is made by the X-ray film. In my opinion a board should be constituted to decide to what extent the lungs of a miner are affected.

The decision that has to be made by Dr. McNulty alone is rather great, because on his shoulders rests the responsibility of deciding the amount of money to be paid out in benefits to an affected miner. So, in effect, he is taking funds out of the Treasurer's pocket. If a board were constituted, on which were elected a local medical officer and a representative of the A.W.U. Mining Division, the responsibility would be spread.

The Hon. F. R. H. Lavery: You are not suggesting that Dr. McNulty would be helping himself to Government funds, are you?

The Hon. G. BENNETTS: No, I am not suggesting that at all.

The Hon. F. R. H. Lavery: From what you said it sounded as if you were.

The Hon. G. BENNETTS: I am making no such suggestion. When a man is found to be dusted after being examined by the mobile X-ray unit or the Kalgoorlie laboratory, he is advised to leave the industry, and everything is done to assist him to rehabilitate himself in some other occupation. I heard Mr. Stubbs say that he did not agree with the payment of lump sums to dusted miners. I do not think the Mine Workers' Relief Fund readily agrees to lump sum payments to dusted miners or their dependants.

On one occasion a miner who was entitled to compensation approached me to ascertain if he could obtain his benefits in a lump sum, and I had a great deal of difficulty in getting the board to agree. Approval was only given because a certain amount of money had to be put up to buy a house to accommodate this man's family and, at the time, the affected miner was unable to raise the necessary funds. I had to approach the board for the lump sum payment based on the argument that the money was necessary for the purchase of the house, but the money was obtained only after great difficulty.

I am aware that forms are sent to miners who are dusted advising them that they should leave the industry and apply for other occupation. On many occasions miners approach me to sign forms for them, but I am very cautious and I send them to the A.W.U. organiser so that he can check their cases and give his opinion. I think that is the best approach for these men to take.

I do not think it would be a wise move to amalgamate the Mine Workers' Relief Act with the Mine Workers' Compensation Act. I have had many surface workers, such as engine drivers, battery hands and so on, approach me complaining that they are unable to obtain any benefits from the Mine Workers' Relief Fund despite the fact that they have been contributors. Naturally, they are quite hostile about this and they have stated they would be quite prepared to come under some agreement which would provide a scheme of benefits to enable them to obtain compensation from the fund. There are many workers who do not mind contributing 1s. 9d. a week to the fund if they are able to get some benefits from it.

I have had living next door to me a man who held many laboratory tickets advising him that he was dusted. He suffered a great deal from bronchitis. Immediately he contracted a cold the doctor prescribed a cure for bronchitis. This condition was always brought on by his working underground.

I do not intend to say much more on the motion because Mr. Stubbs and Mr. Heenan have put forward an excellent case for the appointment of a Select Committee. However, I would like to again mention that I would like to see a committee formed of, say, a panel of three men, two of whom could be medical practitioners, to decide how badly a man is dusted and what benefits he should receive. I hope, therefore, the Minister will take into consideration the opinions of our union representatives in Kalgoorlie, who have a thorough knowledge of this subject. They are, in many cases, personally acquainted with the men who are dusted, and are extremely interested in the subject generally.

If a committee is formed I am sure the Minister will be able to bring down constructive legislation during the next session of Parliament. There is no doubt that something should be done in the near future. As each year passes the men whose lungs are affected have to put up with the standard rate of benefits despite the fact that the cost of living has risen. Therefore, the sooner we take some active steps in the matter the better it will be for all concerned.

During the debate on this motion mention was made of the Day Dawn mine and the number of men employed on it whose lungs were affected by quartz dust. That is quite correct. The mine next to it was the Waterfall mine at Golden Ridge. I was transferred to Golden Ridge as stationmaster whilst employed by the Commonwealth Railways, at the end of 1912, and it was pitiful to see the number of men at that centre whose lungs were affected by quartz dust. I have made my small contribution towards the framing and drafting of a new Workers' Compensation Act and I hope that in the next session of Parliament we will find a constructive piece of legislation introduced for the benefit of mineworkers generally.

THE HON. J. J. GARRIGAN (South-East) [9.38 p.m.]: I support Mr. Heenan in his move for the appointment of a Select Committee to inquire into industrial diseases, and into the Workers' Compensation Act and the Mine Workers' Relief Act, and I congratulate him for bringing the motion before the House. I suppose Mr. Stubbs and I know more about the practical side of this subject than any other member of this Chamber. I worked underground for 25 years and I know a great deal about this subject as a result of practical experience. Industrial diseases, such as silicosis and pneumoconiosis are contracted by miners as a result of working underground.

There are certain miners, however, who can be helped with the payment of compensation. They are the people who work underground and who operate the machines and the scrapers. They all work among heavy dust. But the platelayer and others like him instead of working in dusty places, work in damp places. Nevertheless, they still suffer from solicosis and pneumoconiosis as the result of inhaling dust. In many instances, however, these men find great difficulty in obtaining compensation. In bringing this motion forward, however, Mr. Heenan has done a great service for the goldminers of Western Australia.

Men do not go underground just to look around, but to earn a living. When they step into the cage to be taken underground, there are two ways they can die; they can die suddenly as a result of a fall of ground, or they can suffer a lingering death by contracting silicosis or pneumoconiosis. They can, of course, die a

natural death, by taking heed of the words in the famous old song, "Don't Go Down The Mine, Daddy."

Over the years doctors, scientists, and experts have done everything possible to prevent miners contracting silicosis. Ventilation inspectors and other experts have done an excellent job in improving conditions underground. Venturis and exhaust fans have been installed to purify the air in the mine; and doctors, as I have said, have made every endeavour to prevent industrial disease. However, there is no prevention and no cure. It is up to us, therefore, as members of Parliament to make every endeavour to ensure that these men are justly compensated for the services they have performed in the interests of the State at the cost of their health and even their lives, especially in times of stress and strain such as during the depression years. I can only hope that the members of this House will view this motion in a sympathetic manner. I am quite sure they will.

I respect Dr. Hislop and the knowledge he has of this subject. During my short career as a member of Parliament and my long and varied career as a citizen of this State, I have not believed in the appointment of Royal Commissions. They are too cumbersome and too unwieldly. On practically every occasion the recommendations that have been made by a Royal Commissioner following the taking of evidence, have been shelved.

I remember my brief experience as a member of a Select Committee appointed to inquire into workers' compensation in 1955. The chairman of that Select Committee was our grand old friend the late Mr. Harry Hearn. A considerable amount of work was performed by that Select Committee. Its members visited Kalgoorlie and other mining centres and we got a very sympathetic hearing from the members of the Government who were in Opposition at that time.

I am certain, therefore, that we will get every consideration from the Government in regard to the implementation of this motion. On the diagnosis of silicosis and industrial diseases in affected miners, too much responsibility is placed on the shoulders of one man. I am referring to the doctor stationed at the Kalgoorlie laboratory.

I consider that a panel of three men should be constituted, comprising the laboratory doctor, a miner's own family doctor and a doctor who is an expert on the diagnosis of silicosis and pneumoconiosis. Such a panel should decide whether a man is dusted or not and the amount of compensation that should be paid to him.

Dr. McNulty is a very capable and fair man but too much responsibility is resting on his shoulders. In regard to the Mine Workers' Relief Act, I consider that insufficient consideration is given to one section of the goldminers of Western Australia. They are the surface workers, who have been mentioned by Mr. Bennetts and Mr. Stubbs. They are compelled to contribute to the Mine Workers' Relief Fund, well knowing that they cannot get anything out of it. They may be blacksmiths, carpenters, change room attendants, or mine office workers. It is like taking money under false pretences from them.

The Hon. A. F. Griffith: How long has that been going on?

The Hon. J. J. GARRIGAN: For many years under all Governments. When the proposed Select Committee is appointed it should look into this aspect very carefully. I support the remarks of Mr. Stubbs and Mr. Heenan, both of whom have advocated the establishment of a pension fund, so that when payments are made to that fund the contributors will know they will receive something out of it.

The Hon. A. F. Griffith: It is a better contribution than that made under the Mine Workers' Relief Fund.

The Hon. J. J. GARRIGAN: I know. It is in the Act and the Act has to be altered. I support the motion moved by Mr. Heenan and I appeal to members to give it their support so that justice to the mining industry will be brought about, and the workers in the goldmines will be able to receive some benefit to compensate for industrial diseases, including silicosis.

THE HON. E. M. HEENAN (North-East) [9.47 p.m.]: This debate started as a motion moved by me for the appointment of a Select Committee; subsequently Dr. Hislop moved an amendment to the effect that the matter be inquired into by a Royal Commissioner, the inference being that an eminent person well versed in this type of disease be appointed from overseas. The Minister for Mines then moved an amendment in the following terms:—

> That this House requests the Government to institute an inquiry into the diagnosis of pneumoconiosis and into the existing provisions in the Workers' Compensation Act, 1912-1961, for the compensation of workers afflicted with pneumoconiosis and its effects.

The PRESIDENT (The Hon. L. C. Diver): I respectfully draw the attention of the honourable member to the fact that the question before the House is that the amendment on the motion as amended be agreed to. That is the amendment moved by Mr. Mattiske, to insert certain words.

The Hon. E. M. HEENAN: I thank you for correcting me. I feel sure every member has derived considerable satisfaction from the general trend of the debate. Although we have found ourselves at variance as to the course to be adopted, I, at

any rate, consider that all members are unanimous in their desire for an investigation to be carried out so that people who are interested in the subject and who have special knowledge will be able to contribute to that inquiry.

As regards the amendment moved by Mr. Mattiske the conclusion can be drawn that it was inspired by Dr. Hislop. I say here and now that I am sure I am voicing the opinion of all members when I thank Dr. Hislop for his interest in, and his contribution to, this debate. I hope he will not for one moment think that I am ungracious in opposing the proposition put forward by Mr. Mattiske, but I oppose it for several reasons.

The Minister has promised an inquiry which I gather will get under way soon. He has indicated that anyone at all interested in the subject will be given adequate opportunity to place his views before the committee. In Western Australia there are some doctors, not the least of whom is Dr. Hislop, who are very conversant with the problem. They have had years of close contact with miners and the conditions under which the miners work, and those doctors can be called on readily. I am sure their services will be made available.

Then there are the men engaged in the industry and their leaders, and also the representatives of the Chamber of Mines. All of them can make a worth-while contribution to the inquiry, and they are all on hand. If we adopt the proposal put forward by the Minister the inquiry will get under way, and the Minister will probably receive a report which, I hope, will be the basis of legislation to be introduced in Parliament next year.

If the proposition of Mr. Mattiske's is adopted I am sure delay will be occasioned. I gather from the remarks of the Minister who speaks on behalf of the Government, that it does not favour this proposal. For those and other reasons we should not agree to the amendment moved by Mr. Mattiske; rather should we agree to the proposition of the Minister. If that is done Dr. Hislop will not lose any of his enthusiasm. In recent years I have personally referred a number of miners to him, and as a result of his help and medical skill those men have benefited greatly. On the goldfields his name is well respected.

All I am seeking is an inquiry. Goldmining is an important industry, and Kalgoorlie is an important and prosperous centre of Western Australia. As Mr. Garrigan pointed out, not all mine workers work in dusty conditions, and some of them work under damp conditions which contribute to diseases other than silicosis. The feeling is that the Act at present is not sufficiently comprehensive to cover some of the conditions which directly affect the health of the miners and which are industrial in origin.

When directing the inquiry I hope the Minister will not bypass the proposal that some consideration be given to a pension scheme. He has pointed out that the board has experienced difficulty in getting some of the contributions to the Mine Workers' Relief Fund increased to 1s. 9d. per week. If some pension scheme can be devised the miners of Kalgoorlie will contribute to it just as willingly as the Collie coalminers do. After they have been working in the mines for 10 to 20 years they will take pride in drawing money from a fund to which they have contributed.

There is a great deal of misconception about the Mine Workers' Relief Fund. It is only an insurance scheme, and, like all insurance schemes, it draws nothing out of the fund. It is quite good, as far as a fund goes, and it is administered by a fine body of men. The contributions are very small, and of course the benefits are limited. It is complicated by the fact that Commonwealth social service payments have to be taken into consideration.

I thank all members for the interest they have taken in this matter. As I have reported to a number of my friends in Kalgoorlie, they can rest assured that this House is definitely interested in trying to bring about some benefit on their behalf. If the inquiry proposed by the Minister can submit worth-while proposals which can be embodied in legislation during the next session of Parliament then all of us will have occasion for satisfaction and, indeed, pride in having given the matter our attention.

Finally, I am quite satisfied with the assurances given by the Minister. He has taken a genuine interest in the mining industry in his capacity of Minister for Mines. I hope that amendments to the Workers' Compensation Act next year will show further evidence of a contribution made to the general welfare of the miners.

Amendment on motion, as amended, put and negatived.

Question (motion, as amended) put and passed.

HEALTH ACT AMENDMENT BILL (No. 2)

Order Discharged

Order discharged from the notice paper, on motion by The Hon. R. H. C. Stubbs.

House adjourned at 10.3 p.m.