

As to Further Recommittal

MR. EVANS (Kalgoorlie) [4.52 a.m.]:
I move —

That the Bill be again recommitted
for the further consideration of clause
3.

Question put and negatived.

MR. BRAND (Greenough—Treasurer)
[4.53 a.m.]: I move—

That the Bill be now read a third
time.

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

Ayes—21

Mr. Bovell	Mr. Lewis
Mr. Brand	Mr. W. A. Manning
Mr. Burt	Mr. O'Connor
Mr. Cornell	Mr. O'Neill
Mr. Court	Mr. Owen
Mr. Craig	Mr. Perkins
Mr. Crommelin	Mr. Roberts
Mr. Grayden	Mr. Watts
Mr. Guthrie	Mr. Wild
Dr. Henn	Mr. I. W. Manning
Mr. Hutchinson	(Teller.)

Noes—20.

Mr. Andrew	Mr. Kelly
Mr. Bickerton	Mr. Lawrence
Mr. Brady	Mr. Moir
Mr. Evans	Mr. Norton
Mr. Fletcher	Mr. Rhatigan
Mr. Graham	Mr. Rowberry
Mr. Hawke	Mr. Sewell
Mr. Heal	Mr. Toms
Mr. J. Hegney	Mr. Tonkin
Mr. Jamieson	Mr. May
	(Teller.)

Pairs.

<i>Ayes.</i>	<i>Noes.</i>
Mr. Mann	Mr. W. Hegney
Mr. Nimmo	Mr. Nulsen
Mr. Nalder	Mr. Hall
Sir Ross McLarty	Mr. Oldfield

Majority for—1.

Question thus passed.

Bill read a third time and transmitted
to the Council.

ENTERTAINMENTS TAX ACT AMENDMENT BILL

Council's Message

Message from the Council received and
read notifying that it had agreed to the
amendment made by the Assembly.

RESOLUTION—STATE FORESTS

Council's Message

Message from the Council received and
read notifying that it had concurred in
the Assembly's resolution.

BILLS (3)—RETURNED

1. Traffic Act Amendment Bill (No. 3).
2. Road Districts Act Amendment Bill (No. 2).
3. Municipal Corporations Act Amendment Bill (No. 2).

Without amendment.

House adjourned at 4.57 a.m. (Friday)

Legislative Council

Tuesday, the 17th November, 1959

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

QUESTION ON NOTICE

LOCAL COURTS ACT

Consolidation.

The Hon. E. M. DAVIES asked the Minister for Mines:

- (1) Have the Local Courts Act and amendments yet been consolidated?
- (2) When will reprinted copies of this Act and rules be available to the public?

The Hon. A. F. GRIFFITH replied:

- (1) No.
- (2) A draft of a consolidation of the rules and amendment thereto is in the hands of the Government Printer for proof printing. Subsequently the approval of Executive Council must be obtained and the rules laid on the tables of both Houses before they can be printed in a form for distribution. It will not be possible to complete all requirements until the commencement of the 1960 session of Parliament. The Local Courts Act will be reprinted concurrently with the rules at that time.

BETTING CONTROL ACT AMENDMENT BILL

Second Reading.

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [4.35] in moving the second reading said: The proposals in this Bill are to vary the present flat rate of tax on bookmakers' off-course turnover so as to provide for a sliding scale which will impose a heavier tax on the larger income earners.

This Bill is closely correlated with two other Bills which I propose to introduce immediately following this one. These two other measures are referred to in the Bill I am now discussing, and so, with the approval of the House, I propose to mention, in this speech, the main feature of the three Bills. I believe that the third Bill is on its way here from another place. This will enable me to convey a clearer and more concise picture of the Government's intentions to members.

In clause 3 of the Betting Control Act Amendment Bill, provision is made for bookmakers to continue paying tax on their off-course turnover at the present rate of 2 per cent. until such date as the Bill is proclaimed. Subsequently, they will be required to pay tax according to the rates set out in the Bookmakers' Betting Tax Amendment Bill, which is one of the Bills I will introduce later. The amount of tax will be based on the bookmaker's turnover for the previous year.

The proposed new tax rates are 2½ per cent. where annual turnover does not exceed £50,000, 3 per cent. on turnovers from £50,000 to £100,000, 3½ per cent. on turnovers from £100,000 to £150,000 and 4½ per cent. where turnover exceeds £150,000.

Prior to the 1st August, 1960, and in each succeeding year, bookmakers will be advised of their turnover in the year ended on the preceding 30th June, and of the rate of turnover tax they will be required to pay for the twelve months commencing the 1st August. Provision has been made for the assessment of the proportionate tax to be paid by bookmakers whose licenses to operate commence after the 1st August in any year.

Instances will occur where a license is granted in a new location. In these cases there will, of course, be no figures available of previous turnover for the purpose of determining the appropriate rate of tax to be paid in the ensuing year. For this reason, power is to be given to the Commissioner of Stamps to determine the amount of turnover which, in turn, will fix the rate of tax.

Clause 4 of the Bill introduces a new tax defined as the betting investment tax. The rates to be imposed are set out in the Bill for an Act to impose a tax on bets made by a bookmaker in registered premises.

This tax is to be applied to all bets made in off-course betting premises throughout the State; and, in the first instance, it will be payable by the bookmaker. He will then be responsible to collect, from the person placing the bet, the amount of investment tax payable in respect of that bet.

The tax to be levied will be 3d. for each bet not exceeding £1, and 6d. for each bet which exceeds £1. It is intended to denote the appropriate rate of tax on the betting tickets which are required to be used in off-course premises. Two forms of tickets will be printed to cover the two separate rates of tax.

The Bill to amend the Betting Control Act also provides for the distribution of the proceeds of the investment tax. The relevant sections to be inserted in the Act, namely, 16B and 16C, are contained in clause 4 of the Bill.

In the first place, the measure provides for the proceeds of the investment tax to be divided into four parts according to the percentage of total off-course turnover in the previous year applicable to—

- Races of ridden horses held in the State;
- Races of driven horses held in the State;
- Races of ridden horses held elsewhere than in the State;
- Races of driven horses held elsewhere than in the State.

The W.A. Turf Club and the racing clubs registered with that body are to receive that part of the proceeds of the investment tax which is applicable to races of ridden horses held in the State, together with 45 per cent. of that part applicable to races of ridden horses held elsewhere than in the State.

The W.A. Trotting Association and the racing clubs registered with that body are to receive that part of the proceeds of the investment tax which is applicable to races of driven horses held in the State, together with 45 per cent. of that part applicable to races of driven horses held elsewhere than in the State.

The two separate groups are to stand alone for the purpose of distributing the proceeds of the tax between individual clubs.

Clubs in the metropolitan area are to receive 85 per cent. of the moneys available for distribution in the ratio of stakes paid in the previous year. The remaining 15 per cent. is to be distributed between country clubs, also in the ratio of stakes.

Attention is drawn to the fact that it is proposed to distribute between clubs only 45 per cent. of that part of the proceeds of the investment tax which is applicable to races held elsewhere than in the State. The remaining 55 per cent. is to be taken into Consolidated Revenue.

The justification for imposing an investment tax is considered to lie in the fact that the off-course bettor makes no contribution, today, comparable with the admission charges and entertainments tax paid by the person who attends at the course. The course patron is contributing to the club's revenues and also to the Treasury. It is contended that the off-course bettor should do likewise.

It is not intended to vary existing legislation whereby clubs now receive 10 per cent. of the turnover tax collected from off-course betting on W.A. racing and trotting events. However, the clubs and Consolidated Revenue will both receive a greater benefit than in the past through the levying of higher rates of turnover tax.

I will now turn to the financial aspects of the proposal. The increase in the tax on off-course turnover, based on the level of business in 1958-59, is expected to yield an additional £191,000 in a full year of operation. Of this sum, clubs would receive £11,000 and Consolidated Revenue £180,000.

The total collections under the heading of turnover tax, inclusive of amounts paid by on-course bookmakers, are expected to rise from £442,000 in 1958-59 to £633,000 in a full year of operation. The investment tax is expected to yield £264,000 for a full year, of which £199,000 would be paid to clubs and £65,000 to Consolidated Revenue.

Total receipts under the heading of turnover tax and investment tax are, therefore, expected to rise from £442,000 in 1958-59 to £897,000 after a full year's operation of the proposed new rates. Of the increase of £455,000, an amount of £209,000 would be payable to clubs, and the balance of £246,000 to Consolidated Revenue.

The total amount payable to clubs would rise from £77,000 in 1958-59 to £286,000 in a full year, and the contribution to Consolidated Revenue from £365,000 to £611,000. These figures, of course, assume that there will be no falling-off in the 1958-59 level of off-course betting.

The effect of the proposals on individual club revenues is illustrated by the following examples: The W.A. Turf Club received £8,718 as its share of the off-course turnover tax for 1958-59. This club would receive £133,000 from the off-course turnover tax and investment tax under the new scheme, provided there was no diminution in off-course betting turnover.

The Kalgoorlie-Boulder Racing Club received £385 of the off-course turnover tax for 1958-59. This contribution would rise to £3,500; and the country clubs would receive a proportionate increase, depending on the amount they are receiving at present.

The Hon. H. K. Watson: Odds of 10 to 1 are pretty good.

The Hon. A. F. GRIFFITH: They are not all like that, of course. The Northam Racing Club was paid £212 in respect of the year 1958-59. This amount would be increased to £1,900. The W.A. Trotting Association's allocation would increase from £5,129 to more than £47,000. The Fremantle Trotting Club's share would increase from £1,245, during 1958-59, to £11,500; and the Bunbury Trotting Club's share would increase from £138, in the same year, to £1,300.

This is an indication of the benefits which would accrue to racing and trotting clubs should the proposals I have outlined be accepted. They should make it possible for the clubs to improve amenities for patrons, increase stakes, and reduce admission charges, etc. I move—

That the Bill be now read a second time.

On motion by the Hon. A. R. Jones, debate adjourned.

BOOKMAKERS BETTING TAX ACT AMENDMENT BILL

Second Reading

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [4.48] in moving the second reading said: This measure is designed to increase the incidence of taxation in respect of off-course betting. As members are aware, the present rate of tax payable by a bookmaker on his off-course turnover is 2 per cent.

The Bill provides for a sliding scale of tax, ranging from 2½ per cent., where a bookmaker's off-course turnover for the annual period ending on the next preceding 30th day of June does not exceed £50,000, to 3½ per cent. where that turnover exceeds £150,000.

The new scale is referred to in the Betting Control Act Amendment Bill, and it is to operate from the date of commencement of that measure.

It might be asked why the rate of tax payable by a bookmaker in any year is to be determined according to his turnover in the preceding year. In this respect, it is desirable that each bookmaker and the Commissioner of Stamps should know the appropriate rate of tax to be paid in any year before the commencement of that year, in order to avoid possible over-payments and under-payments and consequent adjustments.

It is not possible to assess each bookmaker's turnover in advance of any year, and for this reason it is proposed to use the figures for the previous year for the purposes of determining the rate of tax which is to be paid on turnover in the ensuing year.

I might mention that license fees under the betting control regulations are assessed for the ensuing year on the turnover of the bookmaker for the previous year. Totalisator licenses are also assessed on the previous year's turnover.

Estimates, which have been based on figures of off-course turnover for 1958-59, indicate that the proposed new rates should yield £506,000 to the Consolidated Revenue Fund and £30,000 to clubs, making a total of £536,000 for a full year of operation. Those figures represent an estimated increase of £191,000 over collections in 1958-59, and they would provide an additional £180,000 to Consolidated Revenue, and £11,000 to clubs.

The figures I have quoted assume, of course, that there will be no falling off in the 1958-59 level of off-course betting. I move—

That the Bill be now read a second time.

On motion by the Hon. A. R. Jones, debate adjourned.

BETTING INVESTMENT TAX BILL

First Reading

Bill received from the Assembly; 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) [4.53] In moving the second reading said: This is the third Bill to which I referred in my speech on the Betting Control Act Amendment Bill; it is the one which I indicated I believed was on its way here from another place. In my speech on the proposed amendments to the Betting Control Act, I made reference to the introduction of a new tax—the Betting Investment Tax.

The Bill now before members aims to impose a tax payable under the Betting Control Act at the rate of threepence on bets not exceeding £1, and sixpence on bets of more than £1.

The estimated return on this tax for a full year is £264,000, of which the sum of approximately £199,000 would be payable to clubs, and the balance of £65,000 to Consolidated Revenue.

I have already outlined the benefits which would accrue to clubs under the proposed method of distribution, and I have given reasons why it is considered that a tax of this nature is justified. I move—

That the Bill be now read a second time.

On motion by the Hon. A. R. Jones, debate adjourned.

METROPOLITAN REGION TOWN PLANNING SCHEME BILL

In Committee

The Chairman of Committees (the Hon. W. R. Hall) in the Chair; the Hon. L. A. Logan (Minister for Local Government) in charge of the Bill.

Clauses 1 to 6 put and passed.

Clause 7—Metropolitan Region Town Planning Authority:

On motion by the Hon. L. A. Logan (Minister for Local Government), clause postponed.

Clauses 8 and 9 put and passed.

Clause 10—Appointment to offices:

The Hon. J. G. HISLOP: I move an amendment—

Page 7—Add after paragraph (f), a new paragraph to stand as paragraph (g) as follows:—

(g) he being a member representing the Perth Road Board ceases to be a member of the Perth Road Board.

The amendment means that it would be accepted as a basis that there would be a member of the Perth Road Board introduced in the earlier clause. I am not completely wedded to the idea of having all the various road boards represented. To me it seems that a good deal of the progress in town planning will be accomplished through the Perth Road Board. That will include matters such as the slip road which is essential to carry persons from the Perth Road Board district to the area south of the river; and also the road board has a number of beaches to care for, and in that regard it should be consulted.

I would rather have the board left as it is if we could get an assurance of some representation from an organisation which had the interests of the citizens of the city at heart. One of the features that impressed me about town planning in Melbourne was the City Development Association. If this Bill were passed it would be of great help if an effort were made to formulate an organisation of citizens whose object was to improve the city. A great deal of the dissatisfaction held by some people about this measure would be allayed. In this brochure issued by the City Development Association, the introduction reads as follows:—

A community organisation such as the City Development Association cannot expect that its opinions on public questions will always meet with universal agreement. Our democratic way of life permits and encourages freedom of opinion, and the right to differ.

But over the past twelve months the Association has found that its views have received solid and consistent support from the Melbourne Press and a variety of community organisations.

In all its activities the Association has tried to follow the method of much longer established overseas city organisations which endeavour to gather all the facts about a problem before deciding policy. At times this process has been costly, but in the interests

of the soundest city development, most effective. It has also involved busy city businessmen devoting countless hours of their time to the consideration of city problems.

That is where the Bill breaks down; the limitation of membership is a failure. No town planning scheme will succeed unless the citizens of the city are behind it. Even although it were not introduced in a legislative manner, we could agree to form a city development association with a small executive. The Melbourne City Development Association is a body with no real power; and the Town Planning Board is much the same. However, there are people of repute in the city and their opinions carry a great deal of weight. Also, judging by the pamphlets they issue, they are citizens who will devote many hours towards the development of their city.

One of the reasons why I moved this amendment is that I thought that one day the Minister might have it in mind to try to enlarge the plan for the development of the city. At the time this brochure, which I have, was published—it covers the year 1954-55—the chairman was Mr. Norman Myer. Underneath his name there follows a list of the names of prominent citizens who form the executive of that association. There is an even longer list of names of prominent people who form the council of the association. All those people are drawn from every walk of life.

If we had an organisation of that nature in Perth, I would have no quarrel with a board that consisted of members comprising 50 per cent. of Government officers and 50 per cent. of elected representatives of people who were involved in municipal and road board affairs. I do not think this town planning scheme will succeed unless we have on the council a representative of the man in the street; the citizen who pays and who loves his city.

The Hon. L. A. LOGAN: Whilst I appreciate the reason that prompts Dr. Hislop moving this amendment, I am afraid that once the door is opened to admit another member on this board—that is, someone to represent the Perth Road Board—the Fremantle Municipal Council will want a representative and so will the Melville Road Board, to be followed by many others. I do not agree that the greater part of the town planning will be within the boundaries of the Perth Road Board. Every metropolitan road board is preparing a town planning scheme. The Melville Road Board has just as many plans, and has made just as much progress with town planning as has the Perth Road Board. Then moves are being made by the Gosnells Road Board, and the Cockburn and Canning Road Boards, each of which must develop within the whole town planning scheme.

Surely John Citizen is represented through his road board member or his council member! In the first place every local authority is represented on the group area, and going on from that group area they are represented on the town planning authority. Therefore, John Citizen has a representative in the same way as he has a representative in Parliament. Further, every part of the plan has to be devised and implemented with the consent of each local authority because each of them has to have a town planning scheme based on the overall plan. Therefore, in the ordinary way, every local authority must enter the picture.

This argument has been raised previously. I do not know whether Dr. Hislop was present the other evening when I mentioned the set-up in regard to departmental officers. I can give an assurance that at least one departmental officer will be replaced by a representative from an organisation; and that, I think, will be for the betterment of the town planning scheme. This Bill differs from the others somewhat in that I have agreed to an independent chairman; but finding the man with the necessary qualifications for that position will not be easy. There again, I have not been so stringent in regard to the recommendations submitted by the Town Planning Commissioner in regard to this authority.

The Hon. J. G. Hislop: Perhaps Professor Stephenson will be able to help now that he is back with the University.

The Hon. L. A. LOGAN: If he were included, I am afraid the scheme would be overloaded with town planners. If Professor Stephenson were made a member of the authority, it would mean that the man in the street would be represented by a professional man.

The Hon. G. Bennetts: The other members would be inclined to agree with everything he said.

The Hon. F. J. S. Wise: They would be over-awed by him, anyway.

The Hon. L. A. LOGAN: It would be advisable not to appoint a man such as Professor Stephenson to the town planning authority. I will give this committee an assurance that if the Bill is passed I will replace one of the departmental officers with another representative. In the preparation of this plan, many organisations assisted greatly, and that assistance was appreciated. For example, the Chamber of Manufactures did a great deal of voluntary work in connection with the Stephenson Plan. This proposed authority will look to such bodies for assistance and support when the Act is proclaimed. The authority has the right to co-opt officers from various departments; and I am certain that it will have an independent chairman. Whatever action is taken will be in the interests of the public. I hope the Committee will not agree with the amendment.

The Hon. F. R. H. LAVERY: I am prepared to accept the Minister's assurance; but what will be the position if the people who are to become members of this authority in the initial stages are not there in two or three years' time? Like Dr. Hislop, I am concerned with the man in the street. Mr. Diver gave us an example the other evening. All of us who are concerned in town planning have been given an undertaking that the plan on the wall of this Chamber is virtually the Stephenson Plan and that an all-Party committee agreed to adopt that plan in principle two or three years ago. Already, however, due to big city business interests, that plan has been laid aside. For example, we have had the new shunting yards placed at North Fremantle with the object of building more silos there. We, on the southern side of the river, understood that we would have those buildings erected in the Kwinana area. Decisions of great magnitude have been put aside to suit present-day exigencies and big business interests. However, the person who owns three or four acres of land has to do as he is told and like it.

The Minister, in all good faith, has given us an assurance; but I will want to see that assurance in black and white. I know that many people in Riverton have suffered great financial loss through losing land upon which they depended for their livelihood. If we have cases such as those already as a result of town planning, what will happen to people in similar circumstance in the future? I am right behind Dr. Hislop in his request, because the present Minister will not always be in office.

The Hon. L. A. LOGAN: Mr. Lavery is not correct when he says that the Stephenson Plan has been thrown overboard in the interests of big business. On page 259 of the Stephenson report under the heading "Port Facilities" the following appears:—

Of a magnitude comparable to that of the rail system is the future development of the Port of Fremantle. The immediate requirements are mainly related to improved rail and road access to the existing river berths and to the up-river extensions. A new railway bridge, adjacent to the rail bridge, will be required. In the longer term extensions into Cockburn Sound will almost certainly be necessary. Studies and survey work should be commenced at the earliest opportunity.

Therefore, Professor Stephenson recommended upstream extension; and recommended that the new railway bridge be built alongside the road bridge.

The Hon. L. C. Diver: Did he recommend dock facilities at North Fremantle?

The Hon. L. A. LOGAN: He said they would come about in long-term extensions. At the moment I am talking about what Mr. Lavery had to say about up-river extensions.

The Hon. F. R. H. LAVERY: I am in the unfortunate position of not having my copy of the Stephenson report as I loaned it to *Hansard* and it has not been returned. The Minister is quoting only portion of the plan. What becomes of the proposed bulk installations in the Kwinana area for which acres of land were resumed from private people at £4 and £5 an acre?

The Hon. J. G. HISLOP: In view of the statement of the Minister that he will agree to appoint to this board someone with completely outside interests, I feel the man in the street will have representation. Therefore, I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

Clause put and passed.

Clauses 11 to 37 put and passed.

Clause 38—The Metropolitan Region Improvement Fund:

Point of Order

The Hon. R. C. MATTISKE: I have on the notice paper an amendment to clause 41, the effect of which would be to vary the incidence of this tax. Mr. Wise has an amendment on the notice paper to amend clause 38, the effect of which would be to remove entirely the tax in the metropolitan area.

I would like to request that clause 38 be postponed to enable my proposed amendment to be dealt with first; but before doing that I wish to draw your attention, Mr. Chairman, to section 46 of the Constitution Acts Amendment Act, and to ask whether you will rule that my proposed amendment is in order. If it is not in order, there is no sense in postponing clause 38.

The CHAIRMAN: The honourable member is asking for my ruling in connection with his amendment to clause 41?

The Hon. R. C. MATTISKE: That is right.

The CHAIRMAN: The honourable member does not desire to amend clause 38?

The Hon. R. C. MATTISKE: No; I am asking that clause 38 be postponed if my proposed amendment to clause 41 is in order.

The CHAIRMAN: Has the honourable member any reason for thinking that his amendment is not in order?

The Hon. R. C. MATTISKE: No.

The CHAIRMAN: I will give a ruling in due course.

The Hon. R. C. MATTISKE: I have no reason to expect that it is not in order. I am of the opinion that it is in order; but I am asking for your ruling.

The CHAIRMAN: I will leave the Chair until the ringing of the bells.

Sitting suspended from 5.25 to 5.35 p.m.

Chairman's Ruling

The CHAIRMAN: Members will appreciate that this ruling is given at the request of Mr. Mattiske in connection with his proposed amendment to Clause 41. Section 46 (3) of the Constitution Acts Amendment Act provides—

The Legislative Council may not amend any Bill so as to increase any proposed charge or burden on the people.

The proposed amendment would make liable to pay the metropolitan region improvement tax, a large group of people who, under the Bill at present, are not liable to pay it. I therefore rule that Mr. Mattiske's amendment is out of order.

Committee Resumed

The Hon. F. J. S. WISE: I move an amendment—

Page 23—Delete paragraph (a) in lines 3 to 5.

The clause refers to the payments that are to be made into the metropolitan region improvement fund to be established at the Treasury. The sums to be paid into this fund are proposed to come from three categories; namely, money borrowed from time to time by the authority; any other payments made to the authority; and the proceeds of the metropolitan region improvement tax referred to in clause 41.

When the Minister introduced the Bill, he gave a figure which could represent the proceeds from this tax if levied this financial year. He admitted that for the first year of operation, the amount he mentioned would be wholly insufficient. When, by interjection, I asked him what he anticipated the needs would grow to within a year or two, he admitted, in his own words, that he hadn't got a clue.

Quite apart from that aspect, the workings of this authority, at the beginning, should not have to be made possible, financially, by the imposition of a sectional tax, because the effect of the Bill will be very wide.

The tax, once imposed, will never be removed during the period of operation of the town planning regional authority; it will continue to be imposed on a certain section of the people. This tax will be immeasurable. At the present stage it cannot be calculated as to needs.

In my opinion it would be far more appropriate for the Government to meet the finance required at this stage from

Consolidated Revenue. It would be more appropriate, until this matter became more stabilised and we had an idea of what the annual amount would be, over the next few years, and in the future distant years, to say to Parliament that the burden now to be imposed on Consolidated Revenue is X number of pounds, and that special provision must be made to meet that burden.

It is obvious from what we have seen this session that the Government is not devoid of ideas as to where taxation shall come from; because it is ploughing almost every field; and, as the needs for taxation grow, I suggest it will not be devoid of ideas of presenting to Parliament something quite realistic.

If the amount required under this measure exceeds the sum mentioned by the Minister—about £138,000; and it could be £250,000 or £300,000—then the tax of one halfpenny in the £, levied on all land in the metropolitan area, will soon be one penny; and before long it could be one shilling and this will be a sectional tax confined to the metropolitan area.

The Hon. L. A. LOGAN: This provision is the crux of the Bill; without it the regional plan would not be worth the paper it is written on. As Mr. Wise has said, the amendment, in effect, means that the amount of the tax will have to be found out of Consolidated Revenue. Members know that at the moment the deficit in the Consolidated Revenue Fund is quite considerable. Before the last rise in the basic wage, it was expected that the loss would be £1,500,000 by the end of the year. With the latest rise in the basic wage, the loss can be expected to be about £1,800,000. Yet we are asked to take another £140,000 out of Consolidated Revenue, and so create a still larger deficit.

But that is not the only point we have to consider; and Mr. Wise knows this very well—probably better than I do. If this money is taken out of Consolidated Revenue, it will have to be funded from the loan fund. On top of that I can just imagine what the Grants Commission would have to say about it. We would be penalised twice.

The Hon. F. J. S. Wise: That is imaginative.

The Hon. L. A. LOGAN: No; it is not at all. I have not gone into this question with my eyes closed. I have been requested on several occasions to make some inquiries, and I have gone to the Treasury to make them; and I have here the notes from the Treasury. I do not, however, think it is necessary for me to read them.

Apparently we are to increase the deficit of the revenue fund and to fund the amount from the loan fund, but as soon as we pay the amount from the loan fund, we immediately reduce the amount available for urgent works.

It is obvious that all deficits in the Consolidated Revenue Fund have to be funded from loan funds, which means an automatic decrease in the amount available for urgent works. Maybe the Grants Commission will not penalise us this year; but we would be penalised next year, in this case to the extent of £140,000. Do we want the State to lose £140,000 worth of work? If we do, we want to create unemployment. All these angles have to be considered.

Mr. Wise said that this is a sectional tax. Is it any more sectional than if the Mukinbudin Road Board imposed a further farthing in the £ on its ratepayers, as compared with the road board next door, because it wanted to do some urgent works in its area? There is no difference; and that is the reason why there is a proposal for a tax of a farthing in the £ on metropolitan ratepayers—it is to pay for a metropolitan regional plan. The other night Mr. Jeffery went to a lot of trouble to tell us how big the plan was. That does not matter. We are dealing with a region, and it is planned as such.

The other night, also, Mr. Strickland, when asked where the money should come from, said, "Sell the Technical College." First of all, an Act of Parliament would have to be passed to enable any Government to do that and that Act would need to include a special provision for the money to be paid into a definite fund, otherwise it would have to be paid into Consolidated Revenue. But if we sold the Technical College we would have to build a new one. I suppose the value of the land on which the present college is situated would be about £250,000, and it would cost us £1,000,000 to build a new college. Then the honourable member said, "What about selling the Treasury buildings and using that money?" It would cost the Government over £2,000,000 to build the same office accommodation today. Yet those are the suggestions we are getting from members as to how the plan should be financed.

Dr. Hislop said that he understood there was to be a reduction in the land tax. At the moment I do not know whether that reduction will be granted. In his policy speech the Premier said that some relief would be given, and I believe that that promise will be met. But the point is that if we do not impose the tax provided for in the Bill the money will have to come from Consolidated Revenue, and there can be no relief from land tax. In that event the only people who would get any relief would be those living in the metropolitan area, because the country people would still be paying their normal land tax, and the Premier's promise could not be met. I believe that there is the possibility of a Bill being introduced to reduce the land tax, but it will not apply to the 1959-60 assessment year—it will apply as from the

1960-61 year. The Premier is away at the moment, and I cannot get any confirmation of that.

However, even if we agreed with Dr. Hislop's suggestion, and the money for this regional plan was provided from the land tax, it would still be coming out of Consolidated Revenue because the land tax is paid into that fund today, and we would be in the same position as I mentioned previously.

I would also remind members that this legislation will have a limited life. It will have to be brought before Parliament again, and members will have an opportunity of reconsidering it. Mr. Wise said that the tax could be increased to 1s. in the £; but Parliament will have to decide that. Paragraph (c) of this clause provides for any other payments to be made to the authority; and it is feasible that if there was not sufficient money forthcoming from the present taxing proposals, the balance would be paid from the Consolidated Revenue Fund.

The regional tax is not as great as it would be if each local authority in the region were to tax its own ratepayers for the purpose of implementing a scheme within its own boundaries. We cannot have a town planning scheme without its costing us something; and the people of the State generally have already paid their share because all the money provided for the scheme so far has come from the Consolidated Revenue Fund. Mr. Strickland wanted to know where certain moneys came from when his Government was in office. Those moneys came out of the Public Works account, and it meant that we had to forgo public works to that amount. We do not want that to happen again.

I remind members that only last Friday, at the opening of the Narrows Bridge, the Premier said that the bridge would mean a saving to the people south of the river of £75,000 each year. That is only a small portion of the benefit that will accrue from the implementation of the Stephenson Plan.

The Hon. E. M. Davies: How will it save the majority of people money?

The Hon. L. A. LOGAN: It will save people south of the river that sum each year because they are closer to the city and do not have to pay so much for transport. Do members think that the people at Wyndham should pay for the implementation of the Stephenson Plan? Some members have said that local authorities outside the metropolitan area have their own town planning schemes. They have; and they have paid for those schemes themselves. The price obtained for two blocks of land in Mill Point Road, South Perth, illustrate the values that will be created because of the Stephenson Plan. Do members think that people in Wyndham should pay for that?

The Hon. G. C. MacKinnon: It sounds like another source of taxation.

The Hon. L. A. LOGAN: If there were any other way of finding the necessary money it would be all right, but every town planning expert in the world suggests the same course as we have followed—I refer particularly to Professor Abercrombie, Professor Stephenson, Mr. Hepburn and Mr. Lloyd.

The Hon. E. M. Davies: They have not solved the problem in England, so how are you going to solve it here?

The Hon. L. A. LOGAN: Two years ago, Mr. Wise, Mr. Strickland, Mr. Jeffery, and many others supported the same legislation—it was exactly the same. Why the difference of opinion today?

The Hon. F. J. S. Wise: I will tell you in a minute.

The Hon. L. A. LOGAN: Mr. Wise is usually sound in his approach to problems affecting the State, and one would have expected him to agree with this method of taxation for a regional plan. There are many people in the metropolitan region today who cannot be paid because there are no funds available to pay them; we cannot grab the necessary money out of the air. With an estimated deficit of £1,500,000, how can we get any more from the Consolidated Revenue Fund? It is only right that the people of the metropolitan region should pay for their own plan.

As soon as this plan has been put into operation it is expected that a South-West regional plan will be drawn up, and the people of the South-West region will pay for it. If it is necessary to have a Kimberley regional plan, we will expect the people of the Kimberleys to pay for it. I think I have explained the position fully, and I hope members will not agree to the amendment.

The Hon. F. J. S. WISE: It is remarkable how highly imaginative the Minister becomes, and how he advances a considerable number of excuses in attempting to create an argument. When the Minister was sitting on a back bench I can clearly remember him, year after year, criticising any suggestion that the Grants Commission might have something to say. He ridiculed the commission's right in that regard. Now there is hardly an occasion when he does not, as an argument to counter something said in regard to the non-raising of money, drag the Grants Commission into this Chamber by any part of its anatomy.

The Hon. E. M. Davies: Why not hand over the Government of the State to the Grants Commission?

The Hon. F. J. S. WISE: How ridiculous was the Minister's argument about charging the cost to the Consolidated Revenue Fund. The anticipated deficit is £1,500,000, but two years ago, when the anticipated

deficit was £2,500,000, the present Minister was one who denied the then Government the right to create and impose a land tax for this regional plan. So what nonsense does he talk!

It is no impediment for the money required for the initial stages of this authority's creation to come from Consolidated Revenue, even if it is to be supplemented from the General Loan Fund; because provision will be made for the funding of the deficit and the presentation of the anticipated deficit when the Loan Council considers it. The Minister asks how we are to get the £140,000 from Consolidated Revenue; and one minute later he admits that the balance might have to come out of Consolidated Revenue. It is no case of may; it must. But it is only the £138,000 which we at this stage are saying shall come out of that account.

The time to impose a tax is when there is a chance of measuring the requirement. The Minister foolishly suggested that without this subparagraph the Bill would be worthless. The particular aspect of this Bill that we are discussing is a small portion of the initial cost to initiate the plan which, if this part of the clause is allowed to remain, will not only be there in perpetuity, but will be there on a rising scale; and, inevitably, it must create a big burden on the people on whom the imposition falls. The principles of town planning contained in the Bill are supported by everyone; but we do not support the principle of financing it.

The Hon. R. C. MATTISKE: The Minister said he did not know what the implementation of the scheme would cost, even in the first year. He said it would cost more than the £140,000 it was proposed to collect by way of special tax under this measure. Shortly after he mentioned the amount of compensation for which the Cumberland County Council in N.S.W. was responsible. We cannot expect the Minister to know at this stage what the scheme will cost, but if the Bill as printed is passed, it will mean the people in the metropolitan area will be virtually signing a blank cheque for a tax that may be raised in the future to pay for this scheme.

The Hon. A. F. Griffith: What do you think they were doing two years ago when the Bill was introduced and you voted for it?

The Hon. R. C. MATTISKE: I endeavoured to move an amendment to vary the incidence of the tax, and the Chairman ruled me out of order. I have no alternative but to support the proposal to eliminate the words to ensure that the Government raises the money from some other source.

The Hon. A. F. Griffith: What did you do two years ago?

The Hon. R. C. MATTISKE: Two years ago I would not have supported any measure to tax the people of the metropolitan area solely for this scheme; and I do not propose to do so now. The Minister implied that, if the Government could not raise £140,000, the whole Bill would be worthless. Let us be realistic. The Consolidated Revenue Fund of this State last year was over £60,000,000; and I understand the estimate is for a greatly increased amount during the coming year. An amount of £140,000 added to it for a year for this scheme would be very small indeed. In my private capacity as a public accountant, I have many clients who have far greater proportional deficits to cover in any year. It can be done; and I venture to suggest that with a turnover of £60,000,000, the Government can curtail surplus expenditure quite easily to cover £140,000 a year.

The Hon. A. F. Griffith: Take some schools out of your province?

The Hon. R. C. MATTISKE: It is easy enough to say, "Take some schools out of your province."

The Hon. A. F. Griffith: I was not suggesting that it be done.

The CHAIRMAN: Order!

The Hon. R. C. MATTISKE: It is the Treasurer's job to handle the finances of the State as a whole; it is for him to say where the money will come from. I merely say that with a turnover of £60,000,000 it should be competent for any Government to provide £140,000. I have had many representations from the people I represent in the metropolitan area, and they feel very strongly about being saddled with this tax. They feel, as I do, that if the tax is imposed, even at a small figure, it will not be long before it is greatly increased, and they will have a heavy burden to bear. I must take notice of their pleas. I cannot support any measure which involves the signing of a blank cheque on behalf of those I represent. I must therefore support the amendment.

The Hon. H. K. WATSON: When moving his amendment, Mr. Wise said that the Government was not short of ideas for levying taxes. The Minister very naturally reminded Mr. Wise that this Bill and the proposal to levy land tax on the metropolitan area were initiated by the Hawke Government. The Bill made its appearance in this Chamber sponsored by the late Gilbert Fraser, and supported by Mr. Wise and Mr. Strickland two years ago. The fact that the proposal was introduced by the Hawke Government two years ago, and by the present Government this year, does not justify its validity if it is basically wrong. In my opinion, the tax under discussion is basically wrong. In 1956 the deficit in the Consolidated Revenue account was well over £1,000,000. To reduce

that deficit a heavy land tax was imposed which went as high as 6d. or 7d., in the £; and 80 per cent. of it was paid by the people in the metropolitan area. That land tax was expected to produce the extra £1,000,000 to help Consolidated Revenue, which it did. But by the end of that year the deficit was still over £1,000,000.

Whatever tax is imposed, and whatever benefit is granted, we will find the Treasury finishing up with a deficit. Like the poor, deficits are always with us. There has been a deficit in the Consolidated Revenue fund in each of the last eight years. The Minister said that the residents south of the river had been saved £75,000 because of the Narrows Bridge. I suggest they bore the cost of that either in petrol tax or increased license fees.

Last year when the Consolidated Revenue deficit was well over £1,000,000 we refused to continue the tax on agricultural land, which deprived the Treasurer of £250,000. The fact that the State had a deficit was not material in assisting us to arrive at our decision on that occasion. While it may be all right for the housewife to have a tin for the butcher, one for the baker, one for hairdressing, one for the children's luncheons, and so on, it is quite another thing when a Treasurer is handling £60,000,000. As I have already said, we do not expect the inmates of a gaol to bear the cost of the gaol; nor do we expect the parents of children attending a school to bear the cost of the school; and in this case we should look to the Consolidated Revenue Fund to pay this amount.

Sitting suspended from 6.15 to 7.30 p.m.

The Hon. H. K. WATSON: The metropolitan area is already paying land tax amounting to £1,250,000. Surely that ought to be enough to provide this comparatively small amount of £114,000 required under the Bill! It was reported in this morning's newspaper that the Australian Conference of Local Governing Authorities proposed to send a deputation to the Prime Minister to request a complete review of local government rating on the ground that the tax on land and property had reached saturation point. Yet we have before us a proposal to add a further land tax.

It may be argued that if the money is to come out of Consolidated Revenue, the town planning authority will not know how much it will receive or when it will be received. The Vermin Act was passed in 1956. In the days when no land tax was imposed on agricultural property, such land was subject to a vermin rate. If no land tax was being imposed on properties in the metropolitan area, the tax proposed under the Bill may have some merit. When it was decided to impose a land tax on agricultural properties,

Parliament decided that the vermin rate should be abolished. Section 2 of the Vermin Act states—

In the financial year commencing on the first day of July, one thousand nine hundred and fifty-six, and in each financial year thereafter, the Treasurer shall cause to be paid to the credit of the account mentioned in subsection (3) of this section from land tax collected pursuant to the Land Tax Assessment Act, 1907-1956, a sum of one hundred thousand pounds or any greater amount approved by the Treasurer.

The carrying of the amendment before us will not defeat the Bill. If the Minister wants to safeguard the position, he can agree to the amendment and then substitute a provision similar to that in the section I have just read. That would cover the position adequately. It would be made clear that out of the heavy land tax which is being imposed, a sum of £100,000 or £200,000 would be transferred to the metropolitan region improvement fund. I support the amendment.

The Hon. J. G. HISLOP: I have no desire to hold up town planning. I realise that it is absolutely necessary, but I have an intense objection to a tax, the amount of which is not known, being imposed upon metropolitan properties. We have no idea of the amount that is proposed to be raised by this tax.

Previously I asked the Minister to consider the suggestion that the land tax be reduced by the amount proposed to be raised by the tax enumerated in the Bill, as he had stated that the Government had decided to reduce the land tax. I would have thought that the Government would consider that suggestion seriously. I can now only assume that it has not been looked at seriously by the Minister or his advisers, and that the Government is determined to raise the amount of this tax in the manner prescribed by the Bill. The Minister stated that he was not at all certain that the proposed reduction in land tax would take place this year.

The Hon. L. A. Logan: I said it would not.

The Hon. J. G. HISLOP: The Minister said he was not at all certain. Later he said he would not be surprised to see a Bill introduced this year to bring about a reduction in the land tax. He does not appear to have given serious thought to my proposal. If the Minister can give a positive statement to us that the Government cannot introduce a measure to reduce the land tax this session, I shall have to reverse my decision, because we should not hold up town planning. I intensely dislike a reasonable suggestion being discarded on the ground that it is impossible to give consideration to it.

Obviously no consideration was given to it, because in one breath we were told that a measure would not be introduced,

and in the next that the Minister would not be surprised if it was introduced. That is not in keeping with the belief that Parliament is the supreme authority in this State. We have been elected by the people in the metropolitan area to represent their interests, and we must protect them as far as we can.

As Mr. Watson said, two years ago a tax was imposed on metropolitan properties, which brought in a huge sum to Consolidated Revenue. My fear in agreeing to the proposals in the Bill is that next year the cost of town planning may be increased to £250,000. We may then be told that it is not possible to make a reduction in the land tax. The people of the metropolitan area want some assurance of the amount to which they are to be committed under the tax.

If the Minister can give a positive assurance to this Chamber that no reduction in land tax will be possible this year, and that the provisions in the Bill will remain in force until 1962, without the tax being further increased, I shall be prepared to vote in favour of the measure.

The Hon. H. K. Watson: You are easily satisfied.

The Hon. J. G. HISLOP: I have to go some way with the Government, because I want town planning to proceed. There is no doubt that the northern link road will have to be built within a short time. When that eventuates, the area surrounding the Mount Hospital will be left in an impossible position. Bad as is the position now, in regard to the patients occupying a ward facing St. George's Terrace, it will be intolerable when roads pass on two sides of the hospital. One suggestion I have in mind is for the Mount Hospital to be resumed by the Government rather than that it be sold privately. The Government should pay the hospital a reasonable sum and thus open the end of St. George's Terrace. The Public Works Department building would also have to be demolished. A roundabout could then be built on this land, in the centre of which could be placed an ornamental fountain, with coloured lights playing on the water. That would cost money.

The Hon. A. L. Loton: And water.

The Hon. J. G. HISLOP: The water would be used over and over again. I am interested in the aesthetic aspect of this part of the city. I agree there is the need to raise funds for this purpose, but I do not agree that a tax should be raised and the public should be committed to an unknown amount in the future, while the Government reduces the land tax for political reasons.

I am not impressed with the suggestion that the city does not at present pay for town planning measures. It does. Every time a shop front in Hay Street is improved, every time a new building is

erected, and every time some owner increases his business facilities, the City Council makes a revaluation of the land; because within a year or so the rates go up; and once a bigger building is erected the Water Supply Department feels it wants more; and the land tax goes up because the value of the land has increased. Of course the people in the city pay for their town planning, and they pay handsomely. The improvement in the city in the last few years has effected a tremendous increase in the revenue of these three bodies. Therefore, I think they have already contributed very handsomely to town planning. I repeat, given an assurance that this tax cannot be introduced this year; that there will be no reduction in the existing land tax; that this Bill will remain as it is until 1962; and that there will be no increase in tax in that period, I will vote for the measure.

The Hon. L. A. LOGAN: I endeavoured to give Dr. Hislop an assurance when replying. Unfortunately the Treasurer is in the Eastern States, but I did say that it was almost impossible for a reduction to be made in the 1959-60 land tax assessment and that if a Bill was introduced this session it would not apply until the 1960-61 assessment. This I think answers the question Dr. Hislop raised.

Mr. Watson referred to a report in this morning's *The West Australian*, and he told us that properties had reached saturation point. It seems funny to me that they have reached saturation point when the people—despite the fact that this tax has been mooted for quite a while—are paying exorbitant prices for land around the city. For instance there were six blocks sold at Floreat Park recently, and some south of the river the other day. Do those transactions illustrate that people are worrying about a tax? Not a bit! Therefore we have not reached saturation point.

Mr. Wise twitted me somewhat because of what I had said in the past in regard to the Grants Commission. I do not retract anything of what I said then; but that does not alter the fact that the commission is operating in exactly the same way now. I do not just accept the suggestions made to me in this House without doing something about them. I have been to the Treasurer and to the Town Planning Commissioner and discussed this matter with them. If members do not desire to believe me, I hope they will at least believe the Under Treasurer, because he is dealing with this business every day of the week. He had the following to say:—

Such expenditure is not a proper charge to the Consolidated Revenue Fund. The Grants Commission would not recommend reimbursements of this cost to the State. The result would be an increase in the amount of deficit which had to be cleared by use of State Loan Funds, thereby reducing the

amount available for urgent capital works such as schools, hospitals, water supplies, etc.

In addition loan moneys used to fund revenue deficits incur a penalty by way of increased sinking fund contributions without any contribution whatsoever from the Commonwealth.

Those are the Under Treasurer's words; not mine.

The Hon. J. G. Hislop: What is going to happen when the land tax is reduced?

The Hon. L. A. LOGAN: I do not know.

The Hon. F. J. S. Wise: The same thing.

The Hon. L. A. LOGAN: No, not the same thing.

The Hon. F. J. S. Wise: There is nothing new in what you have quoted.

The Hon. L. A. LOGAN: I know; but Mr. Wise tried to tell me a little while ago that I was hedging. I am relating the actual facts of the position. Mr. Mattiske said he did not care where we got the £140,000 from. It will have to come out of Consolidated Revenue; and immediately that happens this set of circumstances will apply. It must apply; and that is what I am trying to make members realise. There is nowhere else for this money to come from. I do not think I could make the position plainer if I stood here all night. This is the kind of letter we receive from members of Parliament—

Dear Mr. Logan,

On October 12th I wrote to you in relation to . . . who is in difficulty in connection with construction of a home on account of resumption of part of his property.

A few days later I received an acknowledgment. Some days ago, not having had a reply I communicated with your office, and Mr. Gordon has been very courteous. I am pressing for a reply because . . . a young man with a wife and four children is anxious to build. He was in touch with me again today and I would appreciate your immediate reply to my letter.

That same member voted against this particular taxing measure; and yet he wants someone to find money for this resumption.

The Hon. L. C. Diver: As compensation.

The Hon. L. A. LOGAN: Yes. I would again like to refer to the 1957 Bill. These are the exact words in the measure—

(2) There should be paid to the credit of the Fund—

(a) the proceeds of the Metropolitan Region Improvement Tax referred to in section twenty-four of this Act;

The only difference between that provision and the one in this Bill is the reference to the number of the clause. That Bill was introduced in another place by Mr.

Tonkin, and in this Chamber by the late Mr. Gilbert Fraser. It was supported by every member of the Labor Party, including Mr. Wise. Am I to assume that in 1957, Mr. Wise—not then a Minister—had the whip cracked over him to make him support this measure? That is what appears to be the case, because he supported it then.

The Hon. R. Thompson: Did you support it then?

The Hon. L. A. LOGAN: I did. I voted for the second reading; and, in conjunction with Mr. Griffith, I endeavoured to have Parliament sit again so that we could have the measure passed.

The Hon. A. F. Griffith: Because we had only been given three hour's notice of the Bill.

The Hon. L. A. LOGAN: We were honest in our intention to do it. Therefore, for Mr. Wise to have a crack about what I said in regard to the Grants Commission, when he himself supported the measure in 1957—and it is no different now—was not fair. I would have thought that he would regard the affairs of State as more important than that.

However, I am in the hands of the Committee; it is up to members. I have given every argument I can as to why this tax should be imposed. It has been suggested by all the past authorities, and it has been suggested by the Under Treasurer. I cannot do more. If people in this city have to wait for two or three years for payment for compensation, and if some of this scheme has to be retarded because of lack of finance. I cannot be blamed. That is exactly what will happen though, because the Treasury has not the finance at the moment for the scheme.

The Premier in his policy speech promised that land tax would be reduced. He will honour that promise. I can assure members of that. However, in the meantime, at least let this authority, when established, have something upon which it can work. Therefore, once again I ask the Committee not to agree to this amendment.

The Hon. R. C. MATTISKE: I would like to clear up a couple of points. The first is that the Minister said I stated that I did not care where the £140,000 came from, as though I were completely irresponsible and had no regard for the finances of the State.

The Hon. F. J. S. Wise: The Minister said a few things like that.

The Hon. R. C. MATTISKE: I want to make it quite clear that I am very conscious of the fact that the State is short of money. However, I emphasised, when speaking previously, that it is the job of the Treasurer to say where the money should come from; not mine.

The Hon. G. C. MacKinnon: He has said so.

The Hon. R. C. MATTISKE: He is in control of the whole of the finances of the State, and therefore he should say where the £140,000 should come from.

The Hon. A. F. Griffith: He has said so. You are arguing against it.

The Hon. R. C. MATTISKE: The Minister implied that I did not care where the money came from. The second point I wish to make is that when I was speaking, Mr. Griffith interjected, and if I understood the interjection correctly, he implied that two years ago when a similar measure was before this House I supported it, and that I supported a proposal to tax people in the metropolitan area only. That is not quite correct; because that measure advanced no further than we have advanced so far in regard to this particular measure. That Bill passed the second reading stage on the voices; and during the Committee stage—long before we came to the taxing portion of the Bill—progress was reported.

The Hon. A. F. Griffith: After you had tried to kill it.

The Hon. R. C. MATTISKE: After I had tried to kill the Bill, yes. So did the Minister; and so did many others.

The Hon. G. E. Jeffery: The assassins!

The CHAIRMAN: Order!

The Hon. A. F. Griffith: I think *Hansard* will record that I voted against the attempt to kill the Bill in 1957.

The Hon. R. C. MATTISKE: *Hansard* also records many other things.

The CHAIRMAN: I think the honourable member should keep to the subject matter.

The Hon. A. F. Griffith: Look at *Hansard* and you will see for yourself.

The Hon. R. C. MATTISKE: I refer the Minister to *Hansard* of the 28th and 29th November, 1957. However that is entirely beside the point.

The Hon. A. F. Griffith: No, it is not. It is to the point.

The Hon. R. C. MATTISKE: When speaking to the second reading of this Bill, I advanced another suggestion as to how the Government could obtain the money to pay for this proposal; or which would at least be a contribution towards the initial stages of it. I referred to vacant land, held by the State Housing Commission, with a total value £1,400,000 as at the 30th June, 1958. I stated also that, according to the previous Minister for Housing, the housing problem in this State has been solved.

The Hon. G. C. MacKinnon: Do you believe that?

The Hon. R. C. MATTISKE: Yes. Therefore, if the Housing Commission, at the 30th June, 1958, was holding land to the tune of £1,400,000—and that was not the then current value of the land, but the price for which the Commission obtained it—then I suggest, in all seriousness, that the Government might well consider divesting itself of a lot of that land, as the housing problem has been solved. But that is only one suggestion. However, as I said earlier, and I repeat now, I am not the Treasurer of this State; but I am a representative of the metropolitan area, and of those people who will have to bear this tax if the Bill is passed in its present form.

The Hon. A. F. GRIFFITH: It was not my intention to say anything about this particular amendment or the clause pertaining to it, but I am obliged to do so because I believe that, deliberately or otherwise, Mr. Mattiske is misleading the Committee. On the 28th November, 1957, when speaking to the Bill at that time, the honourable member moved that the debate be adjourned until Tuesday, the 12th August, 1958. The purpose was obviously to see the Bill was not proceeded with.

The Hon. H. K. Watson: You wanted to meet on that day.

The Hon. A. F. GRIFFITH: That has nothing to do with the point.

The CHAIRMAN: Order! I ask the Minister to address the Chair.

The Hon. A. F. GRIFFITH: *Hansard* records that six members voted for the honourable member's motion and 18, including myself, voted against it. I have never heard anything more ridiculous than the suggestion that the State Housing Commission should pay this tax.

The Hon. R. C. Mattiske: It is not a tax, but a capital contribution.

The Hon. A. F. GRIFFITH: What would the honourable member say if some other State trading concern was asked to pay the tax?

The CHAIRMAN: The Minister must address the Chair.

The Hon. A. F. GRIFFITH: Due to foresight, and the land grabs made by the previous Government, the Housing Commission now owns large areas of land on which to build houses for the people; but there are still some 10,000 applications for houses before the commission. Any profit which the Housing Commission makes from the sale of land is offset against what it gives away in rebates of rent, and against the land it gives to religious bodies, the W.A. National Football League, and so on.

The Hon. J. G. HISLOP: Can the Minister give a positive assurance as to whether it is intended that this tax shall remain for the duration of the measure—until 1962? In supporting the measure I

must rely on the Minister's statement that the Premier will honour his promise to reduce the land tax.

The Hon. F. J. S. Wise: This Bill can be amended.

The Hon. H. K. Watson: The taxing measure is perpetual.

The Hon. J. G. HISLOP: This measure can be amended; but once it is agreed to, the metropolitan region will be taxed for all time on this basis in regard to town planning. I think this is the wrong approach to the question. I wish now to refer to the attitude that seems to have developed in recent times of each Minister wanting a separate kitty, as it were. The Government has to present a budget; but each Minister says, "I want this money in my department and not in the general pool of revenue."

Each time a tax is imposed, we are told that it is necessary, because if the money came out of Consolidated Revenue we would be penalised by the Grants Commission. Perhaps we should agree with Mrs. Hutchison that this Chamber should be done away with and replaced by the Grants Commission.

The Hon. A. F. Griffith: If you are not careful you will find that statement quoted in a pamphlet.

The Hon. J. G. HISLOP: The Grants Commission seems to govern the country; because each time money is required we are threatened with what it will do unless we agree to some further tax. I do not like one word of this measure; but it seems that we must agree to it in the name of progress. I am not criticising the members of the Government, but the method that is being adopted in holding over our heads the threat of the Grants Commission. We seem to have reached an extraordinary state of affairs; but I accept the Minister's statement and will compromise, as I did this afternoon, with a very bad grace.

The Hon. L. A. LOGAN: Members seem to be frightened that this tax will remain for all time. Mr. Wise gave the answer when he said that this Chamber last year denied the Government the right to certain land tax; and that kind of action can be taken again.

The Hon. J. G. Hislop: Name one tax that has been removed?

The Hon. L. A. LOGAN: The land tax mentioned by Mr. Wise; and the entertainments tax which was removed the other evening. The other night this Chamber refused the Government a further tax, amounting to about £36,000, in relation to the Goldfields water scheme.

The Hon. H. K. WATSON: This Chamber has not the right to repeal any tax. If this measure reaches the statute book it will mean that this tax will be levied every year; and this Chamber will be able to do nothing to stop it or to discontinue it. If

any member of this Chamber brought down a Bill to repeal the tax it would be out of order. The present is the only opportunity we have of saying, "This far and no farther." That is why I support the amendment.

Amendment put and a division called for.

The CHAIRMAN: Before the tellers tell I give my vote with the ayes.

Division taken with the following result:—

Ayes—13.

Hon. G. Bennetts	Hon. R. C. Mattiske
Hon. E. M. Davies	Hon. J. D. Teahan
Hon. J. J. Garrigan	Hon. R. Thompson
Hon. W. R. Hall	Hon. H. K. Watson
Hon. R. F. Hutchison	Hon. F. J. S. Wise
Hon. G. E. Jeffery	Hon. W. F. Willesee
Hon. F. R. H. Lavery	(Teller.)

Noes—12.

Hon. C. R. Abbey	Hon. L. A. Logan
Hon. J. Cunningham	Hon. A. L. Loton
Hon. L. C. Diver	Hon. G. C. MacKinnon
Hon. A. F. Griffith	Hon. C. H. Simpson
Hon. J. G. Hislop	Hon. J. M. Thomson
Hon. A. R. Jones	Hon. F. D. Willmott

(Teller.)

Pairs.

Ayes.

Noes.

Hon. E. M. Heenan	Hon. H. L. Roche
Hon. H. C. Strickland	Hon. J. Murray

Majority for—1.

Amendment thus passed.

Clause, as amended, put and passed.

Clauses 39 and 40 put and passed.

Clause 41 put and negatived.

Clauses 42 to 46 put and passed.

Postponed clause 7 put and passed.

Schedule put and passed.

Title:

The Hon. F. J. S. WISE: It will be necessary to delete several words in the Title following the word "authority" and therefore, I move an amendment—

Page 1—Delete the words "to regulate the assessment of a Metropolitan Improvement Tax."

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

Bill reported with amendments and an amendment to the Title.

HOUSING LOAN GUARANTEE ACT AMENDMENT BILL

Returned

Bill returned from the Assembly without amendment.

LICENSING ACT AMENDMENT BILL

Second Reading

Debate resumed from the 12th November.

THE HON. J. D. TEAHAN (North-East) [8.21]: For some years it has been the considered opinion not only of the members of this House, but also of many people

outside the Chamber, that the Licensing Act should be overhauled. As a result, last year a parliamentary committee, comprising members from two political Parties, was appointed to take evidence and to make recommendations which would be of assistance to draft amendments for the purpose of reframing the Act. Those members who live on the Goldfields, as I do, are better qualified to speak of the Act as it applies to the country than to the metropolitan area.

It is admitted that on the Goldfields the Licensing Act has been interpreted liberally and discreetly. Although the people there enjoy longer trading hours than those in the metropolitan area and in other parts of the State, I do not think it can be said that excessive abuses have resulted. In fact, I think that better conditions prevail there than elsewhere. I have sat on the bench of the Boulder Police Court for 10 years as a justice of the peace, and I can recall few cases of drunkenness and fewer cases of other offences that have been brought about as a result of the consumption of intoxicating liquor.

Furthermore, I have lived within 50 yards of the main street and adjacent to five hotels and yet, during the whole of that period, I do not think I could cite four cases of disorderly conduct involving people who had drunk liquor to excess. This tends to convince me that a liberal interpretation of the law, and the extension of hotel trading hours do not lead to excessive drinking. During the war there was a notable example of that point of view set by sailors from the submarines of other countries when they were visiting Fremantle. The personnel of those vessels were often taken to Kalgoorlie to recuperate from their ordeals.

I was in a position to watch their behaviour because I was in charge of the billeting of many of them in Goldfields homes. During the first few days they were on the Goldfields they did not indulge in liquor too wisely, because they were surprised to learn of the quantity of liquor that was available and also of the long period during which it could be consumed in the hotels. However, it was very noticeable that after their initial introduction to the Goldfields this knowledge caused them to become normal citizens so far as their drinking habits were concerned; and, as a result, they drank no more liquor than the ordinary residents of Kalgoorlie and Boulder.

The Hon. G. C. MacKinnon: It might have been because they were broke.

The Hon. J. D. TEAHAN: No, I do not think that was the reason. I think it was because they were surprised to learn that liquor was so easily obtainable over such a long period; and when they fully realised that, they did not indulge in the consumption of liquor so much as they would have done, say, in Perth, where beer was rationed and the trading hours were less.

The Licensing Court no doubt does a good job, but I think it could carry out more inspections. Within the last seven years, the hotels on the Goldfields have improved by 100 per cent. I think one of the main reasons for this improvement is that the wooden screens at the front entrance of the hotels have been removed; and another good feature is that there are no longer the old frosted windows in many of the hotels. The trend now seems to be that the entrance shall be open without any obstruction; and the frosted windows have been replaced with windows of clear glass, so that from the street one can see the brightly painted lounges and rooms, and can almost read the labels on the bottles on the bar shelves.

I think this trend to open up and decorate hotel premises is a good one. In a well-conducted hotel there is no need for the old-fashioned screens and frosted windows to hide the patrons who may be drinking at the bar, because there is nothing illegal in their actions. I would like to see this trend go even further and extend to the wine saloons; and, if this were done, the standard of these places would be improved immensely. It is a pity the members of the Licensing Court could not inspect all hotels in the State at least once or twice every 12 months. Some country hotels have never been visited by the court; and the standard of quite a few of them is very poor.

I am not advocating that country hotels should provide the best of everything and be as modern and up to date as city hotels. However, they should provide decent facilities in the bathrooms, have modern equipment in the kitchens and the bars, and their dining-rooms should be tastefully decorated. If it were known that the Licensing Court would visit these hotels at least once a year, I am sure the licensees would take steps to keep their premises up to a decent standard.

The Licensing Court should also ensure that there are not too many hotels operating in one town, because an excessive number of such establishments could lower the standard of some as a result of the intense competition between them. In some towns, on the other hand, there are not enough hotels to cater for the residents or the travelling public. In regard to this aspect, when an application is made to the court for a new hotel, I cannot understand why the Police Department considers it is obliged automatically to object to the application. I cannot understand this policy, because often another hotel in a town would lead to better conditions in all the hotels, and to improved drinking facilities for the residents of the area.

In regard to restaurants providing liquor with meals, the method suggested in the Bill is much better than what we have at the present time. At the moment there

are eating houses into which one can take liquor for the purpose of drinking with meals; but there is no standard which has to be maintained by that eating house or restaurant. This Bill will give authority to the Licensing Court to license certain restaurants which will have to comply with the standards set out in the Licensing Act and regulations.

The Bill also provides that a list shall be provided setting out the cost of various services provided in a licensed restaurant. This is essential because the position would be exploited if a restaurant were one of a few where a person could obtain liquor with meals. In such an instance an owner may be inclined to charge more than a reasonable figure. Without traversing the ground which has been covered by other speakers, I now wish to indicate that I support the second reading of the Bill.

THE HON. J. J. GARRIGAN (South-East) [8.31]: I support the second reading of this measure for one reason; and that is the reason that has been advanced by practically every member from the Goldfields who has given his views on this contentious measure. The trading hours now enjoyed on the Goldfields are well suited to the district and to the province we represent. In those areas trading is from 9 a.m. to 11 p.m.; and no matter what change may be brought about in other parts of the State, I have not heard one of those members say that 10 a.m. to 10 p.m. trading would bring about more drinking and perhaps more drunkenness.

On the Goldfields we have 14 trading hours; and some of the people up there are hardened drinkers. Conditions in many districts in Western Australian vary greatly. On the Goldfields we have a dry and hot climate; in the great North-West there is a humid climate although at times it is hot and dry; and coming further south it is a more kindly climate. Therefore, whatever the result of this Bill might be, I think it is up to each district to sort out its own troubles.

I repeat, that 10 a.m. to 10 p.m. trading will not cause the consumption of more beer, because the average person in Western Australia, irrespective of whether he is a working man or not, is guided by his pocket—his pocket is his guide as to how much beer he can drink. I say that without fear of contradiction. In Western Australia we have a very good Licensing Court, and I would have liked to hear its views in regard to the various matters pertaining to this Bill.

Applications have, at different times, been made to the Licensing Court by people in many parts of the State to have the trading hours revised; especially in the area I represent. On the Goldfields, clubs and hotels have exactly the same trading hours. One has no advantage over the other

so far as trading hours are concerned. In fact, the clubs are at a disadvantage because they cannot sell bottled beer on Sundays. As individuals, we must look to the future. I am sure that, perhaps, in 10, 20 or 50 years' time, we will adopt in Western Australia the continental style of eating and drinking.

In conclusion, I would like to congratulate Mr. Heenan, and the other members of the committee, who did a lot of hard work and research to make possible this Bill to amend the Licensing Act of Western Australia. I support the second reading.

On motion by the Hon. F. J. S. Wise, debate adjourned.

STATE TRANSPORT CO-ORDINATION ACT AMENDMENT BILL

Second Reading.

Debate resumed from the 12th November.

THE HON. L. A. LOGAN (Midland—Minister for Local Government—in reply) [8.35]: Mr. Strickland, when speaking on this measure, raised a query about the power of this House in regard to the disallowance of regulations. I refer members to section 36 (2) of the Interpretation Act on page 178 of the Standing Orders of the Legislative Council, which reads as follows:

Notwithstanding any provision in any Act to the contrary, if either House of Parliament passes a resolution disallowing any such regulation, of which resolution notice has been given at any time within fourteen sitting days of such House after such regulation has been laid before it, or if any such regulation is not laid before both Houses of Parliament in accordance with the requirements of subdivision (d) of subsection (1) of this section such regulation shall thereupon cease to have effect.

It is quite competent for this House to disallow regulations. In reply to Mr. Strickland in regard to why this Bill was necessary, I point out that the development of our hinterland is a matter of importance and urgency. To do this, people must be encouraged to invest their capital in the State; but they are not likely to do this unless they have adequate assurance of the conditions they must face. Hitherto, they have known only from year to year what has lain ahead; and the uncertainty will not attract the investment of large sums of capital.

Under the proposals outlined in the Bill, they will at least know that any alteration of their subsidy conditions will not be made without their circumstances being fully represented by their parliamentary representatives.

Past policy on subsidies was based not so much on the fact that railways were promised; as on the fact that people were led by such promises to invest their capital in farming or other ventures. Having acted on the faith of those promises, it creates undue hardship if one of the basic reasons for their investment is removed. It is certain that many of the areas being successfully farmed today would not have been taken up if the expectation of railways—or some equivalent assistance—had not existed.

A special Act was passed in 1926—No. 51 of 1926—authorising the construction of a railway from Mt. Barker to Manjimup. I think that statement refers to a remark passed by Mr. Strickland in regard to Rocky Gully.

The Bill provides for the Transport Board to report on, and for regulations to be made regarding areas which, because of the absence of a railway service or an adequate railway service, require to be served by road transport. There is no suggestion in the Bill that either reports or regulations are to be confined to the farming areas or to any section of the State. The essential point is that each instance should be dealt with according to its particular merits. It would be impracticable to lay down in an Act of Parliament provisions relating to each individual district; but this can more conveniently be prescribed by regulation.

Prices of produce do fluctuate from time to time according to market conditions; but unless changes in those conditions are likely to become permanent, the need for amending regulations would not exist. It would require some time to judge the permanency of any changes. For this reason a delay of a few months in tabling a regulation in Parliament for confirmation would not be material. The importance of developing the more remote areas of the State cannot be over-stressed; and the Bill seeks to encourage investment of capital within the State by providing something more tangible than the year-to-year approval of subsidies as in the past.

That sums up the position very well; that is, the Bill seeks to ensure for those areas some degree of continuity, and to make the position of the people a little safer, thus enabling them to work from year to year on a budget. It will at least give the people some confidence to carry on in the future.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (the Hon. W. R. Hall) in the Chair; the Hon. L. A. Logan (Minister for Local Government) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3—Section 58A added:

The Hon. F. J. S. WISE: In the absence of Mr. Strickland, I feel I must express dissatisfaction at the authority the Government intends to invest in Parliament rather than to take upon itself the responsibility of declaring a subsidy and insisting upon its continuance. Surely the right of the executive is one of the most important things for Governments to preserve. Although Parliament is paramount in a decision to amend a law, it seems important to me that the executive should claim the right of deciding upon administrative acts.

Here we have the transference of an administrative act to Parliament. In my view, and in the view of my leader, who expressed himself upon this point last week, this matter should not come within the prerogative of Parliament for decision. This must involve successive Governments to the degree that they must, as successors to the present Government, and no matter what their political flavour, continue a decision of this Parliament in regard to a subsidy for road services as covered in this Bill. I think it is obvious that this clause will pass, but it is very necessary to have these thoughts expressed and recorded.

Clause put and passed.

Title put and passed.

Bill reported without amendment and the report adopted.

Third Reading

Bill read a third time and passed.

ADMINISTRATION ACT AMENDMENT BILL

In Committee

Resumed from the 3rd November. The Chairman of Committees (the Hon. W. R. Hall) in the Chair; the Hon. A. F. Griffith (Minister for Mines) in charge of the Bill.

Postponed clause 2—Section 74 amended:

The Hon. H. K. WATSON: I move an amendment—

Page 2—Insert after paragraph (a) paragraphs to stand as paragraphs (b) and (c) as follows:—

- (b) adding after the word "gift" in line four of paragraph (b) of subsection (2) the words "or by the trustee for any such person" and
- (c) substituting for the words "to the entire exclusion of the person making the same, and without any reservation to that person of any benefit to him by contract or otherwise" in lines five to nine of paragraph (b) of subsection (2) the words "without any reservation to the person making

the same of any benefit to him by contract or otherwise" and

The Hon. A. F. GRIFFITH: We reported progress on the Bill because we were uncertain as to the effect which Mr. Watson's amendment would have. The honourable member quoted from the judgment given by Lord Reid in Oakes case. In this respect I would like to make the following comments:—

The statement of Lord Reid in Oakes Case appears to have been made *obiter*—that is, incidentally—while considering the question as to whether there had been exclusion of benefit to the donor of the gift, which exclusion, I understand, is a requisite under the section of the New South Wales Act if the gift is to be free from duty. The statement was not made as a result of a considered reasoning by him, but was used as an introduction to the part of the judgment dealing with the exclusion of benefit as above. If, however, it is conceded that a gift to a donee may be possessed and enjoyed equally by his trustee as by the donee himself, then the law would apply and there is no necessity for amendment to the section to provide for such eventuality. The section is sufficiently clear as it stands and the addition of the words suggested, if they do not alter the legal position in any way or weaken the application, are best omitted—there is always the danger of a contrary effect occurring. The intention of the Bill is to grant relief in relation to the period for which gifts of the nature mentioned in the section are liable to be charged with duty, but it is not proposed to agree to any amendment which may widen or may possibly result in widening the field of exemption.

The Government's intention in introducing the Bill is for the purpose of putting an end to a world of uncertainty as far as the Administration Act is concerned. I previously mentioned the case of a man whose estate was obliged to pay duty in respect of a gift he had made to his sons. Because he had entered into a contract with the sons to farm a particular property, and thereby had regained some possession of the property at the date of his death, his estate was deemed by the court to be dutiable to that extent. The Bill proposes to remove from the Act the words "at any time" and substitute for them the words "within three years before the death of the person making the same." That is being done to clear up the present anomaly. If Mr. Watson intends to go beyond that point, then he is going beyond the point the Government intended to go when it introduced the Bill.

If, as Mr. Watson has said, his amendment will make no difference to the situation, then I suggest there is no reason for its inclusion. If there is any doubt at all,

I would not expect the Government to accept the amendment. The Bill was introduced simply to give relief in certain cases; and the particular case in point was brought to the notice of the Government by C. P. Bird & Associates who administered the estate. The object of the Bill is to make perfectly certain that if A makes a gift to B and dies after a period of three years—three years and one day if members like—then the amount of the gift shall not be dutiable. But if A dies within three years, the amount of the gift will be dutiable. The Government goes further and includes the words “to the extent of the value of the gift at the time it was made.”

I think this goes a long way towards relieving people of probate duty, because a gift may be of one value when it is made, and it may appreciate in value between the time it is made and the date of death of the donor. In view of all the circumstances, I ask the Committee not to accept the amendment.

The Hon. H. K. WATSON: The insertion of the words which I propose will not in any way alter the sense of the legislation as it stands at the moment.

The Hon. A. F. Griffith: Why put the words in?

The Hon. H. K. WATSON: I gather from what the Minister has now said that, for all practical purposes, he agrees with what I have said. He said that the quotation I made from the judgment of Lord Reid was *obiter*. Had his advisers gone into this question and extended their research beyond the Oakes case, and read the earlier case of, I think, Mackay, they would have found that Lord Reid's statement was not *obiter* but was simply a summing up of authorities and decisions which had been given in earlier cases. I shall read again what Lord Reid said on that occasion—

If the property comprised in a gift is to be excluded from the estate of the deceased donor the statute requires that *bona fide* possession and enjoyment of the property shall have been assumed and retained by the donee to the entire exclusion of the donor. If property is held in trust for the donee, then the trustee's possession is the donee's possession for this purpose, and it matters not that the trustee is the donor himself.

The Minister and I seem to be in agreement on the point that this is of no material difference; and the Minister suggests that, as it makes no material difference to the sense of the Act, I ought not to move my amendment. I, on the other hand, maintain that citizens, or even lawyers, ought to be able to read the Act and at least get some idea of what it means; and not have to read the Act in conjunction with half-a-dozen Privy

Council decisions. The insertion of these few words will do nothing more than make the existing law clear. Regardless of the Minister's attitude to my subsequent amendments, I ask him, in the interests of clarifying the wording of the Act, to accept this one.

The Hon. A. F. GRIFFITH: The position at present is that a gift is dutiable at the date of death of the donor if it can be proved that the donor had taken unto himself some interest in the gift subsequent to the period of making it; or at the time of making it. The amendment which the Government intends to make to the Act will make it perfectly clear that a donor A could give some bonds to B and say, “I will give you these bonds, but I intend to draw the interest on them during my lifetime.” Under the Government's amendment those bonds would not be a chargeable portion of the donor's estate in the event of the donor dying subsequent to a period three years from the date of the gift.

The Hon. H. K. Watson: Say that again.

The Hon. A. F. GRIFFITH: A gift from A to B at present is dutiable no matter when A dies.

The Hon. H. K. Watson: No.

The Hon. A. F. GRIFFITH: Provided he maintained a point of possession with the gift. The amendment will simply provide that the amount of the gift will not be dutiable if A dies after three years—three years and one day if members like—after making the gift; but if he dies in less than three years, the gift will be dutiable. The honourable member's amendment, I agree, on research and reflection, means exactly the same thing if we should bring a three-year period into this. We could have A making a gift to his son B and appointing himself as trustee for his son.

The Hon. H. K. Watson: That is brought in at the moment.

The Hon. A. F. GRIFFITH: Yes. But the advice that I have been given indicates to me that whether or not the effect is the same, the amendment is unnecessary. If we agree that the effect is the same—

The Hon. H. K. Watson: We agree on that.

The Hon. A. F. GRIFFITH: Then I am prepared to let the case rest. If we are agreed that the additional words will not make any difference, why put them in the Bill? The Crown Law Department's officers consider the words are unnecessary, and I agree. So that there will not be any doubt, I propose to stick to the Bill; and I ask the Committee to do likewise.

The Hon. H. K. WATSON: I do not want to labour the point. The Minister and I agreed that whether or not the words go in, the effect is the same. The Minister

says, "Then why put the words in?" My answer is, "To clarify the position." Clearly, the position needs clarifying because, although this evening the Minister has agreed that it does not make any difference whether or not the words go in, members will recall that when I moved this amendment some three weeks ago, he was not clear because he said that my amendment laid the position wide open. He also said that he had legal advice on the matter. It was only after I suggested to him that he might tell his legal advisers to look at the position further that he made another statement this evening.

If the Minister can so misconstrue the position, and his advisers can do the same thing, without endless research, surely in the interests of those who have to try to interpret this legislation, and in the interests of the ordinary citizen who wants to read an Act of Parliament without going to a solicitor, it is the duty of Parliament to make the measure as clear as it can be made so that there will be no ambiguity.

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

Ayes—6.	
Hon. C. R. Abbey	Hon. G. C. MacKinnon
Hon. L. C. Diver	Hon. H. K. Watson
Hon. J. G. Hislop	Hon. R. C. Mattlake

(Teller.)

Noes—18.	
Hon. G. Bennetts	Hon. A. L. Loton
Hon. J. Cunningham	Hon. C. H. Simpson
Hon. E. M. Davies	Hon. J. D. Teahan
Hon. J. J. Garrigan	Hon. R. Thompson
Hon. A. F. Griffith	Hon. J. M. Thomson
Hon. R. F. Hutchison	Hon. W. F. Willesee
Hon. G. E. Jeffery	Hon. F. D. Willmott
Hon. F. R. H. Lavery	Hon. F. J. S. Wise
Hon. L. A. Logan	Hon. A. R. Jones

(Teller.)

Majority against—12.

Amendment thus negatived.

The Hon. H. K. WATSON: In view of the Minister's attitude in this matter, and the vote of the Committee which has just been taken, it would be useless for me to move the other amendments I have on the notice paper. However, I would like to warn the Minister that he has brought down a Bill purporting to clean up an anomaly in the Act, but the Bill does not clear up the anomaly. He will find that there are still weaknesses in it; and some farmer's dependants will have heavy probate duty to pay simply through the stubbornness of the Minister in not making the Act clear. I am satisfied that it is useless to try to clarify the position further, but I record my emphatic protest at the stubbornness of the Minister in refusing to be what I consider even reasonable.

Clause put and passed.

Title put and passed.

Bill reported without amendment and the report adopted.

Third Reading.

Bill read a third time and passed.

House adjourned at 9.10 p.m.

Legislative Assembly

Tuesday, the 17th November, 1959

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

BETTING INVESTMENT TAX BILL

Pairs Lists

MR. MAY (Collie) [4.33]: Mr. Speaker, may I have your permission to make a personal explanation?

The SPEAKER: Very well; the honourable member may proceed.