

where otherwise provided, the Electoral Act will apply.

Clause put.

The CHAIRMAN: The "ayes" have it.

Mr. Leslie: Divide!

The CHAIRMAN: There is only one "no." I cannot give a division on that. I declare the clause passed.

Clause thus passed.

Clause 16—agreed to.

Clause 17—Electors to vote on both questions:

Mr. LESLIE: Subclause (2) is quite unnecessary. If an elector does not wish to vote on one of the questions, it should not be necessary for him to do so. If he votes on question (A) and says "yes," there is no necessity for him to vote on question (B), and vice versa. The clause is redundant and likely to make the referendum baffling to electors when they are being told what they are supposed to vote for. I move an amendment—

That Subclause (2) be struck out.

Mr. SEWARD: This is an extraordinary clause and I would like the Minister to explain it. Subclause (1) says that question (B) of the prescribed questions shall be deemed to be and shall be voted on as being an alternative to question (A). How can it be an alternative and how can we say that as an alternative we want something else when we have abolished the Council?

The Minister for Justice: If it is not abolished there is the alternative.

Mr. SEWARD: If it is abolished there can be no alternative. People are asked to vote on whether they want the Council abolished or whether they want a different franchise. What is the use of saying that they must vote for an alternative?

The MINISTER FOR JUSTICE: It is essential to retain this provision. If the Legislative Council is abolished or if there is a majority of the people in favor of abolition, the alternative will not be used, but if the majority decided not to favour abolition the alternative vote would be counted. This clause is an important part of the Bill.

Amendment put and negatived.

Clause put and passed.

Clauses 18 and 19—agreed to.

Schedule: Forms A, B, C, and D.

Mr. LESLIE: I wish to draw the attention of the Minister to the fact that it will be necessary now to make consequential amendments to Forms C and D. As it is intended to recommit that clause I will not move the amendment standing in my name to Form D, on the understanding that the Minister will bring down the consequential amendments.

Schedule put and passed.

Title—agreed to.

Bill reported with amendments.

House adjourned at 10.5 p.m.

Legislative Council.

Thursday, 5th September, 1946.

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

ADDRESS-IN-REPLY.

Presentation.

The PRESIDENT: In company with several hon. members, I waited on His Excellency the Lieut.-Governor and presented to him the Address-in-reply agreed to by this House. His Excellency replied as follows:—

Mr. President and hon. members of the Legislative Council—I thank you for your ex-

pressions of loyalty to His Most Gracious Majesty the King and for your Address-in-reply to the Speech with which Parliament was opened. (Sgd.) James Mitchell, Lieut.-Governor.

QUESTIONS.

RAILWAY REFRESHMENT ROOMS.

As to Sunday Sale of Liquor to Hikers.

Hon. J. A. DIMMITT (for Hon. A. Thomson) asked the Chief Secretary:

1, Is he aware that the Railway Department in providing trains for hikers to country districts permits the bars at its refreshment rooms to remain open for the sale of spirituous liquors?

2, Is he aware that much discomfort and annoyance is caused to men, women and children travelling on these trains by the drunken and disorderly behaviour of hoodlums who are able to purchase this liquor at Chidlow and Spencers Brook stations?

3, As all licensed premises in city and country are bound by the law to remain closed on Sundays, will the Minister see that the bars at railway refreshment rooms remain closed on similar occasions?

The CHIEF SECRETARY replied:

1, 2, and 3, The practice followed by Railway Department refreshment rooms is in conformity with the appropriate laws and the regulations thereunder. Some police supervision has been provided on these trains and the matter will be closely watched to avoid any possibility of disorderly behaviour.

ROYAL PERTH HOSPITAL.

As to Cost and Financing.

Hon. H. TUCKEY asked the Chief Secretary:

1, The total anticipated expenditure on the new Royal Perth Hospital?

2, The amount expended to date?

3, The amount paid by the Lotteries Commission?

4, The amount paid by the Government?

The CHIEF SECRETARY replied:

1, So many changes have occurred and are occurring in medical practice, equipment, and hospital administration, as well as such developments as reduced hours for

nurses, that any estimate of final cost is impossible at this stage.

2, £505,600.

3, Interest and sinking fund £87,297 2s.

9d. Reduction of capital liability £100,000.

4, £405,600.

STATE LEGISLATURE.

As to Average Age of Members.

Hon. W. R. HALL (for Hon. C. B. Williams) asked the Chief Secretary:

1, Can the Minister confirm the assertion that the average age of members of the Legislative Council is over 62 years?

2, Can the Minister deny that the average age of—

(a) members of the Legislative Assembly is 57 years;

(b) members of the Ministry is 57½ years?

The CHIEF SECRETARY replied: I have no information on this subject.

PUBLIC TRUSTEE.

As to Estates Administered, etc.

Hon. V. HAMERSLEY (for Hon. A. L. Loton) asked the Chief Secretary:

1, What is the number of estates administered by the Public Trustee?

2, What was the amount of profit, if any, for financial year ended June, 1946?

3, What was the loss, if ended, for the financial year ended June, 1946?

The CHIEF SECRETARY replied:

1, 1,090.

2 and 3, The total cost of administering the office was £20,919 9s. 4d. The revenue collected was fees £12,440 14s. 3d. and unclaimed moneys paid into Crown Law Revenue totalled £3,186 3s. 4d.

The Public Trust Office provides a service to the public and therefore the Public Trustee does not refuse unpayable business which is considerable. In addition, the amount stated includes every charge that can be made against the Public Trust Office, but does not provide any credit for the considerable amount of work done at the expense of the Public Trustee for which no charge is made in accordance with Governmental policy.

ROYAL SHOW.

As to Hotel Accommodation for Visitors.

Hon. V. HAMERSLEY (for Hon. A. L. Loton) asked the Chief Secretary: In view of the fact that a large number of people from country districts will be visiting Perth during the Royal Show period, will the Government ask the State Licensing Board to see that all hotels make maximum accommodation facilities available?

The CHIEF SECRETARY replied: The matter of accommodation is receiving the attention of the authorities concerned.

LEAVE OF ABSENCE.

On motion by Hon. V. Hamersley, leave of absence for twelve consecutive sittings granted to Hon. C. F. Baxter (East) on the ground of ill-health.

BILL—TRANSFER OF LAND ACT AMENDMENT.

Third Reading.

THE HONORARY MINISTER (Hon. E. H. Gray—West) [4.37] in moving the third reading said: Yesterday Mr. Thomson asked if the Torrens Act was supposed to amend the Transfer of Land Act. To-day the Commissioner of Titles has supplied me with the following information on the point:—

Prior to the commencement of the Transfer of Land Act, 1874, all land alienated in fee simple by the Crown was held under what is commonly known as the Old System. All land alienated in fee simple by the Crown since 1874 is registered under the Transfer of Land Act upon alienation from the Crown.

There is no such Act of Parliament as the "Torrens Act" but the system of registration of land created by the Transfer of Land Act is often referred to as the "Torrens System" as credit for evolving this method of land registration is generally given to Sir Robert Torrens who introduced the system in South Australia in 1858. It is not correct, therefore, to say that the "Torrens Act" "amends" the Transfer of Land Act. Rather registration under the Transfer of Land Act is registration under the "Torrens System."

Provision exists in the Transfer of Land Act for bringing land held under the Old System under the provisions of the Transfer of Land Act and by far the greatest part of land in this State is now under the Transfer of Land Act. Applications to bring Old System land under the Transfer of Land Act at the present time average about 30 to 40 per year. An applicant is required to show a good title to the land and the fee payable

varies from £3 5s. to £5 5s. Facilities, therefore, exist to bring land under the Transfer of Land Act upon payment of reasonable charges, but such applications generally require to be handled by a legal practitioner.

It is considered that it would not be practicable to introduce compulsory registration of land under the Transfer of Land Act in this State at the present time. It is not possible to say with any degree of accuracy what proportion of land in this State remains under the Old System and it would require a great deal of investigation by senior officers to acquire the information. Probably the percentage is less than one per cent.

I move—

That the Bill be now read a third time.

Question put and passed.

Bill read a third time and *passed*.

BILL—RAILWAY (HOPETOUN- RAVENSTHORPE) DISCONTINUANCE.

Third Reading.

THE HONORARY MINISTER (Hon. E. H. Gray—West) [4.42]: I move—

That the Bill be now read a third time.

Hon. G. Bennetts: I would like to ask the Honorary Minister whether it is the Government's intention to maintain the jetty at Hopetoun?

The HONORARY MINISTER: I have not the information at the moment, but can obtain it for the hon. member.

Question put and passed.

Bill read a third time and *passed*.

BILL—FEEDING STUFFS ACT AMENDMENT (No. 2).

Read a third time and *passed*.

BILL—STATE TRANSPORT CO-ORDINATION ACT AMENDMENT.

Second Reading.

HON. G. W. MILES (North) [4.43]: I have looked into this Bill and find that it meets with the requirements of the North, bringing that part of the State into line with the other transport areas of the State. I have much pleasure in supporting the Bill and hope the House will pass it.

Question put and passed.

Bill read a second time.

In Committee.

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

Clauses 1 and 2—agreed to.

Clause 3—New section:

Hon. H. S. W. PARKER: The proposed new section seems to me to be entirely unnecessary. What would be the position if there were something overlooked in this measure which made it apply to a specific portion of the State? I move—

That the clause be struck out.

The HONORARY MINISTER: I cannot argue the legal point with the hon. member. The proposed new section was inserted so as to make the Act apply to the whole of the State and I should think that it is absolutely necessary.

Hon. G. W. MILES: I think the provision is in order, as it brings the whole State under the operation of this legislation. The existing legislation exempts the northern portion of the State and so I consider it necessary to retain this provision.

The Honorary Minister: It will do no harm.

Hon. H. S. W. PARKER: The restriction in the parent Act has been eliminated so as to make this legislation apply to the whole State.

The Chief Secretary: The provision would not be in the Bill if what the hon. member suggests might happen.

Clause put and passed.

Clauses 4 to 9, Title—agreed to.

Bill reported without amendment and the report adopted.

BILLS (3)—FIRST READING.

1, Road Districts Act, 1919-1942, Amendment. (Hon. H. S. W. Parker in charge).

2, Business Names Act Amendment. (Hon. G. Fraser in charge).

3, Legislative Council Referendum.

Received from the Assembly.

BILL—ELECTORAL (WAR TIME) ACT AMENDMENT.

Second Reading.

Order of the Day read for the resumption from the previous day of the debate on the second reading.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—STATE GOVERNMENT INSURANCE OFFICE ACT AMENDMENT.

Second Reading.

THE HONORARY MINISTER (Hon. E. H. Gray—West) [4.54] in moving the second reading said: The main object of this Bill is to provide the State Insurance Office with authority to undertake all classes of insurance business, and there are two reasons why such a step is considered necessary. The major reason is the probable entry of the Commonwealth into the field of insurance activity. On the 20th June, 1946, the Commonwealth Life Assurance Act, 1945, came into force and the Commonwealth was thereby given statutory power to undertake every type of insurance work. The constitutional right of the Commonwealth to engage in such activity is provided in Subsection (14) of Section 51 of the Constitution Act, which provides the Commonwealth with control over all insurance matters with the exception of those organised and under the jurisdiction of a State Government and which do not undertake business outside the State.

Many members of the Western Australian Parliament have expressed concern at the intrusion of the Commonwealth into activities that they maintain should be the prerogative of the State. It is obvious that if the Commonwealth opens an office in Western Australia to handle all types of insurance business, and the State office is limited as at present, then the State concern will be severely handicapped. The Bill therefore seeks to permit the State venture to compete on equal terms with the Commonwealth. If this is not approved, and the Commonwealth does open an agency here, the business of the State office will undoubtedly dwindle.

It will be of interest to the people of the State to observe whether those members who have so emphatically prophesied against Commonwealth activity will execute a volte face on this occasion by denying the State the same right as is now possessed by the Commonwealth. That is an important point which will appeal to those members who

previously suggested a certain stand in regard to this Bill.

To digress a little from the subject under review, I might mention that the State Insurance Office opened its doors in July, 1926, mainly for the purpose of providing compensation benefits for persons suffering from silicosis and other industrial diseases, a risk which private companies appeared unwilling to accept. In addition, the State office was given authority to handle employers liability insurance. After several unsuccessful attempts had been made, the office was provided with statutory authority by Parliament's approval in 1939 of the State Government Insurance Office Act. From its inception the State office has handled a great deal of work, and in 1932 its workers' compensation premium income exceeded that of the aggregate of all the other insurance offices. In 1942, owing to war-caused conditions, activities lessened, but this leeway was soon overcome once the war ceased, and at June, 1946, there were 2,154 policies in operation, this being a record number.

Compulsory third party insurance has been conducted by the office since the 1st July, 1944, and in the first twelve months 11,000 policies were handled, this number increasing to 18,000 by the 30th June, 1946. It is anticipated that the current year will see a further large increase. In addition, 600 comprehensive policies covering owners' vehicle and third party property damage have been issued. This is an indication that the State Government Insurance Office is held in high regard by citizens of this State.

During last session Parliament approved of an amendment to the Act whereby the office was authorised to handle all classes of insurance for local government authorities by way of a pool, which came into operation on the 1st July, 1946. Already 66 local authorities, comprising almost 50 per cent. of those in the State, are participating in the pool. This is another indication of the regard in which the State office is held. Local governing bodies represent the people and are away from party politics. That 60 per cent. of the local authorities have joined this pool is an indication that the undertaking concerned is trusted and held in high respect by the people of the State. It should, consequently, appeal to both Houses of Parliament that it is

necessary to give this office the extra power requested by this Bill.

It is obvious from the figures I have quoted that very many people are eager to conduct their business with the State office, and the inference can be drawn that any other type of business undertaken by it will be equally popular. I am informed that the State office is continually receiving inquiries from the public as to why it does not undertake general insurance business, and that disappointment is expressed when the office's inability to do so is explained. The plea has been raised that there has been no great public outcry in this regard, but surely Governments do not require such a spur before undertaking projects beneficial to the people. Any Government guilty of such dilatoriness would be sadly lacking in initiative.

Notwithstanding the fact that the State office has been responsible for a very substantial reduction in premium rates, the business has proved very profitable, the accumulated reserves as at the 30th June last totalling £851,000, representing a general reserve of £466,000 and specific reserves of £385,000. Of the total reserve, £787,000 represents liquid assets of which £716,000 is invested in various Commonwealth loans and £69,000 in Australian consolidated stocks. In addition to these reserves, substantial profits have been credited to Consolidated Revenue.

It can be seen from these figures that the Commonwealth may take advantage of the temptation to share in the profits, and if this is done and substantial sums are lost to the State, then those members who refused to give the State a chance to counter such a move should feel their responsibility keenly. As it is, the State activities will benefit from the operations here of companies whose headquarters are in other States or countries. At the present time the State offices of Queensland and New South Wales deal with all classes of insurance business, and in Tasmania all classes, except life assurance, are handled. I am informed that these offices' relations with private companies are most harmonious.

There are other amendments in the Bill, all of which are of a straightforward nature. It is desired to change the title of the manager to "general manager." If the office under his control is empowered

to engage in unrestricted activities, it will be necessary to appoint branch and other managers, and the new title is required as a distinguishing mark. The Bill also provides that officers' rights under the Public Service Act shall be preserved, and that appointments of officers with special qualifications may be made. The Act as at present constituted renders it necessary for the State office to comply with certain provisions of the State Trading Concerns Act. The disadvantages of such a procedure are obvious, and it is therefore proposed to include in the State Government Insurance Office Act the relevant provisions of the State Trading Concerns Act.

The schedule provides the machinery clauses for the proper and efficient management of the office. It will be noticed that paragraph 9 of the schedule makes provision for the office to pay fire brigade charges and to be bound by the same statutory provisions applying to other life assurance companies. In my remarks I have endeavoured to convey the reason for the introduction of the measure, which is designed to give the people of the State an opportunity to participate in this form of social activity at the lowest available cost, and to protect the State office from the possible activities of a Commonwealth venture. I trust the Bill will be passed with very little debate, and that all members will realise that we must give the State Government Insurance Office the necessary additional power in order that it may meet the public demand and conserve this particular business within Western Australia. I move—

That the Bill be now read a second time.

On motion by Hon. J. B. Bolton, debate adjourned.

House adjourned at 5.7 p.m.

Legislative Assembly.

Thursday, 5th September, 1946.

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

QUESTIONS.

SOLDIER LAND SETTLEMENT.

As to Rates on Purchased Properties.

Mr. SEWARD, asked the Minister for Works:

1, Have any arrangements been made for the payment of road board rates on properties that have been bought for soldier settlement, viz.:—

(a) current year's rates between the date of purchase of the property and its taking over by the new owners;

(b) arrears of such rates?

2, If so, who is to pay them?

3, If no arrangement has been made, and in view of the fact that in some road districts fairly large properties have been purchased, the non-payment of rates on which pending the new owners taking them over could seriously affect the road board concerned, will he take up the question of the payment of current rates, particularly with the authorities concerned?

The MINISTER replied:

1 (a) and (b), Where necessary, rates are paid by the Government to the date on which the land is purchased by the Government and the Government deducts such payments from