

if the premises are sold. It is my duty to ensure that the prospective purchaser will have all items of expenditure explained to him.

The Hon. A. F. GRIFFITH: When speaking a few minutes ago I thought I referred to the premises and not the individual who may become the licensee, because the Bill seeks to protect the premises. However, I almost reached the point of beseeching Dr. Hislop to withdraw his amendment, because when I listened to Mr. Thompson stating that he supported the amendment on the ground that he felt sure that if it were agreed to the State Hotels would be in the hands of the Government for many years to come, I saw the nigger in the woodpile. It is obvious that that could happen. If that is the object of Dr. Hislop, it would not be a very suitable state of affairs.

The Hon. H. C. Strickland: I think it is the other way round.

The Hon. A. F. GRIFFITH: I am merely stating what Mr. Thompson said; and I think he is right. If Dr. Hislop wants the Government to retain the State hotels, all he need do is to persist with his amendment.

The Hon. J. G. HISLOP: That did not enter my mind at all. In fact, in order to test the feeling of the Committee I ask for leave to withdraw the amendment.

The DEPUTY CHAIRMAN (the Hon. G. C. MacKinnon): Is it the desire of the Committee that leave be granted?

There being dissentient voices, leave cannot be granted.

Leave not granted.

The Hon. G. E. JEFFERY: I see no need for the amendment. From what I have heard during the course of the debate, I am sure the Licensing Court is not unaware of the condition of the State hotels; and information about them can be obtained, on request, from the State Licensing Court. Whether that is true, I do not know. I only know from a friend of mine that when he acquired a lease of a hotel, he nearly had to quit the premises because of the demands made by the State Licensing Court.

If the court is not unaware of the condition of the State hotels, and its requirements can be obtained by any prospective purchaser, I can see no need for the amendment. However, as there seems to be great confusion on these points, I think any doubt should be cleared up by the Minister reporting progress in order to obtain further information.

The Hon. A. F. GRIFFITH: I do not see any necessity to report progress. I am informed that whenever a prospective buyer or his accredited agent makes an approach to the Licensing Court, the information set out in the amendment is given. I also accept the statement made

by Mr. Heenan that the court is not unaware of the condition of the State hotels.

The Hon. E. M. Heenan: I would not be dogmatic about it.

The Hon. A. F. GRIFFITH: I cannot be dogmatic about it, either, but I think it would be unreasonable to suggest that the State Licensing Court, with its experience, would pass by a State hotel and say, "That is not our baby; we have no knowledge of it and we do not care about it."

The Hon. J. G. Hislop: Do you think the court would be able to submit a detailed report on any of the State hotels?

The Hon. A. F. GRIFFITH: I cannot say that, because I could not say so with any certainty. Dr. Hislop would not know that, either. Nevertheless, I feel sure that the State Licensing Court has a fair knowledge of the condition of the State hotels. Therefore, I cannot see any point in reporting progress.

The Hon. E. M. Heenan: It would not take long to obtain the information.

The Hon. A. F. GRIFFITH: Perhaps not, but I would probably return with the same answer; and, in any case, it is a real delight to see this Committee acting as a true Chamber of review.

New clause put and a division taken with the following result:—

Ayes—11.

Hon. E. M. Davies	Hon. C. H. Simpson
Hon. W. R. Hall	Hon. R. Thompson
Hon. J. G. Hislop	Hon. J. M. Thomson
Hon. R. F. Hutchison	Hon. F. J. S. Wise
Hon. A. F. Jones	Hon. H. C. Strickland
Hon. A. L. Loton	(Teller.)

Noes—9.

Hon. C. R. Abbey	Hon. J. D. Teahan
Hon. L. C. Diver	Hon. H. K. Watson
Hon. A. F. Griffith	Hon. F. D. Willmott
Hon. E. M. Heenan	Hon. R. C. Mattiske
Hon. G. E. Jeffery	(Teller.)

Majority for—2.

New clause thus passed.

Schedule and Title put and passed.

Bill reported with an amendment.

House adjourned at 10.3 p.m.

Legislative Assembly

Tuesday, the 13th October, 1959

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

ASSENT TO BILLS

Message from the Governor received and read notifying assent to the following Bills:—

1. Health Act Amendment Bill.
2. Industry (Advances) Act Amendment Bill.
3. Main Roads Act (Funds Appropriation) Act Amendment Bill.
4. Child Welfare Act Amendment Bill.
5. Road Districts Act Amendment Bill.
6. Municipal Corporations Act Amendment Bill.

7. Motor Vehicle (Third Party Insurance) Act and Traffic Act Amendments Bill.
8. Railways Classification Board Act Amendment Bill.
9. Fatal Accidents Bill.

QUESTIONS ON NOTICE**STANDARD RAILWAY GAUGE***Kalgoorlie-Perth Link*

1. Mr. CORNELL asked the Premier:
 - (1) Has the attention of the Government been drawn to a news item published in *The West Australian* on the 2nd October last, concerning uniform gauge traffic proposals, and indicating that the Commonwealth Government Railway Committee is pressing the Government to treat the proposed Kalgoorlie-Fremantle link as a matter of urgency?
 - (2) Will the Government inform this House what was the nature of the discussions allegedly having taken place between the Commonwealth and State Governments regarding these proposals, and when and where these discussions took place?
 - (3) Is the Government aware that at its State conference on the 27th and the 29th July last, the Country Party carried the following resolution:—
This conference is not in favour of the standard gauge line from Kalgoorlie to Perth and Fremantle at this juncture, on the grounds that the proposal is not economically sound, would be likely to increase the railway deficit, and lead to an increase in railway freights, and that the huge capital expenditure involved should be used in other directions to develop Western Australia's resources?
 - (4) Is the Government aware that the W.A.G.R. departmental estimate R.313/38/58 (7) was in the vicinity of £30,000,000, and that Commissioner Clarke said he considered the cost would be nearer £40,000,000?
 - (5) Is the Government aware that in similar projects the Commonwealth-State apportionment of costs has been on a 70-30 basis, and that on Commissioner Clarke's figure this State would be required to provide 30 per cent., or £12,000,000, from its normal loan programme as its share of the cost?

- (6) Is the Government aware that on the 16th August, 1957 (File R.313/58, folio 360) the Commonwealth Railway Commissioner's letter to the W.A.G. Railway Commissioner said:

On present indications it does not look as if this project is one which is likely to be implemented . . . and if the time ever comes for the project to be given serious consideration it would be necessary for a joint detailed investigation;

and can the Government inform the House whether such a detailed joint investigation was ever made?

- (7) Is the Government aware that the construction of the proposed link would—

- (a) duplicate an existing line;
- (b) open up no new country;
- (c) rob the existing line of probably half its revenue (this loss being estimated as up to £2,000,000 per annum);
- (d) incur an interest payment of approximately £600,000 on the capital outlay?

- (8) Is it not true that the Commonwealth Government Railway Committee is composed wholly of laymen and that it draws its information in regard to railway matters mainly from the Commonwealth Railway Department?

- (9) Will the Government give consideration to the fact that apart from its effects on the existing Kalgoorlie-Fremantle line, the proposed new standard gauge link would—

- (a) benefit no other line in Western Australia;
- (b) concentrate a huge expenditure on extending a rail service which only represents 1.4 per cent. of the State's total traffic volume;
- (c) tend to increase the present unbalance of the traffic exchange which is now 6 to 1 in favour of the Eastern States?

- (10) Would the Government give consideration to the question of, say, water and power supplies to country districts as an acceptable alternative to the proposed rail link, and suggest that the subsidy in regard to water and power extensions be on the same basis as the rail offer—viz., £2 6s. 8d. to the £ instead of £ for £ as at present?

- (11) Will the Government give this House the assurance that all aspects of the standard gauge link as proposed will be thoroughly examined and placed before Parliament before the Government is committed to such a major project, which, in the opinion of many experts, would be harmful to Western Australia's economy?

Mr. BRAND replied:

- (1) Yes.
- (2) Discussions of a general and exploratory nature were held in Perth in July, 1956, between the W.A. Government Railways Commission and the Commonwealth Government Standard Rail Gauge Committee under the chairmanship of Mr. W. C. Wentworth, M.H.R.
- (3) Yes.

- (4) The last departmental estimate adjusted to then current costs was £59,390,000 given on the 23rd May, 1957. It was Commissioner Hall who estimated £40,000,000.

- (5) Taking arrangements made between the Commonwealth and other States as a guide, this State would not be expected to provide any financial contribution out of its normal loan programme. For instance, under the South Australian Act the Commonwealth provides the whole of the funds required for standardisation, including rolling stock, irrespective of Loan Council allocation.

The apportionment of the final cost as between the Commonwealth and the State Government is involved and can only be ascertained by a study of the South Australian Act. The South Australian State Government repayments over 50 years are to be made from revenue and not from loan funds.

I feel sure a similar financial arrangement with the Commonwealth could be made in respect of Western Australia.

- (6) Yes. However, the position to warrant such an investigation has not arisen in the interim.
- (7) In the absence of a detailed investigation useful information in reply to this question cannot be given.
- (8) This is not known with certainty.
- (9) The Government will give consideration to the points enumerated.
- (10) The Government is considering the submission to the Commonwealth of an extension of the comprehensive water supply.

The State Government will obtain the maximum financial assistance possible from the Commonwealth in any agreement which is made in respect of the provision of water supplies, power supplies, and standard gauge railway.

- (11) The honourable member can be assured that the matter will receive careful consideration before any decision is made. Any agreement with the Commonwealth Government would, of course, be subject to legislative authorisation.

GRASSHOPPERS

Areas of Infestation

2. Mr. KELLY asked the Minister for Agriculture:

What steps have been taken, and with what results, to arrest the heavy infestation of grasshoppers in the Bullfinch and Turkey Hill portions of the Yilgarn Road Board area?

Mr. NALDER replied:

Free dieldrin has been supplied to farmers for crop protection, and reserves and Crown lands have been sprayed by Agriculture Protection Board units to prevent movement from infested areas. Some crops within the Bullfinch and Turkey Hill portions of the Yilgarn Road Board area have been badly damaged or lost, but large-scale outward movement has been prevented.

WESTERN AUSTRALIAN INDUSTRIES AUTHORITY BILL

Tabling of Papers.

3. Mr. GRAHAM asked the Minister for Industrial Development:

Will he lay upon the Table of the House, the papers on which the Government gave consideration to, and finally made a decision to introduce, legislation now known as the "Western Australian Industries Authority Bill"?

Mr. BRAND (for Mr. Court) replied:
I can see no reason for doing this.

FREMANTLE HARBOUR

Tydemans Report on Extensions

- 4A. Mr. FLETCHER asked the Premier:

Is he aware that Colonel Tydemans said on page 21, vol. 1, relevant to harbour extensions at Fremantle: "Whatever scheme is adopted must provide sufficient land to operate the berth efficiently and not repeat the serious restrictions

in land area now extant. Development seawards suffers from no restriction of land. That in upstream development unless the stream width is increased in the existing harbour, or a larger diameter turning basin created at the expense of many of the existing berths, ships of no greater size will ever be able to use the inner port. If seaward extension takes place, there will be no difficulty in creating immediately a turning circle of sufficient width to admit the largest ships afloat today or likely to exist in the reasonable future"?

Mr. BRAND replied:

Yes.

Premier's View on Inefficient Extensions.

- 4B. Mr. FLETCHER asked the Premier:

Is he in agreement with building or extending a harbour that could not be worked efficiently?

Mr. BRAND replied:

The quotations in question No. 4A are taken from the listed pros and cons of the report. The report having assessed the value of these pros and cons makes recommendations, one of which is upriver extension of the inner harbour in the first instance.

The acceptance of this proposal also accepts a standard of berth design which while not permitting 100 per cent. efficiency—rarely achieved at any berth anywhere in the world—will permit of up-to-date berthing facilities.

NORTHERN SUBURBS HOSPITAL

Provision of Site

5. Mr. OLDFIELD asked the Minister for Health:

- (1) Will he give consideration to providing a hospital in the Scaddan Pine Plantation, to serve the residents of the northern suburbs?
- (2) If not, will he take steps to have a suitable area of land from the plantation reserved as a hospital site in the likelihood of its being found necessary at some future date to provide hospital facilities for the northern suburbs?

Mr. ROSS HUTCHINSON replied:

- (1) and (2) A site in the Scaddan Pine Plantation was considered with others before it was decided to proceed with the construction of a hospital in the Scarborough-Osborne Park area, which will assist in the provision of hospital facilities for the northern suburbs.

It is therefore not considered necessary to secure an area in the Scaddan Pine Plantation for hospital purposes.

6. Mr. OLDFIELD asked the Minister for Lands:

- (1) Would he make available from the Scaddan pine plantation an area suitable for a northern suburbs hospital if a request for same is received from the Medical Department?
- (2) If no such request is made, will he reserve an area for a hospital in anticipation of its being decided at some future date to build a hospital in this locality?

Mr. BOVELL replied:

- (1) and (2) Any submissions by the Medical Department will receive careful consideration.

QUESTIONS WITHOUT NOTICE

CRAYFISH HAUNTS

Utilisation of Disused Car Bodies

1. Mr. HALL asked the Chief Secretary: Would he investigate the possibility of using disused car bodies as a means to provide crayfish haunts in the areas where crayfish are known to exist? This would alleviate a problem to the wreckers of disused cars and be in line with the method used in Florida, U.S.A., to foster the cray-fishing industry.

Mr. ROSS HUTCHINSON replied:

I will have the member for Albany's suggestion investigated and let him know the result at a later date.

TUART HILL HIGH SCHOOL

Gymnasium Facilities

2. Mr. W. HEGNEY asked the Minister for Education:

- (1) Is it a fact that the previous plan to construct gymnasium facilities at the Tuart Hill High School during the present financial year will not now be proceeded with?
- (2) Does he consider that the provision of such aids to education is important or essential for the welfare of students at high schools?
- (3) Is he aware that such facilities at Tuart Hill High School would be very helpful in the promotion and expansion of youth activities in the district?
- (4) Will he reconsider the position with a view to proceeding with the provision of gymnasium facilities in the immediate future?

Mr. WATTS replied:

- (1) Approval of the construction of a gymnasium at several high schools both in the metropolitan area and the country has been deferred with the object of conserving available funds for the erection of classroom and other essential accommodation.
- (2) and (3) Yes, very important, but less essential than the buildings referred to in the answer to No. (1).
- (4) Yes, when fuller details are available of the expenditure involved on such other buildings, and if funds are available.

PERMANENT FIRE BRIGADES

Daily Wet Practices

3. Mr. HEAL asked the Chief Secretary:

- (1) Is he aware of the article in the *Daily News* of the 13th October, 1959, headed "Water Plea to Builders?"
- (2) If so, can he advise the House whether permanent fire brigades are still carrying out daily wet practices during the imposition of water restrictions, causing the usage of many thousands of gallons of water?
- (3) Could practices be curtailed to one wet practice per week until the lifting of water restrictions?

Mr. ROSS HUTCHINSON replied:

- (1) I have just read the article in question.
- (2) The permanent fire brigades are not carrying out daily wet practices at present. I understand that very rarely have daily wet practices been carried out by permanent fire brigades. It is a practice that is carried out only at irregular intervals.
- (3) The whole matter of the usage of water with regard to permanent fire brigade practices is being currently examined by the Fire Brigades Board with a view to ensuring conservation of water.

NORTHERN SUBURBS HOSPITAL

Provision of Site

4. Mr. OLDFIELD asked the Minister for Lands:

In replying to my question No. 6 on the notice paper, the Minister said that submissions by the Medical Department would receive careful consideration. The second part of question No. 6 reads as follows:—

If no such request is made, will he reserve an area for a hospital in anticipation of its

being decided at some future date to build a hospital in this locality?

In the event of no submission coming from the Medical Department, will the Minister for Lands reserve an area in the Scaddan Pine Plantation for a hospital that may be required in the future?

Mr. BOVELL replied:

In view of the answer given by the Minister for Health to a previous question I can only reiterate that any submissions will receive consideration on the merits of the case submitted.

BILLS (2)—THIRD READING

1. Kalgoorlie-Parkeston Railway Bill.

2. Companies Act Amendment Bill.

Transmitted to the Council.

KATANING ELECTRIC LIGHTING AND POWER REPEAL BILL

Second Reading

Debate resumed from the 8th October.

MR. TONKIN (Melville) [4.50]: I have no objection to this Bill. The explanation given by the Minister set out clearly its purpose, and no injustice is likely to be done to anyone under the measure. It is a reasonable proposition that legislative power should be taken in this way to give effect to proposals when they are fructified. As the Bill was clearly explained; and as there is no objection from this side of the House, I support the second reading.

Question put and passed.

Bill read a second time.

In Committee

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

ADMINISTRATION ACT AMENDMENT BILL

Second Reading

Debate resumed from the 8th October.

MR. HAWKE (Northam) [4.54]: In the absence of the member for Eyre, I have given some consideration to the contents of this Bill and their relationship to the provisions which were put into the Act in the 1934 session of Parliament. In looking through the 1934 debates, I find that the Bill as then introduced was sent to a Select Committee in the Legislative Council. As a result, several amendments were

made to the Bill in the Legislative Council, all of which were later accepted in the Legislative Assembly.

The Attorney-General, in introducing this present Bill, told us that the necessity for the measure on this occasion had been brought about by several circumstances. The first circumstance appeared to be that the provision put into the Act in 1934, which covered the making of gifts to members of the same family, had not been applied at any time between the time that amendment to the Act became law and about early in 1957.

At about that time a decision which was finally made by the Privy Council, on a case which had arisen in New South Wales, was made known, and the particular section of our Act was then operated and has been operated since until the present time. The Attorney-General did not tell us—and I hope we might obtain this information upon the point before we finally dispose of the Bill—the reason why this particular section of the Act, as put into the Act by the 1934 amendment, had not been enforced.

There must presumably have been some very solid reason why the alteration in the law was not given application by the appropriate officer of the Government. Whether the non-enforcement of the new law at that time was due to some administrative difficulty, or whether it was decided on second thoughts by the then Treasurer and his chief executive officer that the law as amended would, in operation, prove to be burdensome and unjust is, I think, an explanation which we should have, provided the Attorney-General is in possession of the information. If not, and he is desirous of having the Bill passed through all stages today, I hope the information will be obtained and made available by the Minister concerned in the Legislative Council when the Bill is introduced there at the second reading stage.

Under the 1934 amendment as it has been applied since about early 1957, approximately £9,000 has been collected in duty from various estates. The Attorney-General and his colleagues consider the money so collected is money which, in fairness and equity to all concerned, should not have been collected. Therefore, they include in this Bill a retrospective provision which will be dated back to the 1st July, 1956, under which this total amount of approximately £9,000 will be distributed back, on application, to the various estates which have contributed the money from the beginning of 1957, or thereabouts, until recently.

The Bill also proposes to alter the existing law in two important particulars. At present, any gift made to a member within the family, unless the gift meets with the strict requirements of the appropriate part of section 74 of the Act, can be assessed for duty in accordance with the provisions

of the law. The amendment touching on that point is to delete the words "at any time" and substitute for them the words "within three years before the death of the person making the same."

The other important amendment will mean that instead of the value of the gift being assessed for administration purposes at the time of the death of the person who made the gift, it will be assessed on the basis of its value at the time it was actually made. In other words, a person might have made a gift 20 years ago—it might have been land, or houses and land—

Mr. Watts: It would not matter now, because it is limited to three years.

Mr. HAWKE: I am talking of the position under the existing law. The value of the gift at the time it was made—20 years ago, for instance—would, of course, be far below the value it would have today. Therefore the amendment which the Bill proposes to the law would overcome that situation, and it would mean that duty would be assessed—where it was assessable—on the value of the gift at the time it was made, and not in accordance with the present-day value.

No-one can be sure, I suppose, how these amendments will affect the income of the Treasurer; nor do I even suggest that that should be the test to be applied to the amendments to measure their merit. If they have merit of themselves sufficient to justify their approval by Parliament, then they should receive the approval of Parliament. There is only one qualification to that; namely, that the Treasury and the Treasurer would certainly be entitled to consider seriously the likely impact of this change in the law upon the revenues of the Government.

In other words, should the likely impact upon the revenues of the Government be so heavy as to cause embarrassment and difficulty, a closer look could possibly be given to the situation which would be likely to develop in the future under the proposed new law.

I do not know whether the experts in this matter could, with any degree of certainty, measure that situation. I guess they could not, because they would not have the facts available to measure the possible impact. The only measurement they could apply would be based on experience in past years.

As I understand the position, under the new law the situation could be that a person might make a large gift of property to a member of the family; and provided the gift were made more than three years before the death of the person making the gift, the loss in duty to the Treasury, and to the Treasurer could be very heavy indeed. However, the argument in reply to that would probably be that a person who makes a gift—a large gift of land—to another member of his family

could not, with any degree of certainty, know whether he would live one year, two years, three years, or more years after the gift was made.

I understand the rule or principle which is applied in these matters is to decide whether these gifts when made are made *bona fide*; whether they are made genuinely out of affection which the person making the gift has for the members of his family; or whether they are made deliberately for the purpose of trying to evade payment of duty which otherwise would be chargeable and would be collected.

However, these are elements which cannot be set up firmly; elements which, to a large extent, have to be estimated rather than being factors which can be calculated, and in connection with which logical thinking and logical speech can be indulged in. In the circumstances, I support the second reading of the Bill.

MR. GUTHRIE (Subiaco) [5.7]: I support the Bill because the recent decision of the Privy Council has placed on section 74 an interpretation which nobody imagined it had; and that is the real reason, I think, why the authorities never enforced it. I can well recollect having occasion some few years ago to discuss this section with the then Crown Solicitor in regard to a matter that I was disputing with the Commissioner of Stamps with respect to the assessment of duty. There was no doubt at that time that the Crown Solicitor, in his discussions with me, never appreciated that the interpretation that has since been placed on this section by the Privy Council, could, in fact, be so placed.

The real purpose of this provision, which applies to a gift not entirely excluding the donor, was to stop a person making a gift and then retaining, by some device or other, the entire enjoyment of the property by way of a life interest or something of that nature; and also to prevent a person simply transferring the legal title but having the real enjoyment of it; in other words, not making a *bona fide* gift.

But language sometimes becomes awkward; and it has taken a rather sharp turn, as was disclosed by the Attorney-General when he mentioned the facts that went before the Privy Council. It is somewhat strange that back in 1913, as was said, as a matter of fact, by the Privy Council, the High Court heard a case in which this principle came before it, and made a decision which gave a lead to the subsequent Privy Council decision; but all the taxing authorities in Australia seem completely to have overlooked that High Court decision. Why, I do not know. I was not aware of it until I read the Privy Council decision; yet it was reported in the Commonwealth Law Reports of the year 1913.

To give the House one set of circumstances which has, in fact, arisen, and where a great injustice has been done by the application of the principles laid down by the Privy Council, I would mention that in the year 1935 an orchardist disposed of—to his three sons—his orchard, which was valued at that time by the Taxation Department at £7,150 as established by the Commissioner of Stamps' assessment for duty. In return for the sons paying him and his wife, in succession, an annuity of £3 15s. a week or £185 a year for the life of the orchardist, and for the life of his widow if she survived him—in fact the widow predeceased the orchardist—the sons were to take over the orchard; and they were also to take over a bank debt on the property.

This case emphasises the point made by the Attorney-General in his second reading speech: that nobody can tell now what the bank debt was at the time of acquisition, because all the records of the bank and of the orchardist have been destroyed. Letters which are in existence suggest, however, that the bank debt was of the order of £2,500 at the time.

In actual fact, £4,350 was paid under the annuity up to the date of the orchardist's death. The actuarial valuation of the annuity, at the time it was made, according to the Commissioner of Stamps, assessment was £2,750. So the consideration, if we look at it in that way, was somewhere in the order of £5,000. There was then an inadequacy of consideration, in the view of the Commissioner of Stamps, of something of the order of £2,000.

This is the result: That self-same property has now been valued at £20,000. The orchardist left an estate of £2,750, and the duty assessment on that particular gift, which was no more than £2,000—if it was a gift at all at the time—is now over £2,000. In other words, 100 per cent. of the total value of the gift, and the total duty payable on the orchardist's estate, is £2,000 on an estate of £2,750. That is proposed because the orchardist took a charge over the property to secure the annuity; and it is contended, as a result of the Privy Council decision, that because of the retention of benefit by way of contract, the land was not passed to the sons to the entire exclusion of the orchardist.

This is the type of case that arises. I have said that debt may have been £2,500, but for all we know it might have been £4,000 at that time. The situation could have been even worse. That was 24 years ago, and nobody can prove from the available records just what the amount of the consideration was.

In regard to the point the Leader of the Opposition made regarding a gift, it has always been the position under the Administration Act that if a man gives £100,000, and completely parts with it and retains no benefit from it, and he lives one

year—not three years—no duty is payable at all. This three-year period is brought in for a totally different purpose in regard to retaining some benefit within the period of three years. It has always been the privilege of people under the Administration Act, so long as they do not hold any control on it, to dispose of their assets and live a year, and they are then completely free from duty.

This Bill, I submit, is one that has been introduced merely to clear up the anomaly that the draftsman who drafted the Bill which was originally introduced in 1934, did not appreciate what could happen. But, as a consequence of the Privy Council decision, this provision, as so often occurs in taxing cases, has been made to enact something that was never intended and which the authorities never imagined was intended; and so they never bothered to assess on that basis.

Speaking for the legal profession, we are obliged to file the returns; and I am sure that no member of my profession ever considered that duty could be assessed in these cases, and consequently never included them in the duty return filed in the Supreme Court. I support the second reading.

MR. WATTS (Stirling—Attorney-General—in reply) [5.15]: I am indebted to the Leader of the Opposition and to the member for Subiaco for their contributions to the debate on this Bill. I would say to the Leader of the Opposition that I think the member for Subiaco has stated the situation as to why this subsection, which was put into the law in 1934, has not been administered in the manner in which it has been in recent times. It is quite clear, in my understanding of the position, that it was not realised that it was capable of the interpretation subsequently placed on it by the Privy Council and, earlier, by the Supreme Court of New South Wales.

I discussed this matter at some length with the Under Treasurer, before the Bill was drafted, because I was anxious to ascertain the answers—to what extent I could—to the questions that were raised by the Leader of the Opposition; and I can say that, although the section relating to gifts was inserted in the Act of 1934 it was, as I said earlier, June, 1957, before the Treasury began to use those provisions as they are now used. For 23 years or thereabouts the situation was that the interpretation placed on this provision by the Privy Council decision was not utilised; and, in consequence, assessments of the nature which can now be made were not made during that period; and the Under Treasurer himself, in discussion with me—I can assure the Leader of the Opposition—was of the opinion that it was reasonable that this law should be amended.

Not only that but also, as I think I said when introducing the Bill, he was of the opinion that the provision for retrospectivity should be inserted, because of the peculiar situation which would arise, in that assessments before 1957 and assessments after 1959 would not be affected by those peculiar decisions of the courts in question; whereas, for a short period of approximately two years, those persons would have been assessed, and it seemed to him—and to me more particularly—to create an anomaly which ought to be removed.

Hence the retrospectivity provision and the information which I gave the House as to the amount which would have to be refunded if applications were made for a refund of the excessive assessments. That calculation was not made by me, but by the Commissioner of Stamps, at the request of the Treasury. I am unable, at this stage, to say what the likely impact on future revenues would be, because it is impracticable, I think, for anyone to say exactly what volume of value might be included in the estates which might come into this category if the law were not amended.

It might be only a matter of £10,000 that would be involved, or it might be £500,000. Nobody would know, because the people whose estates would be affected are probably still alive; and therefore the value of their estates is unknown, and it is equally unknown whether any fraction of their estates would be involved in this provision as it stands in the parent Act; and so I think that question cannot be answered. But it can be looked at reasonably, when one realises that the amount of refund, as stated by the Treasury to me, over the intervening period of two years, is only £9,375.

Question put and passed.

Bill read a second time.

In Committee

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

ARGENTINE ANT BILL

Message—Appropriation

Message from the Governor received and read recommending appropriation for the purposes of the Bill.

Second Reading

MR. NALDER (Katanning—Minister for Agriculture) [5.24] in moving the second reading said: This Bill provides for a permanent organisation and necessary powers for the control, prevention, and destruction of Argentine ants. It follows the Argentine Ant Act of 1954, the essential difference being the elimination of

the provisions for contributions by local authorities and other contributors, the cost being met by the State from Consolidated Revenue. It enables a small organisation to be maintained while there is a possibility of re-infestation; and permits of the necessary control powers being continued.

Members will be aware that it was necessary last session to extend the original Act by a further 12 months, such extension expiring on the 30th June, 1960. The then Minister for Agriculture reviewed the history of the infestation in Western Australia and described in considerable detail the progress made and problems arising from the control measures, which do not appear to have been attempted on a similar scale anywhere else in the world. It is not proposed, therefore, to cover the ground in the same detail, but only briefly to refresh the memory of members on the main points. If members, during the debate, mention any information they would like to have, I will be prepared to supply it when replying to the debate.

The Argentine ant was first noticed in Western Australia in the early part of the second world war, both in the metropolitan area and at Albany. By 1949 the nuisance had developed to the point that control was desirable; and accordingly it was placed under the Public Health Department for an attempt by the methods then available to achieve this object. However, there was no co-ordination; and despite the efforts of householders, local authorities; and the Government, it was apparent by the end of 1953 that a considerable portion of the metropolitan area was infested; and, in addition, there were infestations—some known to be extensive—in many country centres and other parts.

The measures then in use were costing the Government £25,000 per annum; local authorities were spending large or small amounts according to the extent of the infestation in their areas; and a very great number of individual householders were spending approximately £5 per annum to keep the nuisance in bounds.

All these efforts were being defeated by individuals who permitted their properties to remain infested, and the area of infestation was rapidly spreading. As the Argentine ant is a nuisance, rather than a menace to public health, but a potential danger to agricultural production, it was then decided that the Department of Agriculture should take over the problem and formulate a system of control. From the information then available, it was thought it would take approximately five years to spray the known area of infestation at an estimated cost of approximately £500,000, provided full co-operation could be achieved.

The position was placed before a conference of local governing bodies in February, 1954, following which the original Act was passed by Parliament. This Act provided for the appointment of the committee, which, in addition to the departmental officers, provided for representatives of the Local Government Association; the Road Board Association; the Country Municipal Councils' Association; and the Perth City Council, the latter being the local authority liable to the heaviest contribution. The constitution of this committee has been most successful in achieving the co-operation essential to success, as both local authorities and the Government are able to co-ordinate their interests and supervise the detailed planning and expenditure.

The original Act also provided for the payment of contributions on a basis agreed to by all parties, with a maximum of £105,000 in any year made up as follows:—

State Government	£	35,000
Agriculture Protection Board		4,000
Local Authorities		66,000

Apart from the State Government, the largest contributor has been the City of Perth, with an annual payment of £26,164. The original Act provided power for the committee or its representatives to enter and treat premises and to control or prohibit activities which might lead to the spread of infestations.

Spraying activities commenced late in 1954, and a detailed survey was undertaken ahead of spraying activities, which revealed, even in the first season, a much greater infestation than had originally been estimated. However, this greater area was absorbed and covered without increasing the original estimates of cost. This was achieved firstly by obtaining the essential co-operation from local authorities and householders; and by constant attention to improving the means and system of applying the spray materials through conditions varying from the city blocks of Perth and Fremantle, the suburban areas, the river foreshores, and minor swamps.

By the end of the third season 28,000 acres—88 per cent. of the known infested area—had been treated; and despite the area being much bigger than anticipated, the treatment was well ahead of schedule. Costs were also satisfactory, having been brought down to an average of 9.2 man-hours, 65 gallons of material, and a total cost of £11 per acre. The closely-settled part of the metropolitan area had been covered.

In the 1957-58 season, however, the difficult working conditions in the market-garden areas were encountered. This was the first experience of the problems which were to be met in the areas north of

Perth, not only in the market gardens but in the chains of swamps extending as far as Yanchep. It was found that the infestation in these localities was heavy, and detailed survey revealed a further 5,000 acres. Even in that season the effect on man-hours and quantity of spray material, and consequently on costs per acre, was reflected, the cost rising to an average of £15 per acre for the season.

Last year, therefore, it became clear that it would be necessary to retain the original Act in full for the further year already mentioned, and the experience of the 1958-59 season more than confirmed anticipations of the difficulties, particularly in the swamps. Consideration has been given to every possible means of delivering the spray effectively into the swamps, but it finally comes down to the manpower and equipment already developed and intensive application of spray materials.

The position reached now is one where it can be said that the main objective of the programme, which was to remove the Argentine ant as a menace from the metropolitan and country districts, has been achieved, although a little over 3,000 acres of the most difficult areas still remains to be treated. At the rate of progress dictated by these conditions, this represents a full season's operations. It is now necessary to decide the policy for future operations. The extension of the original Act to 1960 ensures that provision is available for next season when any spot spraying as a result of reinfestations will be cleaned up and the swamp areas reasonably amenable to treatment will be dealt with.

It is believed, as a result of the experience gained, that total eradication of the Argentine ant would be possible if the present programme were maintained for a sufficient period; but neither the Government nor the local authorities would be happy to continue contributing at the present rates for an indefinite period until it was certain that even the difficult areas were completely cleared of the pest. It will be seen from the information already given that the cost in manpower and materials to saturate adequately the heavy undergrowth would be so high as to make the operation uneconomic, if not prohibitive. In one swamp of 300 acres the cost rose to £47 per acre; and even then no definite estimate of survivals in the swamp areas is possible, on account of the difficulty of locating survivors.

It will be realised that after extremely heavy saturation the numbers of survivals would be low; and in the prevailing conditions of reeds and undergrowth, a small colony could easily be overlooked. The result could be that, after several seasons, the swamp could again be found heavily infested and again require costly treatment. Consideration, therefore, is being given to a plan whereby the worst of the

selected swamps in the Wanneroo area will be left unsprayed or partly sprayed for the present; and this decision will be based on the experience of the coming season as to whether extensive spread is likely to occur in any particular area and whether there is any danger that such location could become a focal point for reinfestation of other clean districts.

By putting a barrier round such areas it may be possible to contain the ants therein at small annual cost. It is probable that, by containing the ants in the bad swamps as the demand for vegetables and market-garden land increases, and these swamps are gradually brought under cultivation, the cover will gradually diminish to the point at which the ants can be economically dealt with. It will be essential, of course, to ensure there is no likelihood of reinfestation of the clean areas, and this will involve a strict inspection service, spot spraying along infested boundaries, and regular treatment of market gardens likely to spread the ants with their produce. The movement of cow manure from the area will need to be carefully controlled, and may perhaps be prohibited or restricted to those localities where inspection and spraying are practical.

It has been believed for some time that a small caretaker committee would be desirable when the main campaign has been completed. The responsibilities of such a committee would be to receive reports of minor reinfestations and to arrange for treatment thereof through the services of a small team of skilled operators using the present equipment; and, if necessary, engaging temporary labour should a minor outbreak occur. The conditions in the Wanneroo swamps, which will quite definitely require attention for some time, now make a permanent control committee essential, and the purpose of this Bill is to give the necessary authority for this committee and for its essential powers.

Some changes have occurred since the original committee was appointed, in that the Country Municipal Councils' Association no longer functions; but the principles of representation on which the committee was formed have operated so satisfactorily that the same principles are retained. It is intended that the present committee will be appointed to the caretaker committee with power for individual members to be replaced if necessary. This arrangement will ensure that the men who will have had six years' experience on the original committee, on the coming into operation of the new committee will continue to provide the benefit of their experience.

The representation will still be the same, including country municipalities, although the wording of the new Bill has been changed slightly to allow for the fact that the Country Municipal Councils' Association no longer operates. In other respects

the Bill now before the House provides the administrative powers, authority for continuance of the present trust fund, and powers to authorise the appropriate treatment against the ants and authority for the necessary regulations to ensure the effective carrying out of treatment under the authority of the Act. These control provisions are similar to those in the present Act and are essential to the committee to ensure that spraying operations, etc., are not negated by careless or indifferent property owners.

It will be seen that the major difference between the present Act and the proposed new legislation is the dropping of the provisions for contributions. The finance provisions in the present Act are rather closely interwoven with the administrative clauses; and rather than attempt to rescind these finance aspects, it is considered better and simpler to introduce a Bill containing only the legislative authority necessary. This still leaves the matter of finance; and in this regard it will be appreciated that the continuing committee will have the benefit of the full range of equipment which has been purchased or fabricated for the special purposes of Argentine ant control; and, depending on the method adopted in the coming season, may have some residual stocks of spray material.

Any remaining balance in the trust fund, and proceeds from the disposal of surplus equipment, if any, can also continue in the trust fund for the benefit of future operations. On this basis it is estimated that the annual cost of treatment, in the years immediately following the main campaign, may be up to £20,000. It is also expected that, as remaining pockets of infestation are eliminated, even in the swamp areas, the annual cost should be a reducing one. When it is remembered that in the past the Government contribution has been £35,000 per annum, it will be seen that the financial burden will be considerably lighter. The Government, therefore, has agreed to accept the financial responsibility up to £20,000, and provision for this appropriation is made in the Bill. I move—

That the Bill be now read a second time.

On motion by Mr. Kelly, debate adjourned.

ANNUAL ESTIMATES, 1959-60

In Committee of Supply

Order of the day read for the resumption from the 30th September of the debate on the Treasurer's Financial Statement and on the Annual Estimates; the Chairman of Committees (Mr. Roberts) in the Chair.

Vote—Legislative Council, £10,256—put and passed.

This concluded the general debate.

Votes and Items Discussed

Votes—Legislative Assembly, £14,231; Joint House Committee, £24,944; Joint Printing Committee, £23,962; Joint Library Committee, £704; Premier's Department, £58,220; Treasury, £163,771—put and passed.

Vote—Governor's Establishment, £21,586:

Item No. 3—Incidental, £3,385.

Mr. BRADY: In this item there is a decrease of £910. I wonder whether the Minister can tell us the reason for the reduction in that item?

Mr. BRAND: I cannot give that information at the moment, but I will obtain it and supply it to the honourable member at a later date.

Vote put and passed.

Votes—Executive Council, £5; London Agency, £35,619; Public Service Commissioner, £26,390—put and passed.

Vote—Government Motor Car Service, £9,067:

Item No. 3—Maintenance of Workshop and Motor Vehicles and Hire of Cars for all Departments, £20,600.

Mr. BRADY: There is an increase of £1,975 for this item. That seems to be rather steep. Can the Treasurer give us the reason?

Mr. BRAND: It is a normal increase in the cost of running the Government workshops.

Vote put and passed.

Votes—Audit, £86,180; Compassionate Allowances, etc., £500—put and passed.

Vote—Government Stores, £143,931:

Item No. 1—Salaries and Allowances, £88,595.

Mr. BRADY: What is the reason for the steep increase in the salaries of the Government Stores Branch?

Mr. BRAND: I have just sent for the detailed information in respect of these estimates. Obviously the increase is one brought about by the basic wage rise. I shall obtain the information for the honourable member as soon as it is available to me.

Vote put and passed.

Votes—Taxation, £50,000; Superannuation Board, £15,540; Printing, £469,900—put and passed.

Vote—Miscellaneous Services, £3,057,685:

Item No. 17—Sailors' Rest, £50.

Mr. HALL: The estimate for this item is only £50, compared with £100 for last year. One of the problems in my electorate is to entertain the sailors when they come ashore. It has been mooted by

several of the organisations there that a sailors' rest centre be established. The amount provided is very small. Would the Premier give consideration, at some future date, to finance being made available to an organisation to set up a sailors' rest centre?

Mr. BRAND: I must apologise for not having before me my notes relating to the Estimates. In fairness to members, I ask that progress be reported till a later stage of the sitting.

Progress reported till a later stage of the sitting.

(Continued on Page 2093)

WESTERN AUSTRALIAN INDUSTRIES AUTHORITY BILL

In Committee

Resumed from the 8th October. The Chairman of Committees (Mr. Roberts) in the Chair; Mr. Watts (Attorney-General) in charge of the Bill.

Clause 6—Remuneration:

The CHAIRMAN: Progress was reported on the clause after the Leader of the Opposition had moved the following amendment:—

Page 3—Delete subclause (2).

Mr. EVANS: I support the amendment. If a member or a deputy member of the proposed authority were to receive an allowance or remuneration for his services on the authority, any superannuation rights to which such member was entitled would not be jeopardised by his accepting the allowance or remuneration.

The aim of the amendment is to preserve the principle of superannuation rights. Superannuation is regarded as a payment to a person who has given his best years of service to an employer, usually to a Government instrumentality, after he has made contributions to the superannuation scheme. On completion of the requisite number of years of service that employee is then rewarded by payments from the superannuation fund.

A person in receipt of superannuation could be invited to become a member or deputy member of the proposed authority, and in that capacity he would receive a sufficient remuneration or allowance equal to at least the full living wage. In those circumstances he would not require any superannuation payments, and his superannuation rights should be set aside until he ceased to be a member of the authority.

The Opposition believes that the superannuation rights of employees should be protected and no distinction should be made in administering the superannuation legislation. In the past, many instances have arisen where persons, after the

requisite years of service in the Government, were requested to continue in their employment. Although they were due for superannuation, these payments were deferred until they left the service. They were not in the happy position, as are to be the members of the proposed authority, of receiving remuneration as well as their superannuation payments.

Mr. ANDREW: I support the amendment. In my view the clause will bring about confusion. There is an Act of Parliament which provides that any person taking office under the Crown, after he has retired, cannot draw superannuation. That provision applies not only to members of Parliament but also to civil servants. They lose the superannuation benefits while they are holding such office. If members of Parliament were to take offices under the Crown for, say, five years after they retired from Parliament, they would lose five years' benefits under the superannuation scheme, which permits them to draw full superannuation for the first ten years after they cease to become members of Parliament.

Therefore, we have one Act which states that a certain thing shall not be permitted, and then there is this Act which makes an exception to that provision. Why not amend the first Act? Otherwise it will be very difficult to ascertain exactly what the law is, and a lot of confusion will arise. The former member for Kalgoolie (Mr. Styants) is not able to collect his superannuation while he is drawing his present salary. However, the persons on this authority will be allowed to do so and thereby we are making fish of one and flesh of the other, which I think is wrong. Some members have stated that if this exception is to be applied in certain circumstances it should be applied in all, and I fully agree with that contention.

The Minister was asked a question regarding the salary of those on this authority, and I think everyone must admit that he was very vague in regard to this matter. He said it might be a part-time job or it might be a full-time job. I believe that one of the gentlemen mentioned is Mr. Brisbane. He is a director of quite a number of business organisations, some of them being H. L. Brisbane and Wunderlich, Foy & Gibson (W.A.) Ltd., Atlas Assurance Coy., D.H.A. (W.A.) Pty. Ltd., Australian Fixed Trusts (W.A.) Pty. Ltd.

As the Minister mentioned that this authority will have a very onerous job to do—to use the Minister's word—I do not see how its members are going to be able to carry on with the task if they have about a dozen other jobs as well. They will not have the time which the position warrants. The Minister said that the Rural and Industries Bank might be in a position where it had to appoint a manager and yet was not able to, and would

have to call on the authority to do so. My contention is that the Rural and Industries Bank would be in a much better position to do so than the authority if its members are only going to give it the time available after having attended to their outside positions. It is not good to make exceptions to a rule of this sort, and I support the deletion of the relevant provision.

Mr. TONKIN: I am wondering whether the Government has given any further thought to this iniquitous provision, because the more one reads the Bill the more one must become convinced that it is something which stands right out as far as iniquity and unfairness are concerned. There is provision later in this Bill that a person who is already in a very good Government job can be appointed to this authority so long as the Governor is satisfied it is not incompatible with what he is doing. If a man retires in the ordinary way and receives his pension, it must be suspended if he takes on another Government job. However, if he is appointed to this authority, he will be allowed to draw his pension plus the salary. That is a nice state of affairs!

Mere appointment to this authority confers on a man a benefit that no other civil servant can possibly have. For example, when the Director of Works, who is one of the most highly paid officers in the department—and rightly so, because he is a very competent man—retires, if he is not appointed to this authority his pension will be suspended if subsequently the Government requires his services. However, if before his retirement he is appointed to this magical authority, then when he retires he will be able to draw his pension.

If there is any justification in that, I fail to see it. If the Government wants to appoint someone who is already on a pension, the way to handle the situation is to suspend the pension while he is on the authority and give him an adequate salary for what he is doing. I would point out that a man could go on under this system until he was 80, because there is power in the Bill to appoint him and to reappoint him either as a member or as a deputy member.

He could be appointed when he was well over 70, and could be further appointed at the end of seven years for another five years, during which time he would be drawing his full pension as well as his salary for the job. That is something more than I am prepared to swallow, and I am astonished that the Government should insist on retaining this provision in the Bill. It is a most unfair and unreasonable proposition. It is unfair to every other civil servant in the service. We do not want to run away with the idea that the two or three men who happen to have been retired are the only Solomons

in the community, because there are still in the employment of the Government men who, in my opinion, are as good as, and possibly better than, those whom the Government has in mind.

Therefore, what justification is there for the Government to make this exception of the hallowed few who are going to be appointed to this authority? Because it will not apply to anything else. Up to date, not a single valid reason has been advanced to justify it except that there is a desire on the part of the Government to do it! That is all! There is no bar to the suspension of a pension, and an adequate salary being paid to a person who is appointed. But, of course, the Government does not want it that way. It prefers to single out one or two fortunate people who can be appointed for seven years, and then for a further five years, and let them draw a full pension while receiving a salary. This provision will not receive my vote under any circumstances, and I very strongly oppose it.

Mr. W. HEGNEY: I would briefly like to point out to the responsible Ministers in the Government that if this provision is retained in the measure, this Act will be the only one, so far as I know, under which it will be competent for a person to draw superannuation and a salary concurrently. I suggest that the correct way to overcome the situation is to amend the original Act—the superannuation Act—in which is the provision along these lines. It would then apply universally, and not just to this isolated case.

This situation is similar to that which obtained during the discussion on the Town Planning and Development Act Amendment Bill. When the Minister for Police introduced that Bill I raised the question as to whether it was constitutional. When the Bill was sent to another place, it was held that it was not in order because it was a matter affecting the constitution. Our viewpoint then—as it is on this measure also—was that if it were desired to make a certain provision for members of Parliament, the Constitution Act should be altered, not the one then under discussion. Similarly, in this case, if it is desired to depart from the existing practice in regard to superannuation and a salary, the proper Act to amend is the superannuation Act. I propose to continue to strongly protest against this discrimination, and hope that the Premier or the Attorney-General will agree to the deletion of this provision.

Mr. HAWKE: Not one member of the Ministry has made any attempt to justify this provision.

Mr. May: They dare not.

Mr. HAWKE: The Minister for Industrial Development tried to talk around it last week, but succeeded only in becoming hopelessly fogged in his attempt to

justify it. The Premier has had nothing to say about it; and the Attorney-General—very sensibly and deliberately—has not attempted to say anything about it. Clearly, the provision cannot be justified.

No supporter of the Government in the back benches or in the cross-benches has made any attempt to justify it. They all know there is no merit in it but a great deal of demerit. It is unfair and unjust to every other retired civil servant who is now drawing superannuation.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. HAWKE: I waited hoping the Premier would rise—

Mr. Watts: We thought you had a preemptive right.

Mr. HAWKE: —to try to justify the inclusion of this proposition in the Bill. I am beginning to think that the person for whom this part of the measure has been drafted has laid it down as a condition precedent to his acceptance of a position on the statutory authority that he must, in addition to drawing whatever salary the Government decides to pay, draw also his full superannuation payments; and draw both at one and the same time.

It would seem that the Government has surrendered to this proposition, if, in fact, it has been put forward. The Government is quite entitled to surrender to a proposition of that kind, if it has been put forward and if the Government wishes to surrender. However, there is no justification of any kind for asking Parliament to accept the proposition. I think some of us who are here now were here when the Superannuation and Family Benefits Act passed through Parliament in the first instance. I think we remember the stress which was placed upon the principle that no person who was retired on superannuation, should during any period of re-employment, draw both a salary and a pension.

Clearly, the reason for granting a superannuation payment is to enable a person who is no longer in receipt of a salary from the State Government to get along on whatever amount of superannuation might be paid to him. Because of that belief by Parliament, we have a provision in the superannuation Act that any retired State civil servant or State employee who is being paid superannuation, and is later put back on to the wages or salary roll of the Government, shall forfeit his superannuation payments during that period of re-employment.

If re-employment of Sir Russell Dumas as a member of this authority could have had the effect of cancelling for all time in the future his superannuation rights, one could understand this proposition being in the Bill. However, the superannuation Act lays it down that at the

end of any period of re-employment the person concerned goes back on to superannuation.

Why does the Government go to the trouble of putting a provision in this Bill which really has nothing to do with the superannuation Act? Why does the Government put a provision in the Bill to make a peacock out of one and leave all the rest of the ex-civil servants and State wages employees as black crows, so to speak; or, as is often said, make fish of one and flesh of the others? I do not see any sense in it, apart from the fact that there is no merit in it.

If the Premier or the Attorney-General could say to us, "There is no other way of overcoming the difficulty than by doing it"; or, "There is no other possible way of getting the services of Sir Russell Dumas as a member of this statutory authority without this provision," the Government would have an argument. However, as has been pointed out previously, there is a simple solution of the problem. The Government would know the salary it would be prepared to offer, and it would know the salary which Sir Russell Dumas would be prepared to accept. All that the Government would have to do would be to add to the salary which he would accept the total amount of weekly or fortnightly superannuation payments which he is drawing at present. Should the time come when he ceased to be a member of the authority, automatically he would go back on to superannuation, as I understand the provisions of the superannuation Act.

So I am at a loss to know why the Government will not accept the amendment. No member of the Government has given us a reason as to why the amendment should not be accepted. By at least a nod of the head the Premier has indicated that Sir Russell Dumas has not laid it down as a condition that he must continue to receive his superannuation payments during the whole period he might be a member of this authority.

As there is no reason to justify the inclusion of the provision in the Bill, and as there is no difficulty for the Government to overcome if this provision is wiped out, why does the Government adopt its present attitude? What is the factor which is causing the Government to be so unreasonable and stubborn in this matter? I think the Attorney-General will agree that if Sir Russell Dumas were to be paid a total salary equal to the salary he would get, plus the superannuation he would get, that should satisfy everybody.

Yet the Government sets out to create a precedent for one person. Someone said this evening that if we are to do this for Sir Russell Dumas, why should we not do it for everyone else who is in a similar position at present, or who might in the future be in a similar position?

The CHAIRMAN: The honourable member's time has expired.

Mr. WATTS: There is quite a lot that could be said as regards this proposition, but perhaps the best thing to do is to get the provisions of section 80 of the Superannuation and Family Benefits Act clearly in our minds, because that is the one which has been referred to by members opposite in supporting the amendment. The section provides—

Where a pensioner, other than a pensioner who has been retired on the ground of infirmity or retrenchment, is employed or re-employed in the service, or in any public department under the Crown so much of his pension as is attributable to the contribution payable by the State shall be cancelled during the period of employment or re-employment.

Arguments that have been advanced by members opposite apply only to that part of the superannuation pension which is payable from the funds of the State, and not to that part of the superannuation pension which is related to the contributions of the pensioner. Of course, it is a well-known fact that the contributions of the State are in the vicinity of three-fifths, or between that and three-quarters of the actual amount; so that if a superannuation pension is in the vicinity of £850 the contribution of the State will be, in the majority of cases, in the vicinity of £600. The third paragraph in the section was put into the Act in 1955 by a Bill introduced by the Leader of the Opposition, and it states—

And provided that where in the opinion of the Board, the circumstances of the case do not warrant the cancellation either wholly or in part, the Board may resolve that the cancellation shall not apply wholly or in part, and such a resolution is final and binding and has effect according to its tenor.

So it is clear that the Superannuation Board can decide that a person can be re-employed in the Public Service, or in any department of the State, and not suffer a cancellation of his pension, or any part thereof—the part related to the State's contribution—and at the same time receive such allowances or remuneration as are attributable to the job on which he has been employed.

It seems to me, in this instance, that the whole question of whether this subclause is a reasonable one or not depends on what the remuneration of the pensioner, whoever he may be, is likely to be under this Bill, when it becomes an Act. If he is going to receive some nominal remuneration, it is obvious that it is fair and reasonable that the superannuation should be paid to him. In any event, he will be entitled to that part which is at-

tributable to his own contributions. But if the allowance, salary, or remuneration that he is to get under this Bill, if it becomes an Act, is of so inconsiderable a nature that it could not be regarded as a satisfactory salary, from the point of view of the total amount which a man may expect to receive, it is reasonable that the superannuation should continue to be paid.

The whole question seems to hang on the remuneration to be paid to whoever occupies this position. The name of Sir Russell Dumas has been frequently used in this argument, and for the purposes of the argument I will continue to use that name. Let us imagine that Sir Russell Dumas, under this measure, is not going to be paid an allowance or remuneration of more than £500 a year. That would be a provision similar to that which applies to the Chairman of the State Electricity Commission (Sir Alexander Reid), because I understand from memory that that is the exact remuneration he is paid. Under the provision of the State Electricity Commission Act he is not deprived of any of his superannuation pension.

As I understood the Minister on Thursday night, he said categorically that the probabilities were that the remuneration to be paid to Sir Russell Dumas, if he remained a member of this authority—and for such period as he remained a member—would probably be in the nature of an honorarium, because he was reluctant to accept a substantial sum. That is the ground on which the Minister has sought to define this proposal in the Bill. From what I have said, it will be realised that if that was the ground it was reasonable, because the circumstances would be exactly the same as those in which other persons similarly situated have been placed. So far as I am personally aware, the remuneration has not been determined in respect of Sir Russell Dumas or any other member. The earlier part of the clause provides it shall be fixed by the Governor.

I would interpret the clause as one to indicate to Parliament that the considerations to which I have just referred are going to apply; in other words, it is a straightforward demonstration of what is intended, and it does not seek to prevent Parliament from having a clear understanding of what is proposed. I would like to suggest to the Leader of the Opposition that he withdraw his amendment in order to enable the clause to be postponed. If he withdrew his amendment for the time being, I would be prepared to arrange for the clause to be postponed and for consideration to be given to various aspects that may require consideration.

Mr. HAWKE: What the Attorney-General has said increases my opposition to this principle remaining in the Bill. The Attorney-General told us that his understanding of the justification put forward by the Minister in connection with this matter last week was related to the possibility

that Sir Russell Dumas would accept very little by way of salary or honorarium to reward him for his membership of the proposed authority. If that is so, it is another bad principle, because it would allow Sir Russell Dumas to be paraded by some people as a super patriot, or something of the kind, who is giving wonderful service as a member of this authority for no salary or for a very small salary when, at the same time, he would be drawing each fortnight a very big State superannuation pension.

If we are to put Sir Russell Dumas on a pedestal for giving a great public service for next to nothing, why should we not do the same to anybody else in a similar situation? The Government should treat this matter in the way it treats similar situations, as they arise. The sensible and least complicated way is for the Minister or Ministers of the Government to discuss this with Sir Russell Dumas.

I would be very surprised if he did not agree to be treated the same as anybody else in regard to superannuation rights. I would be more than surprised if he said, "No; I want special treatment. I want the superannuation Act amended especially for me and not for anybody else." I do not think he would take that stand at all. That is why I agree to the suggestion made by the Attorney-General for the postponing of the clause. I do so on the understanding that when the clause comes up again for discussion I will have the right to again move my amendment if the Government has not agreed to delete this part of the Bill. Accordingly I ask permission to withdraw my amendment.

Amendment, by leave, withdrawn.

Mr. BRAND: I can assure the Leader of the Opposition that we are seeking the postponement of the clause simply because of the absence of the Minister concerned. I can assure the honourable member that he will get the opportunity to move his amendment later on if the Government has not resolved the position in the meantime. I move—

That further consideration of the clause be postponed.

Motion put and passed; the clause postponed.

Clause 7—Authority to be subject to the Minister:

Mr. HAWKE: I would like the Attorney-General to convey my congratulations to the draftsman for the clarity of the clause and the few words used to state the purpose. However, when I look at paragraph (a) of clause 17; paragraphs (f) and (m) of clause 20; and paragraph (c) of clause 21, I find the words, "subject to the minister," the authority may do so and so. Yet in the other clauses which deal with the functions and powers of the board, there are many other paragraphs where the wording, "subject to the Minister," so and so shall happen, do not appear.

In view of the clear-cut and precise nature of clause 7 in regard to the authority being subject to the Minister and having legally to give effect to the directions he might issue from time to time, why is it that in at least two of the following clauses of the Bill covering the functions and powers there are similar paragraphs which say "subject to the Minister" etc., but many more paragraphs that say nothing at all about whether it shall be subject to the Minister or not.

Mr. WATTS: The answer is fairly clear; namely, that it is for greater certainty. The wording in clause 7 was deliberately inserted to ensure that for all purposes of this Act the authority shall be subject to the Minister.

Clause put and passed.

Clause 8—Tenure of office:

Mr. HAWKE: The Minister for Industrial Development or the draftsman must have had good reason for recommending the inclusion of the words, "or to hold office during the Governor's pleasure." Why is there provision in this clause to appoint members or deputy members to hold office during the Governor's pleasure, when in the first part of the clause a member or deputy member may be appointed for any term not exceeding five years? The only reason that comes readily to my mind is that some appointments may be made for very short periods which probably would not justify an actual period of appointment.

Mr. Watts: I think you have hit the nail on the head in one.

Mr. HAWKE: If that is so, I will not press the Premier or the Attorney-General to also hit the nail on the head.

Mr. BRAND: It was thought that in certain circumstances it might be necessary to get the authority under way. Because of certain points made here that the period may be a limited one, the definite time would not be known at the moment of appointment. These words were included to cover that contingency.

Clause put and passed.

Clauses 9 to 13 put and passed.

Clause 14—Authority to be a body corporate:

Mr. HAWKE: This clause appears to give the authority plenty of power. I am not objecting to that so much. What I want to draw attention to is the fact that there are approximately 80 words in one sentence in this clause. I do not intend to expand on that point, because I have a much better chance of expanding in regard to paragraph (g) of clause 17. In paragraph (g) of clause 17 there are 120 words in one sentence. That appears to offer much more scope for discussion than this clause which has 80 words.

Clause put and passed.

Clauses 15 and 16 put and passed.

Clause 17—Functions of Authority:

Mr. HAWKE: I move an amendment—

Page 6, line 25—Delete the words "and other industry".

I think you will remember, Mr. Chairman, the discussion we had on the definition of the word "industry", which is set out in clause 3 of the Bill. As paragraph (f) is worded, one of the functions of the authority would be to advise the Minister on the policy which should be adopted in regard to, and the best methods of undertaking, the transfer of State trading concerns, and other industry controlled or carried on by or on behalf of the State or a department, to the field of private enterprise, and assisting in any such transfer.

Clearly, these words "and other industry" would give the members of the authority all the power in the world to busy themselves on the question of possible or probable disposal of those Government instrumentalities to which I have referred on previous occasions in this debate. Included among those would be the Rural and Industries Bank, the State Government Insurance Office, the meatworks at Robb Jetty, the abattoir at Midland Junction, the State Electricity Commission, the Government Printing Office, and so on. I think it is undesirable to include as one of the functions of the authority the right to advise the Minister on the disposal of any activity which the Government carries on.

Once the members of the authority know what their powers are—even though they are only advisory—they will naturally set out to have a look at everything. It could be argued: Let them do it. Finally, after all is said and done, they are subject to the Minister. All they can do in this matter is to advise him. To those who have had experience in these matters, it is not difficult to imagine a situation arising where members of this authority or a majority of them would advise that a particular undertaking be disposed of. It has already been pointed out that all of the members on this proposed authority, or a majority of them, will be actively associated with private enterprise. They have personal interests in private business concerns at the present time—or at least two of them have.

We can easily understand that some of their colleagues in the field of private enterprise will think it a good thing for the State Government Insurance Office to cease to be a State Government Insurance Office and become absorbed by a private company; a good thing for the meatworks at Robb Jetty to be taken over by some private company—maybe one which is already engaged in the killing and treatment of stock; for the abattoir at Midland

Junction to be taken over by some private company; or for the State Electricity Commission to be taken over.

When that suggestion was made last week, it was rather ridiculed by the Minister, if I remember rightly. However, of all the State undertakings, the State Electricity Commission could be considered as the biggest plum of all. One of the biggest arguments put forward in support of the proposal of the Government to dispose of the State hotels was that the money derived from the sale would be spent on the expansion of tourist activities in Western Australia. So the Minister for Tourists, who is also the Treasurer, might regard it as a great thing to sell some of these other concerns, which would bring in a lot of revenue for the expansion of tourism, and revenue for other purposes.

I sound a warning that the fact that this Bill proposes to give the members of this authority legal power to investigate all these things, to inquire into them, to negotiate, and to advise upon them, could easily lead the Government into substantial difficulties from which it might not be easy to extricate itself. We know how extreme the policy of Liberal Party Ministers is in regard to matters of this kind. We know how much strain is upon them from outside of the Government to get the Government to quit these undertakings, or many of them, so that private enterprise can become the owners and operators of them.

From our point of view, this proposal is unacceptable; and I think from the Government's point of view, on reconsideration, the proposal is one which could create a lot of difficulties and arguments. The members of this proposed authority, because they have been accustomed to doing things and getting things done, when they issue the orders that something should be done, will feel that their advice, when tendered, should be accepted and operated upon.

It might be argued that where members of the Government considered the advice was not in the best interests of all concerned, Ministers would have no hesitation in not accepting the advice. We know—those of us who have given any thought at all to psychology—that even younger members resent their advice being spurned and turned aside. When men get over 70 years of age they turn sour much more quickly and easily. I am sure the member for Leederville, who is giving me a knowing smile at the moment, will know there is much truth in what I have said in that direction.

Members of the Government would be very foolish to think they could, whenever it pleased them, reject the advice of this authority and still get along all right with members of the authority. I am sure that would not be the situation at all. So the

Government, in trying to force this paragraph through Parliament, is following a line which could have a boomerang effect.

I know I have to some extent the sympathy of the Minister for Agriculture in regard to the line of reasoning which I am following, because he knows the value of some of these concerns to primary producers. I think he knows, too, just how much pressure could be put on some Ministers of the Government if some strong group in the field of private enterprise wanted to purchase outright or even lease some of the concerns to which I have made reference. In order to safeguard the assets and welfare of the people of Western Australia generally in regard to this matter, and also in a well-intentioned attempt to save the Government a lot of headaches, I hope the Committee will agree to my amendment.

Mr. WATTS: I see no necessity for the carrying of this amendment. The Leader of the Opposition has already made it clear that this subclause proposes only that the authority shall advise the Minister. There is nothing beyond that in the subclause. The authority can, of itself, do nothing except tender advice. The matter of what shall be done next is first of all referred to the Minister; and subsequently, in the majority of cases, it would have to come before Parliament.

Dealing with the State trading concerns, there is provision in the existing law—put in some 25 years or so ago—whereby those concerns which come under the definition of "State trading concerns"—they are defined in the legislation—may be sold or leased by the Minister without the approval of Parliament. Beyond that, I have satisfied myself that concerns such as the Rural Bank, the State Government Insurance Office, the Wundowie charcoal iron and steel industry, the Midland Junction Abattoir, the Robb Jetty meatworks, and others, the names of which for the moment escape me but which were established and created under statute, can only lawfully be disposed of under other statutes. In consequence, in regard to those things which have been created by statute, other than those few which come under the definition of State trading concerns in the State Trading Concerns Act, there would have to be legislation to authorise their disposal.

Quite apart from the improbability of anyone desiring to dispose of some of these enterprises to which the honourable gentleman has referred, if that by any chance should happen, then I am satisfied from the inquiries I have made and the advice tendered to me, that statutes would have to be passed by Parliament. Therefore there is no need for the amendment; the clause otherwise provides only for the advice of the members of the authority.

Mr. W. HEGNEY: At this stage it is appropriate to ask the Premier his view in connection with the implementation of this clause, should Parliament adopt it. A statement was made in this Chamber some time ago by the Leader of the Opposition, emanating from publicity indulged in by the Premier on behalf of the Liberal Party, which appeared in *The West Australian* on the 13th March.

This provision in the Bill deals with the transfer or disposal of State trading concerns and other industry. We know that "other industry" is all-embracing. I want to know from the Premier, or from the Minister in charge of the Bill, whether the undertaking implied in the Premier's statement will be carried out notwithstanding anything that Parliament agrees to in the Bill; or whether it will be refuted. This is the statement which appeared in *The West Australian* on the 13th March—

The Hawke Government is making absurd charges that Liberal intentions are to close all State trading concerns, fire their employees, reduce wages and lengthen working hours. We will fire nobody nor close any concerns down.

What we intend is, first, to make them payable, based on sound business principles instead of departmental principles, and when this is done we will put them on their own as public companies with shares on the stock exchange, to continue their operations as free enterprise concerns.

As far as I know, that forthright statement on behalf of the Liberal Party has never been refuted. What the Committee is entitled to know is whether the provision in the Bill is going to override the assurance given by the Premier to the people on the 13th March. If the Premier is prepared to give that assurance, it will help the Committee; but if he is going to say it was only an election statement, and has no substance, then the Committee is entitled to know. Of course, the Premier did not make the statement personally, but on behalf of the Party of which he is the political leader.

I am suspicious of the motives of the Government in connection with the Bill. The Deputy Premier indicated that certain utilities, undertakings, or instrumentalities mentioned by the Leader of the Opposition, could not be tampered with except by statute. If we refer to the definition of "industry" we find it is far-reaching in its application. There are more ways than the Attorney-General apparently thinks of doing something in regard to the undertakings that have not been mentioned.

I believe the Government will sap the lifeblood of some utilities or undertakings; because the Government could, by its

policy, sabotage or reduce the effectiveness of the Rural and Industries Bank to ensure that its business was curtailed; and it could do the same with the State Government Insurance Office as is being done with the State Engineering Works today, so that at the appropriate moment there would be nothing to transfer.

My statement is founded on the attitude and approach to State instrumentalities by members of the Government—particularly the Liberal Party section of it—who have, in unmistakable terms, indicated that they will get rid of all branches and phases of governmental enterprise. Would it surprise members on this side of the Chamber if the Government sapped the lifeblood of the Rural and Industries Bank, which is an expanding institution; or curtailed the activities of the State Government Insurance Office, which is making an unqualified success of the insurance business? What will there be to transfer in a few years if the Government carries out its declared policy? There will be nothing to transfer.

Mr. Watts: You ought to go on the stage!

Mr. W. HEGNEY: I am on the stage. I do not want to quote Shakespeare, either. The Attorney-General is passing across the stage just as I am.

Mr. Ross Hutchinson: You play many parts.

Mr. W. HEGNEY: The Chief Secretary does not play many leading parts.

The CHAIRMAN: Order! The honourable member will get back to the amendment.

Mr. W. HEGNEY: The Leader of the Opposition has properly pointed out that the members of this authority will have very little love for State Government instrumentalities. The gentlemen or ladies who will constitute the authority will be sincere, but they will be imbued with the necessity to put the skids under as many industrial activities as possible. The State Electricity Commission has been mentioned. I have no doubt that if private industry were to put pressure on the Government, the new Government Printing Works would be disposed of; it could so happen that the Government could channel its work into private enterprise, and the State would find before long that the Government Printing Works had been handed over to private individuals.

It would be possible, under the definition of "industry," to transfer our technical training institutions to private enterprise. The member for Murray laughs; but I am not saying it would be done but that under the definition of "industry"—

Mr. Hawke: Do not discourage the honourable member from laughing.

Mr. W. HEGNEY: —they could be disposed of. As long as anything is carried on by the State, if it is associated directly

or indirectly with commerce or industrial activity, it comes within the definition of "industry."

The Liberal Party section of the Government is very insistent in its attitude towards State undertakings. If this clause is agreed to, and it becomes part of an Act, in due course the authority will advise the Government, which will take the easy way, and pass the buck by telling the people, "We were advised by this competent authority to dispose of your assets in this direction. We were advised by the authority to transfer this undertaking or industry." I do not criticise any member of the Liberal Party personally, but I have followed the policy of that Party closely—

The CHAIRMAN: I hope the honourable member will tie this up with the amendment.

Mr. W. HEGNEY: I will tie it up so tight that I hope the whole clause will be strangled. I believe that over the next 2½ years the Liberal Party will do everything possible to get rid of State undertakings or industries; and price will be a secondary consideration.

Mr. J. HEGNEY: There is no doubt that this clause proposes to give the authority extremely wide powers—all-embracing powers, in fact. If it is not intended that the authority is to use these powers, why are they included in the clause? The authority, among other things, is to advise the Minister on the policy which should be adopted; and it is the declared intention of the Government to get rid of these State undertakings; so this authority will advise Ministers as to the steps which should be taken to that end. I do not think Parliament should tolerate such a proposition. If this clause is agreed to, Ministers in the future may have very little to do; and the authority may become an oligarchy. The authority will be able to formulate policies, no matter how repugnant to the well-being of the community, for the Ministers of the day to implement.

The Attorney-General said this evening that he could give an assurance that, as far as he was concerned, there would be no intention to get rid of the industries that had been referred to; and that until amendments were made to the law no Government could get rid of them. However, it seems that the wording of this measure is such that the proposed authority will be able to enunciate a policy by which the Government can undermine these industries and State trading concerns, and reduce them to such a state that when they have ceased to be worth-while industries, private organisations will be able to take them over, stimulate them and make an immense profit from them. I support the amendment.

Mr. FLETCHER: I took exception to this clause at an earlier stage of the debate, and I was criticised by the Minister in

charge of the Bill; but I must again attack the clause which, as I said, seems to have a sinister purpose. The amendment would improve the position, if agreed to, but I would prefer to see the whole clause deleted, as its purpose is the ultimate disposal of all State trading concerns. The Attorney-General said that statutes would have to be passed at a subsequent date, to allow for the disposal of the State Government Insurance Office, the R. & I. Bank, the abattoirs, and so on; but I believe that the intention is to have this measure passed and at a subsequent date to bring forward further legislation to enable those concerns to be disposed of.

I cannot see the Country Party section of the Government condoning the move that is afoot. When the Attorney-General referred to various industries and undertakings, he made no mention of Chamberlains, which I believe is now on a payable basis, which would make it an attractive proposition to private enterprise, in view of the markets that have been created for its products in the Eastern States and elsewhere. I think the fact that the Attorney-General did not mention Chamberlains is most significant. I support the amendment.

Mr. BRADY: I do not think a responsible Minister would have introduced this measure unless he had some idea of implementing it provisions. In view of the fact that the Crown Law Department has gone to the trouble of setting out clearly what is meant by "industry," apparently it is the intention, when opportunity offers, to get rid of some of the State concerns. This evening the member for East Perth asked the Premier to lay on the Table of the House the file relating to the setting up of this authority; but the Premier said he did not feel disposed to do so, because it was not necessary.

The Attorney-General said that legislation would have to be passed to repeal the statutes which set up the Rural and Industries Bank, the abattoirs and so on, before those undertakings could be disposed of; but I think that had the Premier agreed to lay the file on the Table of the House it would have done much to relieve the fears of members. The other day when I challenged the calling of the Tourist Bureau an industry, I was assured by members on the Government side of the House that it is an industry, and so I think it would be possible for the Tourist Bureau to be handed to private enterprise after £10,000 or £20,000 had been spent on it.

I believe that not only are the industries mentioned by the Leader of the Opposition likely to go under the hammer but also, under the provisions of this clause, the State Tourist Bureau could be handed over to private enterprise, seeing that the Minister, with the assistance of the Crown Law Department, has defined "industry" as it is set out in the Bill. I think that is borne out by the wording of paragraph (f).

It would appear that all the proposed authority has to do is to tie up all the ends and to tell the Minister that everything is ready for a certain department to be taken over by private enterprise. All that is required then is for the Minister to approve, and the transaction is complete. In view of that, I have no alternative but to support the amendment.

Mr. HAWKE: The Attorney-General has definitely convinced me that the whole of paragraph (f) is unnecessary. In fact, I consider that the whole of the clause is unnecessary, because it is padded to make it appear more important. Paragraph (a) provides all the functional power in respect of the provisions contained in paragraphs (b), (c), (d), and (h). However, I will concentrate on the amendment.

Paragraph (f) provides for the authority to give advice to the Minister. I have moved to delete the words, "and other industry." This would mean that the members of the authority could give advice to the Minister only on the policy of disposing of State trading concerns. They are well understood because they are covered by a separate statute. The words, "and other industry" in this clause could conceivably cover almost every other Government activity including those to which we have already made reference.

The Attorney-General said he thought it was highly improbable the Government would seriously consider, at any time, the disposal of the Rural and Industries Bank, the State Government Insurance Office, the State Electricity Commission, the meat works at Robb Jetty, the Midland Junction Abattoir, the Government Printing Office, and so on. If that be so, why retain in this paragraph words which would cover all those instrumentalities and many others? Why not leave this clause to cover only State trading concerns? In fact, the Government has the power now to sell all State trading concerns.

If, as the Attorney-General has told us, the Government would have to come to Parliament to get authority to sell or dispose of these other State trading concerns, why mention anything about them in this Bill? Why lead members of the proposed authority to believe that Parliament would want them to investigate the question of disposing of the State Government Insurance Office, the Rural and Industries Bank, and so on to private enterprise when the Attorney-General tells us that the Government does not intend to dispose of them?

Therefore, not only is there every justification for the deletion of these words, "and other industry"—and others following them to put the clause in order—but there is justification for the deletion of the whole paragraph. Should that be done and the Government wanted advice from the members of the proposed authority on something or other, is it suggested that the Government would not be able to get that advice?

It is intriguing, too, to read that the members of the proposed authority are to advise the Minister on policy. I think the policy of the Government on State trading concerns was clearly announced during the election campaign. Therefore, there is something in what was said by the member for Mt. Hawthorn and the member for Middle Swan concerning the standing which this proposed authority is to be given in the affairs of the Government, because it is to advise the Government on policy. One would think that that would be a prime responsibility of a Minister, particularly on a vital subject such as the disposal or non-disposal of these instrumentalities which are not regarded as State trading concerns. The safe and sensible thing for members of the Committee to do is to support the amendment.

Mr. NORTON: Since the Attorney-General spoke, I have been more convinced than ever that there is something deeper in this clause than meets the eye, especially when one considers the definition of "industry" and of "department", both of which the Leader of the Opposition seeks to delete. The word "industry" covers a wide field; and, coupled with the word "department", it embraces State trading concerns, the Rural and Industries Bank, the Fremantle Harbour Trust Commissioners, and any Crown instrumentality which controls or carries on any industry. Therefore, I can see no objection to the amendment. The clause, as printed, could override the provisions of other statutes which relate to Government departments mentioned by the Attorney-General.

Mr. MOIR: I am concerned about this provision in the Bill, especially as it relates to the State Government Insurance Office. There is no doubt that the powers to be granted will permit the transfer of that office to private insurance companies should that be desired by the Government, and I emphatically protest against that happening. The State Government Insurance Office was established because private insurance companies would not insure goldmining employees against injury.

Against the will of Parliament, the Minister of the day had the courage to establish the State Government Insurance Office, and for many years it carried on its activities without the approval of Parliament. During that time the private insurance companies would not underwrite workers' compensation insurance handled by that office, due to the hazardous nature of the mining industry. Over the years it has been proved that the State Government Insurance Office has been of great benefit, not only to the employees of the goldmining industry, but also to the companies themselves. It has afforded them a much cheaper premium than they would have obtained from private insurance companies.

The CHAIRMAN: I assume that the honourable member intends to connect his remarks with the amendment?

Mr. MOIR: Yes, Mr. Chairman. I draw your attention to this part of the Bill which refers to the transfer of State trading concerns "and other industry." That is wide enough to include the State Government Insurance Office.

The CHAIRMAN: The question at the moment is whether the Committee will delete the words, "and other industry".

Mr. MOIR: That is so; and I support the amendment. It is essential that the State Government Insurance Office should remain within the jurisdiction of the Government. With the complicated laws relating to mining and industrial diseases, and to accidents in mines, in borderline cases the Ministers of whichever Government was in power have used their discretion to order payments to be made to the unfortunate persons affected. It is an everlasting credit to the present Attorney-General that he gave a directive to the State Government Insurance Office for payments to be made; that proved to be an immense benefit to the workers in industry.

Having had experience of insurance cases and workers' compensation covered by private companies, I am sure that if the State Insurance Office were to pass into private hands the workers would not receive the considered treatment which they have received through that office. For that reason, if for no other, anyone who is interested in the goldmining industry and the workers engaged therein must protest against the disposal of the State Insurance Office.

Furthermore, the office has eased the burden on the goldmining industry by reducing the premium rate over the years. Today the coverage is 22s. per cent. as compared to 84s. per cent. a few years ago. If it is not intended that the State Insurance Office be covered by the term "other industry" I cannot see the necessity to include those words in the Bill.

Mr. HALL: I support the amendment. The seriousness of the definition "industry" was pointed out the other evening when I gave a quotation from the *Official Year Book of Western Australia* for 1957. At this stage I want to give the definition of "industry" referred to on pages 298 and 299 of that Year Book. It includes primary production and—in that—fishing, hunting and trapping, agriculture and mixed farming, grazing, dairying, poultry farming, forestry, and so on. The next classification included is mining and quarrying; and in my view, even the prospectors are included.

Another classification included is manufacturing; and that refers to cement, bricks, glass and stone, founding, engineering and metal-working, manufacture, assembly and repair of ships, vehicles, parts

and accessories, clothing and knitted goods (including needleworking), boot and shoe making and repairing (other than rubber) and accessories.

The next classification which is included is relevant. It refers to electricity, gas, water and sanitary services, gas and electricity, water supply, sewerage, etc. Another classification is building and construction, which includes construction and repair of buildings, construction works, and maintenance.

Further on the classification of finance and property is included, and it refers to banking and insurance. That would apply to the Rural and Industries Bank and to the State Government Insurance Office. Other classifications included are amusement, hotels, cafes, religion, social welfare, health, hospitals, etc., education, and other professional.

When we examine the amendment, we find that the Leader of the Opposition is only seeking to protect the interests of every worker in the State, and to defend the interests of the people's bank, which is the Rural and Industries Bank. Many people here have transferred their accounts from the Commonwealth Bank to the Rural and Industries Bank with a view to assisting the State. I support the amendment as I believe the term "other industry" is too wide.

Mr. MAY: I protest against the inclusion of the subclause with which we are dealing, and I support the amendment for one reason alone. With the inclusion of the words "and other industry", a situation could arise where the member of the proposed authority was directly interested in the coalmining industry of this State.

There are three companies operating in the coalmining industry in this State, and two of them are more or less gasping for breath. I can visualise what would happen if the State Electricity Commission was offered for sale to private enterprise. There would be a scramble to dispose of the coal from the company in which the member of the authority was interested to the State Electricity Commission.

If a member of the authority were interested directly in a coalmining company which was gasping for breath, I can imagine in what direction his interest would lie when considering the disposal of the State Electricity Commission. For that reason the words, "or other industry" should be deleted from the clause.

I do not suggest that a member of the proposed authority will have any ulterior motives, but it is only human nature that if a person were connected with a company which was looking for business and trying to hold itself above water, he would turn his attention to the State Electricity Commission in order to dispose of the coal from that company.

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

Ayes—19.

Mr. Andrew	Mr. Kelly
Mr. Bickerton	Mr. Lawrence
Mr. Brady	Mr. Molr
Mr. Fletcher	Mr. Norton
Mr. Hall	Mr. Rhatigan
Mr. Hawke	Mr. Rowberry
Mr. Heal	Mr. Toms
Mr. J. Hegney	Mr. Tonkin
Mr. W. Hegney	Mr. May
Mr. Jamieson	

(Teller.)

Noes—21.

Mr. Bovell	Mr. Mann
Mr. Brand	Mr. W. A. Mazning
Mr. Burt	Sir Ross McLarty
Mr. Cornell	Mr. Nalder
Mr. Craig	Mr. Nimmo
Mr. Crommellin	Mr. O'Connor
Mr. Grayden	Mr. O'Neill
Mr. Guthrie	Mr. Owen
Dr. Henn	Mr. Watts
Mr. Hutchinson	Mr. I. W. Manning
Mr. Lewis	

(Teller.)

Pairs.

Ayes.

Mr. Nulsen
Mr. Graham
Mr. Sewell
Mr. Evans

Noes.

Mr. Court
Mr. Wild
Mr. Perkins
Mr. Oldfield

Majority against—2.

Amendment thus negatived.

Mr. HAWKE: When the Minister was speaking the other evening and defending one of the clauses in the Bill, he stated that the objectives set out in the Bill were very important and were all expressed in clear-cut and simple terms. I have read and re-read paragraph (g) many times, and I think I know what it means. It is a paragraph which contains no fewer than 120 words in the one sentence. I propose to read the sentence which is the paragraph, and I hope every member will listen carefully. It is as follows:—

- (g) in relation to any contract which has been or is made by or on behalf of the Government of the State, the Authority or a department with respect to an existing or proposed industry and which under section eighteen or section nineteen of this Act, is referred to the Authority, to ascertain what has been or should be done under the contract, to take, either directly or in a liaison capacity (whichever the Minister considers to be the more appropriate),—

Mr. Nalder: Better take a breath!

Mr. HAWKE:

—whatever action is necessary or expedient to ensure the carrying out of the contract, and to exercise all or any of the powers mentioned in section twenty of this Act; and

I think the taxpayers of Western Australia—who pay the taxes to employ the draftsman in the Crown Law Department—the Ministers of the Crown, and members of Parliament, are entitled to have legislation drafted in such a way that it is

reasonably capable of being understood by the average person. I feel confident that if I were to take the members of this Committee one by one and ask them what they thought this paragraph meant, there would be very few who could say what it meant. I might even be amongst them.

I have already said that much of what is contained in this clause is merely padding and is unnecessary. I mentioned by way of illustration that paragraph (a) made paragraphs (b), (c), (d), (e), and (h) unnecessary because they are largely padding to make the Bill look a little more formidable and important. However, I did not take serious objection to those.

But I do take serious objection to paragraph (g). I am certain it could be much more clearly worded. It is quite possible that the one sentence could be broken up into three sentences. I know that there are other instances where long sentences have been included in legislation, but that certainly is no good reason why we should continue the practice. I am sure that the sentence could be improved so that people would have a reasonable chance of comprehending what it is all about. To take a step in this direction, I move—

Page 6—Delete paragraph (g).

I do this so that the Crown Law officers will have an opportunity before the Bill is considered in Committee in the Legislative Council to re-word the paragraph along the lines I have suggested.

Mr. BRAND: I must oppose this amendment. As the Committee knows, each and every one of us desires greater brevity in the drafting of Bills. The Leader and members of the Opposition, when on this side of the House, introduced dozens of Bills including the same flowery language.

Mr. W. Hegney: No!

Mr. BRAND: No; of course not! I notice the member for Mt. Hawthorn has a lot to say now he is on that side of the House. We could never get him to say enough when he was on this side of the House.

Mr. W. Hegney: I did not get much of a chance.

Mr. BRAND: No; perhaps the honourable member did not. Perhaps the Leader of the Opposition, then Premier, was afraid to let him out, because he was always putting his foot in it. However, this paragraph is only one of many—

Mr. W. Hegney: What does it mean? Tell us what it means!

Mr. BRAND: I cannot say any more about this paragraph except to read it again to the Committee.

Mr. J. Hegney: What does it mean? That is what we want to know.

Mr. BRAND: If this paragraph is read properly—not as the Leader of the Opposition read it—it can be understood. I have

explained that it makes reference to contracts which can be made between the Government and the authority, but I will read it again, pausing in the right places, so that it can be understood. It is as follows—

In relation to any contract which has been or is made by or on behalf of the Government of the State, the authority or a department with respect to an existing or proposed industry and which—

and then is inserted “under section 18 or section 19 of this Act.” I think that perhaps a few words could have been left out there; but what does it matter? The senior draftsman is the expert amongst us in this matter, and he has brought this Bill before us in this form. We have had Bills submitted here in this form previously, and they have been drafted by the Parliamentary Draftsman.

Mr. W. HEGNEY: You are not explaining the paragraph.

Mr. BRAND: I am not proposing to explain any more of the paragraph. Perhaps the Attorney-General could give an explanation of what it all does mean, but it is quite clear it is making reference to certain contracts. One must remember that the clause starts off, “the functions of the Authority are” and then follows paragraph (g), amongst others. In my opinion the paragraph simply states that one of the functions of the authority is to advise the Minister in respect of contracts to be made between the State and the authority on the existing contract or proposed contracts.

Mr. W. HEGNEY: No!

Mr. BRAND: As the Attorney-General has pointed out, the whole function of the authority is to advise the Minister in respect of any contract made or about to be made.

Mr. W. HEGNEY: That is very clear!

Amendment put and negatived.

Mr. W. HEGNEY: I would like to know whether the Premier, as Leader of the Government, proposes to ensure that the conditions set out by him on the 13th March will override the provisions of this Bill.

Mr. BRAND: The member for Mt. Hawthorn is, of course, trying to be very clever. The statement which I made on the 13th March was made by the Party. It has been pointed out, however, that in respect of any of these matters—particularly the trading concerns referred to—they must be dealt with by Parliament. Therefore, for the information of the member for Mt. Hawthorn I would remind him that it was made perfectly clear what we would do, as Parties, in respect of these industries, if we gained the Treasury bench.

This Bill is not misleading in any way. It clearly indicates that we intend to set up this authority in order to have its assistance to help us to fulfil the undertaking we gave the people during the election. Of course the prime purpose of this authority is to assist and advise the Government on ways and means of bringing new industry to the State, and having greater amounts invested here in order to expand industry, create more employment, and generally strengthen the economy. I am not going to be trapped by the use of words in this Chamber. We will adhere to the undertaking given during the election; and, where it is necessary, bring matters to Parliament for consideration, particularly if existing legislation is affected.

Mr. W. HEGNEY: The Premier cannot wriggle out of an undertaking as easily as he thinks he can.

Mr. Brand: He is not saying any more, anyway.

Mr. W. HEGNEY: He just accused me of not saying as much when on the other side as on this side. Now he is going to be as close as an oyster.

Mr. Brand: I have said all I am going to say.

Mr. W. HEGNEY: The Premier has said too much. I asked him a simple question as to whether the undertaking that he gave on the 13th March in *The West Australian* would have precedence over paragraph (f) in the Bill.

Mr. Watts: How the deuce can any statement made on the hustings take precedence over an Act of Parliament?

Mr. W. HEGNEY: The Attorney-General is usually on safe ground, but he is on slippery ground over this one.

Mr. Watts: He is not. You answer my question!

Mr. W. HEGNEY: Put it on the notice paper! I am dealing with the Premier. This is what he said, and it has not been denied—

The CHAIRMAN: I cannot allow the honourable member to proceed on those lines, because the only part of the functions of the authority with which we are now dealing are those contained in paragraph (h).

Mr. W. HEGNEY: Are we discussing paragraph (h) or clause 17? You, Mr. Chairman, put the question “That the clause stand as printed.” You do not put the question “That paragraph (h) stand as printed.”

The CHAIRMAN: That is correct.

Mr. W. HEGNEY: The Premier said—

Mr. Watts: You have said all this before, and it is tedious repetition.

Mr. W. HEGNEY: How many Chairmen are there in this Committee? In his policy speech the Premier said that first of all he would make these concerns payable based on sound business principles,

instead of departmental principles; and, when that had been done, he would put these undertakings on their own as public companies. Does the Government intend to carry out that undertaking and not dispose of any concern until it is placed on a businesslike basis, or does it intend to adhere to the provisions in this Bill? One of the functions of the authority is to advise the Minister on policy. As I understand our system of Government, the Government of the day lays down policy.

Mr. Watts: Occasionally it takes advice even from such persons as civil servants.

Mr. W. HEGNEY: The people are entitled to know whether any instrumentality will be disposed of, and when it will be disposed of.

Mr. Watts: Do you know what will happen to you shortly?

Mr. W. HEGNEY: I know what will happen to me; but I do not know when, how, or where. But it will be to the disadvantage of the State. However, I cannot help that.

Mr. HAWKE: I rise only for the purpose of asking whether the Attorney-General will have some consideration given to the wording of paragraph (g) before the Bill goes into Committee in the Legislative Council.

Mr. Watts: I think we might ask the question as to whether it could be improved.

Clause put and passed.

Clauses 18 and 19 put and passed.

Clause 20—Powers of the authority:

Mr. HAWKE: This clause sets out the powers of the authority; and, among other things, by the wording of the clause, it will be given power to enter into and carry on negotiations for contracts in regard to an existing or proposed industry; it will be given power to make contracts with respect to any existing or proposed industry provided the sum of money involved does not exceed £5,000 or the performance of the contract extend over a period exceeding ten years. In either of those events the approval of the Governor in Council would be required. Other parts of the clause go on to deal with the question of contract.

In paragraph (e) the authority is given power to carry on, maintain, sell, lease, or otherwise dispose of the whole or any part of the property or industry which is the subject of a contract. I know that in relation to this matter we must always keep in mind clause 7 of the Bill, which makes the authority subject to the Minister and also sets it down that the authority shall give effect to any direction which the Minister issues. Nevertheless, clause 20 appears to me to give the authority a lot of power, and some of it power which could be

operated by the authority in such a way as to act to the detriment of the Government and the State.

As far as I can read the Bill, the members of the authority would be able to go ahead in connection with these lesser contracts and finalise them without necessarily getting the approval of the Minister. I think to some extent along those lines because some of these contracts might be developed so far before the Minister is able to issue any instructions as to make it impossible for the authority to withdraw, or for the Government to wipe out what has been done, without the Government involving itself in possible claims for damages.

Another point which I want to raise in connection with the clause has to do with subparagraph (ii) of paragraph (d), which seems to give to members of the authority the right to engage their own solicitors.

Mr. Watts: I do not think so. They can, subject to the direction of the Minister.

Mr. HAWKE: Would they have to do that?

Mr. Watts: Unquestionably. That was put in as a safeguard—that they should have to get legal advice before they entered into these contracts. The phrase was put in by the Crown Law officers, so obviously they concur with me.

Mr. HAWKE: Let us discuss the point further, because I think there is some doubt about it.

Mr. Watts: I do not, unless the Minister directed them to go elsewhere.

Mr. HAWKE: Clearly members of the authority would not be wanting to go to the Minister all the time about everything; and, even more clearly, the Minister would not want them coming to him all the time.

Mr. Watts: I think you are making a mountain out of a molehill.

Mr. HAWKE: I am not trying to make a mountain; I am trying to indicate that in my view the authority could engage solicitors, and those solicitors could be private practitioners. I do not see anything in the Bill which would make it obligatory or even reasonable for members of the authority to go to the Minister and consult him about it.

Mr. Watts: Is it obligatory for a Government department to use Crown Law officers?

Mr. HAWKE: I think so.

Mr. Watts: How many of them?

Mr. HAWKE: I should think nearly all of them.

Mr. Watts: Under what control?

Mr. HAWKE: Under the administration of the Government.

Mr. Watts: That is what I am saying in this case.

Mr. HAWKE: I think the Attorney-General is overlooking a most important point. Is there in any statute which sets up any department or government instrumentality a paragraph or subparagraph similar to this one?

Mr. Watts: That I could not tell you.

Mr. HAWKE: The Attorney-General could tell me, because he would know, as well as I do, that there is not a provision such as this one in any statute which sets up any Government department or instrumentality. This is on a different footing from the ordinary Government department and instrumentality. This does give the authority power, because that is what the clause deals with; namely, powers of the authority. One of the powers is set out in subparagraph (ii) of paragraph (d).

Mr. Brand: Doesn't that emphasise the fact that it should not be drawn up except legally? I would assume it would refer to the Crown Law officers.

Mr. HAWKE: If the Premier thinks that to be so, there are two ways of ensuring that it happens. One would be to delete the paragraph altogether and lay down as a matter of administrative policy that it should be done; and the other would be to put a few words into the subparagraph to make a direct reference to the Crown Law Department.

Mr. Brand: We are not desirous of enforcing the authority to stick altogether to the Crown Law Department. Surely we can go outside if we wish!

Mr. HAWKE: Now the Premier is parting company with the Attorney-General.

Mr. Watts: Not at all! The Crown Law Department itself goes outside.

Mr. HAWKE: The Premier now says the authority would have the right to go outside and engage private solicitors.

Mr. Watts: Once again I say, subject to the Minister.

Mr. HAWKE: From the Bill, that would not necessarily follow. It would only follow if we laid it down early in the proceedings that the Minister's consent and approval would have to be obtained before the members of the authority could on any occasion engage private solicitors.

Mr. Watts: You can argue that to a greater or lesser extent in regard to any Act.

Mr. HAWKE: I disagree, because this sort of wording would be found in very few statutes setting up departments and instrumentalities. If we read the wording of paragraph (n), we will see that the authority has all the power in the world. It can invade any sphere or domain, and make any demand or request for information about anything.

Mr. Watts: Firstly, the matter has to be referred before it can do anything at all.

Mr. HAWKE: If we relate the other clauses of this Bill to this provision we will see that there is practically no limit to what the members of this tribunal might do. We have already explained how wide is the definition of industry. In my opinion this Bill is as wide as the world; and now we are to go further and say that the members of the tribunal should do what is set out in paragraph (n). I cannot think of anything that the tribunal cannot do under this paragraph, when related to the other parts of the Bill.

Mr. Watts: This is all subject to the Act.

Mr. HAWKE: It refers not only to this Act but to any other Act.

Mr. Watts: The powers contained in paragraph (n) are subject to the opening portion of clause 20.

The CHAIRMAN: The honourable member's time has expired.

Mr. HAWKE: Thank you, Mr. Chairman! I think you have saved the Attorney-General on this occasion!

Mr. W. HEGNEY: I do not know whether the Attorney-General has had close association with the drafting of this Bill. It is reasonable to assume that the Minister in charge of the Bill has.

Mr. Watts: No Bill leaves the Crown Law Department unless I have seen it first.

Mr. W. HEGNEY: Paragraph (a) is very wide in its application. The authority can investigate any existing industry, quite apart from a proposed industry. Would it have the power to investigate the entire ramification and financial set-up of a small industry? How far and in what directions can this authority investigate industry, large or small?

Mr. Hawke: Unlimited!

Mr. Watts: The industry has to be one that is carried on and which is referred to it. You will find reference to it in clause 19; and, in addition to that, clause 20 is subject to the Act and therefore there is no possibility of any of the things you are suggesting ever taking place.

Mr. W. HEGNEY: The Leader of the Opposition said that every item would not be referred to the Minister. This authority will be subject to the Minister. The powers and functions of the authority set out in another clause are so wide that each time it made a move it would not refer the matter to the Minister.

Mr. Watts: It would not need to.

Mr. W. HEGNEY: Let us assume that the authority proceeds of its own volition to make inquiries and investigate industry.

Mr. Watts: Paragraph (n) applies to industries they carry on themselves, or which are referred to them by the Minister.

Mr. W. HEGNEY: I am talking about paragraph (a); and according to that, the authority can investigate any industry, and this could cause considerable resentment if a person instructed by that authority investigated the ramifications of a small industry which was just getting established.

Mr. Watts: You seem to have the impression that the persons on the authority would be lunatics.

Mr. W. HEGNEY: I did not say they would be lunatics; but this Government will pick men who will do its bidding. They will not be lunatics, but they will be amenable to Liberal Party policy. In its desire to put its policy into operation, and to put the skids under State instrumentalities, the Government will hand-pick men who will carry out that policy. I want to know to what extent this clause will apply.

Mr. Watts: What has putting the skids under State instrumentalities to do with investigating any industry?

Mr. W. HEGNEY: I said that the Government—

Mr. Watts: You flit from bough to bough.

Mr. W. HEGNEY: I said that the Government will, by its attitude as envisaged in this Bill, do its best to put the skids under State instrumentalities and will hand-pick men who will carry out Government policy. Therefore, I would like to know to what extent this clause is intended to operate.

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

Ayes—21.

Mr. Bovell	Mr. Mann
Mr. Brand	Mr. W. A. Manning
Mr. Burt	Sir Ross McLarty
Mr. Cornell	Mr. Nalder
Mr. Craig	Mr. Nimmo
Mr. Crommelin	Mr. O'Connor
Mr. Grayden	Mr. O'Neill
Mr. Guthrie	Mr. Owen
Dr. Henn	Mr. Watts
Mr. Hutchinson	Mr. I. W. Manning
Mr. Lewis	(Teller.)

Noes—19.

Mr. Andrew	Mr. Kelly
Mr. Brady	Mr. Lawrence
Mr. Evans	Mr. Molr
Mr. Fletcher	Mr. Rhatigan
Mr. Hall	Mr. Rowberry
Mr. Hawke	Mr. Sewell
Mr. Heal	Mr. Toms
Mr. J. Hegney	Mr. Tonkin
Mr. W. Hegney	Mr. May
Mr. Jamieson	(Teller.)

Pairs.

Ayes.

Noes.

Mr. Court	Mr. Nulsen
Mr. Wild	Mr. Graham
Mr. Perkins	Mr. Norton
Mr. Oldfield	Mr. Bickerton

Majority for—2.

Clause thus passed.

Clause 21—Incidental Powers:

Mr. CRAIG: I move an amendment—

Page 11—Delete paragraph (a) in lines 19 to 25.

I thank the Minister for his explanation of the various objections that were raised during the second reading stage in regard to this particular section of the clause, which I feel is rather dangerous. It cuts across the authority that is already vested in local authorities so far as the removal of gravel and clay are concerned.

Mr. WATTS: The Minister who introduced this Bill said he was prepared to accept this amendment. Therefore, I agree with it.

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

Clauses 22 to 35 put and passed.

Clause 36—Exemption from rates and taxes:

Mr. HAWKE: This measure proposes to give the authority power to purchase land, power to enter into contracts, power to take over industry, power to operate industry, and so on. Therefore, all of the land over which the authority in the future would have control would be land which at present is paying rates to the local governing bodies concerned. One cannot know with any degree of certainty the extent to which this authority will spread its activities in the future. However, to whatever the extent the activities might develop, to that extent, if this clause is left in the Bill, local authorities that are now receiving revenue will lose that revenue.

I should think that there would be a necessity on the part of the Premier or the Attorney-General to justify this particular clause. It is a new authority altogether—an authority which has been given powers which have never been possessed before in Western Australia's history. Presumably the authority will take over various undertakings from time to time and will operate various activities involving the taking over of considerable areas of land, some with industries upon it and some with none. It is a question, therefore, as to whether in the circumstances to which I have made reference, Parliament considers the local authorities should be deprived of revenue which they receive at present.

Progress reported.

BILLS (2)—RETURNED

1. Land Tax Assessment Act Amendment Bill.
2. National Fitness Act Amendment Bill.
Without amendment.

ANNUAL ESTIMATES, 1959-1960

Committee of Supply.

Resumed from an earlier stage of the sitting, the Chairman of Committees (Mr. Roberts) in the Chair.

Vote—Miscellaneous Services £3,057,685 (partly considered):

Item No. 17: Sailors' Rest, £50 (partly considered.)

Mr. HALL: There is an organisation at Albany formed to do something to alleviate the position of seamen. As members are no doubt aware, the increased shipping has added to the hazards, as the sailors have nowhere to go for recreational purposes. This body feels that something should be done about the situation. That contention is borne out by the evidence of one or two bad crimes that actually occurred amongst the sailors in that port. If the organisation could receive some financial support from the Government it would help considerably, and I would ask the Premier to consider the matter. He has made allowance for only £50 in the Estimates and that is a very meagre sum.

Mr. BRAND: My notes indicate that the objects of this society are to advance the literary, moral, and social welfare of seamen. Board and lodging is given to indigent seamen. It communicates with lonely lighthouse keepers and their families, and does other charitable work for seamen. In 1958-59 an additional grant was made in recognition of the jubilee of the society. The member for Albany has raised the matter as it affects that town. I have no doubt that all out-ports could lay some claim for assistance. However, it is a matter that has not been raised previously and is one that I do not know anything about; but I do know that the society does a worth-while job in looking after seamen in ports.

I would like to point out to the Committee, though, that I wish to avoid dealing with individual places and centres which make application for financial assistance. I would prefer that any such moves be made through the central body—in Fremantle in this case—in order that there might be some co-ordination and well-established case for assistance.

Mr. BRADY: I would like now to refer to item No. 12 which concerns the Historical Society (£50).

The CHAIRMAN: The honourable member cannot go back.

Item No. 18: St. John Ambulance Association, £5,750.

Mr. KELLY: I am at a loss to understand why this item has been reduced by £3,522. I do not think there is any more deserving body giving public service in Western Australia than the St. John Ambulance Association. An amount of

£9,272 was spent during the previous period, and I would like to know whether the Premier would give me some idea of the reason for the reduction.

Mr. BRAND: I agree with the member for Merredin-Yilgarn that this particular body—the St. John Ambulance Association—does a marvellous job right throughout the State and is worthy of any assistance we can give it, bearing in mind that it is a voluntary organisation, and we must maintain it on that basis. My notes indicate that the grant to the St. John Ambulance Association is given to assist it in maintaining an ambulance service at various centres throughout the State. In 1958-59 a number of centres received non-recurring grants for capital purposes, and the provision this year has been reduced accordingly. Evidently recurring grants have been made to certain centres; but the cost has been met now, and it is not necessary to spend so much this year. We have been in touch with the headquarters of St. John Ambulance with the object of doing what I referred to in relation to the Sailors' Rest Organisation. There have been individual approaches from many centres to the Treasury, and they have been dealt with accordingly. I think it is a wise policy that, as in the case of the Silver Chain, requests from outside should come to the Government through the main body, and with its support. I hope we will be able to make a satisfactory arrangement with the headquarters of St. John Ambulance; not with a view to cutting down the grant, but so as to ensure that the money is spent to the best advantage and more equitably spread throughout the State.

Item No. 20: Social Centres for Aged—Maintenance Grants, £2,000.

Mr. FLETCHER: In view of the Treasurer's statement regarding submissions being made by organisations, I notice that the increase in expenditure under this item is £859; and I was hoping that that much would be spent at the centre at Fremantle, which has recently been renamed. There are no tops on the sinks there now and parts of the toilets and washrooms have not been rendered or painted.

The CHAIRMAN: The honourable member cannot proceed on those lines. These items have been allocated.

Mr. FLETCHER: I hope the Treasurer will consider any submission made for assistance towards this worthy cause, particularly at Fremantle.

Mr. BRAND: Like most Treasurers, I have always been prepared to give consideration to any approach; and I will not go further in this regard tonight. I think the honourable member's request comes within the category of something being sprung on me. Government assistance is

available for social centres for the aged in two ways, under a system more or less established by the previous Government and followed by the present one: (a) assistance for construction or alterations to the extent of one-third of the total cost up to a maximum of £3,000 in any one centre; and (b), half the operating expenses of centres up to a maximum of £500 per annum for any one centre. Capital grants are made from the General Loan Fund and this item covers provision for grants towards operating expenses. If there are many applications and it is evident to me that we have insufficient money to meet the demand, it is just a matter of each centre getting into the queue and being dealt with accordingly and in that sequence.

Item No. 29: Albany Municipal Council—Drainage Yakamia Creek, £4,500.

Mr. HALL: In 1958-59 there was a vote of £4,500 and no expenditure; and this year the estimate is £4,500, although I understand the work has been nearly completed. Could the Treasurer clear up that point?

Mr. BRAND: My information is that this is a grant towards the cost of Yakamia Creek drainage. The total scheme is expected to cost £10,940 and the balance of this amount is to be provided by the Albany Road Board. Evidently for this year we are providing a grant of £4,500 for the first time and the balance of the £10,940 will be found by the road board.

Item No. 37: Bunbury Municipal Council, £180.

Mr. CORNELL: In view of the fact that the Chairman of this Committee has an interest in a place called Bunbury, could the Treasurer enlighten us as to this item?

Mr. BRAND: I am advised that this grant is the final Government contribution towards the cost of drainage of the housing area at Carey Park East. The total cost of the scheme is £25,000, of which the State Housing Commission provides £15,000, the Government £3,000 and the local authority £7,000. We are finishing up with a final payment of £180.

Item No. 39: Commonwealth Parliamentary Association, £12,300.

Mr. J. HEGNEY: I understand that when the Premiers discussed this proposition, they decided that £100,000 would be the cost of this visit of Commonwealth Parliamentary Association members to Australia; and I understand the States were asked to contribute on the basis of one-sixth, which would amount to £8,500. I understand that this was discussed at a Premier's Conference, and it was decided that the Commonwealth should meet half the cost and that the State Governments would meet the other half on the

basis of one-sixth, or £8,500 each. Could the Treasurer explain why the figure of £8,500 is to be exceeded?

Mr. BRAND: The original Estimate, like most Government Estimates, was far too low, and Western Australia's share of the expenditure was £12,000 and not £8,500.

Item No. 41: Good Neighbour Council, £150.

Mr. J. HEGNEY: This council performs a great deal of good work, particularly in regard to New Australians, whom it tries to befriend, and so on. In my electorate, particularly in the Belmont and Bayswater areas there are, on occasions, fairly large naturalisation ceremonies. On some occasions in Belmont 90 people are made Commonwealth citizens. I have been the State member of Parliament for that district for many years, and I get the opportunity of saying a few words after the Commonwealth member has spoken. But on one occasion I went along as the State member for the district and there were two Commonwealth representatives—the member for Stirling and Senator Scott, who wandered in afterwards. They both spoke, and I was not given an opportunity of saying anything. So I am making a protest on behalf of any other State members who may have been placed in a similar position. The Good Neighbour Council, to which the State makes a contribution, should be above Party politics.

The CHAIRMAN: I do not think that has anything to do with this Vote.

Mr. J. HEGNEY: We are appropriating money for the Good Neighbour Council, and I am taking this opportunity of mentioning something with which it was concerned. Can the Premier indicate what contribution the Commonwealth makes to this council; or is it subsidised purely from State funds?

Mr. BRAND: I think the honourable member is out of order. This item refers only to our contribution to the fares of delegates arriving here for a conference. Last year there was a greater number of delegates and we had to find an extra £15 over and above the usual £150. This money is for the cost of fares of country delegates and other incidental expenses associated with the council.

Item No. 43: Health Education Council, £13,000.

Mr. TONKIN: This appears to be a new item and, as it is a substantial amount, I want to know what it is all about.

Mr. BRAND: I have no doubt that if the Minister for Health were here he would be able to tell us something about it. The information given to me indicates that the

Health Education Council will be financed from division 54—the Public Health Department—and no doubt the Minister will be able to explain the matter further. All I have here by way of information is that it is an annual grant towards the expenses of the council appointed under legislation passed in 1958. It is endeavouring to improve the health of the community by educational programmes. As the honourable member is seeking details as to the way in which the £13,000 will be expended, I can only undertake to get the information for him.

Mr. TONKIN: I am wondering why it appears for the first time as an item under the Premier's Department. Is it a new departure in accounting, or is it some new commitment which the State has taken on and for which it had no obligation previously?

Mr. Brand: Evidently that is so.

Mr. TONKIN: What service does the State get from this contribution, because it is a substantial sum of money? It is a grant from the Treasurer and not in the ordinary course of administration by the Public Health Department. I think the Committee should be given more information than has been given on the matter so far.

Mr. BRAND: I regret that I have no other information than that which I have already given. I assume that the educational programmes mentioned would be either given through some publication or through the schools. I shall obtain the information and advise members later if they desire anything further.

Item No. 44: Junior Farmers' Movement, £12,000.

Mr. BRADY: This item shows an increase of £534 this year over last year's expenditure. I am not querying the right of that organisation to get this money; I think it is entitled to it. But I notice that nothing is provided for the Police Boys' Clubs or the National Fitness Council, both of which are worth-while organisations. The grant made to the National Fitness Council from the Commonwealth Government is the same as it was 10 or 12 years ago. Has the Premier given any consideration to assisting the police boys' clubs or the National Fitness Council in view of the good work they are doing?

Mr. BRAND: I do not know whether it comes under this item, but every week I am considering an application from police boys' clubs for assistance to the extent of thousands of pounds.

Mr. Brady: It does not appear in the estimates.

Mr. BRAND: Some of the money comes from the loan programme and is not met from the Miscellaneous Services Vote.

Item No. 47: McNess Housing Trust, £10,000.

Mr. J. HEGNEY: I notice that there is to be a considerable reduction of £10,000 this year on this item. The McNess Housing Trust was established by the good offices of the late Sir Charles McNess to perpetuate his memory. It has been a great scheme; and, particularly during the depression days, was of considerable assistance to many indigent people. Many women have been left without their breadwinners, in many cases with five or six children, and McNess homes have been made available to them at a nominal charge. Because the scheme has been such a wonderful success I am wondering why there has been a substantial decrease in the vote for this year. Can the Premier give me any information about the matter?

Mr. BRAND: This is a grant to the McNess Housing Trust to provide finance for the housing of aged people under the McNess housing scheme. This year's grant is to enable the trust to carry out overdue maintenance, installation of septic tanks, and minor repairs.

Item No. 54: Physiotherapists' Registration Board, £5,000.

Mr. CORNELL: Can the Premier enlighten the Committee in regard to the exact function of this board?

Mr. BRAND: Yes, the functions of the Physiotherapists' Registration Board are—

1. To register practising physiotherapists.
 2. To train students in physiotherapy.
- This item is to cover the excess of the expenses of the board over fees received from practising physiotherapists and students. The increase is due to the extended operations of the board. I assume, therefore, that the board is dealing with a greater number of students than it has in the past.

Mr. Cornell: In view of the fact that it is a close preserve, would the Treasurer give consideration to the board raising its fees?

Item No. 56: Royal Mint additional grant, £75,000.

Mr. MOIR: In view of the fact that from time to time, suggestions are made that our Royal Mint should be closed down and all its work be performed by the Royal Mint in Melbourne, and because of the excellent work performed by the Royal Mint in this State, I ask the Premier to use all his influence and make every endeavour to prevent such an event occurring. That institution refines to a greater degree the gold forwarded from the mines, and it would be a tragedy if that process were to be carried out in Melbourne.

Mr. BRAND: It has been conveyed to me that, from time to time, moves have been suggested to have minting performed other

than in Western Australia—either in Melbourne or in Canberra. I can assure the honourable member that we will use our best endeavours to resist any such moves; because, in my opinion, it would be disastrous for the State if they were put into effect. Under the Royal Mint Act, the State annually finds £25,000 to meet the expenditure of the Mint. The excess expenditure of the year is provided under this item. The Mint's two main functions are smelting gold received from producers, and minting coins under contract from the Commonwealth Government. All receipts are taken into revenue and this year the receipts are estimated at £97,000.

Item No. 58: Swan River Conservation Board, £3,000.

Mr. BRADY: I notice that the estimate, under this item, is for £3,000. Can the Premier tell us whether it is a grant for the administration expenses of the board or to cover the expenditure in connection with the board's functions?

Mr. BRAND: I presume that the query is whether this is to cover the actual expenses of the board members or is the cost of the work which the board desires to be carried out. Frankly, I cannot say. The information I have is that the amount of £3,000 is provided to meet the expenses of the board which was established under legislation passed in 1958. The purposes of the board are to maintain and improve the condition of the waters and foreshore of the Swan River. I would say that the £3,000 is to cover the actual expenses of the board and any incidental expenses. The cost of any major work, such as reclamation or similar undertakings, would involve a much greater sum than £3,000.

Item No. 63: Western Australian Turf Club—Financial Assistance, £20,000.

Mr. JAMIESON: Can the Treasurer explain to the Committee the reason for the expected increase of £8,891 under this item? I take it that the Estimate is to continue the assistance granted by the previous Government to the racing club on the basis of £1 for the loss of each patron attending the racecourse. However, in view of the healthy standing of this body compared to other institutions in the community, I am wondering how long the Government intends to subsidise the Turf Club, or whether such assistance will stop when legislation is introduced to meet the overall position.

Mr. BRAND: The honourable member has stated the position quite clearly. We have carried on the policy laid down by the previous Government in alleviating the financial disabilities of the W.A. Turf Club, but it is intended to carry on the assistance only until such time as legislation is passed through this Chamber and a new arrangement is made. The item represents financial assistance to the Turf

Club. In 1958-59, the assistance was paid to the club at the rate of £1 per head by which attendance at race meetings, since the 10th January, 1959, had fallen below the comparable meeting in the previous year. Since the meeting of the 9th May, 1959, the comparison has been with the comparable meeting in 1957 to overcome the difficulty of the heavy falling off of attendances in 1958. The basis of assistance during 1959-60 is at present under review.

Item No. 64: Bulk Wheat Installations—Lakes District, Ravensthorpe and Yarramony Eastwards, Operating Costs, £16,000.

Mr. CORNELL: I notice there is an increase of £1,993 in the operating costs of certain grain bins. Can the Treasurer explain the reason for this increase?

Mr. BRAND: Under agreement with Co-operative Bulk Handling Ltd. the State pays the cost of running the bulk wheat bins removed from the railway line in the Lakes District, Ravensthorpe, and on the Yarramony Eastward Survey, and also for bulk wheat installations at the Newdegate siding. Costs met include—as well as normal running costs and maintenance—items such as interest and depreciation. Presumably, there has been greater depreciation and increased running costs this year.

Item No. 68: Rail freight concessions on export grain stored at Depots, £150,000.

Mr. KELLY: Can the Treasurer supply the Committee with details of this item? I notice that there is an anticipated increase of £132,721 compared with the expenditure for last season of only £17,279. What would cause this anticipated increase, and on what would this extra money be spent, having in mind that conditions have prevailed this year similar to those which obtained last year?

Mr. BRAND: The situation is slightly different. As silos at ports cannot take all wheat for export, some has to be stored in depots at Midland Junction and Merredin. The purpose of this subsidy is to reduce the cost of railfare for the journeys to the depot and from the depot to the port to the equivalent rail freight of an unbroken journey to the port.

The expenditure in 1958-59 represented the subsidy payable on approximately 1,000,000 bushels of oats stored at Midland Junction, and the provision for this year was made in the light of the harvest prospects and the expected carry-over of wheat at the time of the 1959-60 harvest.

Item No. 70: Rent reductions North-West houses—Reimbursement to State Housing Commission, £5,500.

Mr. JAMIESON: Could the Treasurer tell me the number of houses that comprise this item?

Mr. BRAND: I am afraid I shall have to get that information for the member for Beeloo. Occupiers of houses rented from the State Housing Commission in the North-West may, on application, have their rentals reduced to a figure equivalent to the rental of similar houses in Geraldton. This item recoups the State Housing Commission with the cost of such reductions.

Item No. 72: Road Transport—Regular Services—General Goods, £15,600.

Mr. TONKIN: This provides a substantial increase. Last year a sum of £12,100 was provided and only £9,906 was spent. In view of that, it is hard to see why the Treasurer should feel that this increase is justified in the present Estimates. What is the reason for the anticipated large increase?

Mr. BRAND: This item provides a subsidy on general goods transported from various centres to the railhead. The scheme is administered by the Transport Board. Initially the subsidy was designed to reduce the cost of carting charged to the public to an equivalent figure of rail freight. In accordance with Government policy the full subsidy rates will apply in 1959-60 in place of the reduced rates which operated in 1957-58 and 1958-59.

Mr. TONKIN: When the Treasurer refers to the policy of the Government I take it he is referring to the policy of this Government in restoring the annual subsidy payments?

Mr. Brand: Yes.

Item No. 76: Purchase of Land for Schools, £2,000.

Mr. HALL: In view of the increased population, this has been worrying the Albany district considerably. Even with additional classrooms they are endeavouring to secure another site if possible to avoid the present school becoming overloaded. I hope finance will be provided for that purpose.

Mr. BRAND: If the member for Albany raises this matter on the Education vote, the information will be given to him.

Item No. 78: King's Park Board, £16,000.

Mr. OLDFIELD: It has often been asked over the years why the King's Park Board does not embark on a large-scale reafforestation programme, and why it does not do something to eradicate the veldt grass. The plea has always been an insufficiency of funds. In view of the importance of King's Park and the desire of people to retain it in its natural state, would the Premier give this matter consideration to enable the board to carry out this necessary work?

Mr. BRAND: The Government has endeavoured to assist the King's Park Board to extend its activities. The increase is due to higher expenses and an accelerated programme of improvements in the park. I witnessed a tree planting

ceremony the other day; and this, together with other minor activities, would involve quite a sum of money. I have a scheme which is to be considered by Cabinet, and which will entail the expenditure of £100,000 to be spent over five years for the improvement of King's Park. Rather than see this area remain virgin country, we feel it would be wise to spend this money in order to make it a worth-while State tourist asset.

Item No. 86: Exchange on Overseas Interest Payments, £350,000.

Mr. TONKIN: I am unaware of any overseas loans that have been negotiated in recent months, and the amount involved in payment for interest exchange is more or less static. I wonder if the Treasurer can throw any light on the substantial increase for the present financial year?

Mr. BRAND: This item provides sterling exchange at 25½ per cent. required for the payment of interest on the State's debt in London. It also provides dollar exchange, above par rates, for the payment of interest in New York. Increase is caused by newly-raised loans. I assume this is part of our share of the interest on loans raised by the Commonwealth outside Australia.

Item No. 87: Ex Gratia Payment—K.M. Thurman, £568.

Mr. KELLY: I would like to know the terms of the ex gratia payment made to K. M. Thurman.

Mr. BRAND: This ex gratia payment to Mrs. K. M. Thurman represents the estate of her deceased divorced husband which had been paid into revenue as unclaimed moneys. Because Mrs. Thurman had a moral but not a legal claim to the estate the Government agreed to a grant on compassionate grounds to enable her to provide a home for herself. In 1958-59, £705 was paid and the provision in 1959-60 represents the balance of the estate.

Item No. 89: Gold Stealing Detection—Contribution to Chamber of Mines, £484.

Mr. EVANS: This relates to the contribution by the Treasury to the Chamber of Mines towards the gold-stealing detection staff. The item last year was £888, but this year it is only £484. Does that mean that the gold-stealing staff will be less vigilant in their efforts?

Mr. BRAND: The Chamber of Mines pays the whole cost of the gold-stealing detection branch. Stolen gold, when recovered, can rarely be identified as belonging to any particular mine, and its value therefore is paid to General Revenue. This item represents repayments of half the proceeds of stolen gold so paid to revenue, made to the Chamber of Mines in consideration of its expenses outlaid on gold-stealing detection. Therefore, there has not been so much gold stealing.

Item No. 100: Rural Bank—Recoup of cost of administering Government Agency Section, £16,000.

Mr. TONKIN: I am interested to know how such a substantial saving can be anticipated, because last year the expenditure was some £4,000 more. Is this to come about because of a change in the work, or through curtailment of the services rendered?

Mr. BRAND: I can only pass on to the honourable member the information I have here. The Government agency section took over debts which were owing to the old Agricultural Bank that were not considered first-class banking risks by the Rural and Industries Bank when the latter took over the Agricultural Bank. The Rural and Industries Bank now administers these accounts as the agent for the Treasury, together with other delegated agencies, and this item reimburses it with the cost of administration. In 1958-59 the administration costs for 18 months were met.

Item No. 103: State Building Supplies—Recoup of Losses, £47,000.

Mr. CRAIG: Will the Treasurer give me some information on this item?

Mr. BRAND: The State Trading Concerns Estimates will be dealt with separately, and the Minister in charge will give the information. All I can say is that the item refers to the loss of the State Building Supplies for the year 1958-59, and the concern is reimbursed by appropriation.

Item No. 108: World Power Conference—State's Proportion of Contribution towards Expenses, £731.

Mr. TONKIN: Will the Treasurer give some information about this new item? How does the State come into it, and what benefit will the State derive from the expenditure?

Mr. BRAND: We are involved only to the extent of £731. A world power conference is to be held in Melbourne in 1962 at a total cost of approximately £120,000. The Commonwealth is providing £10,000 on condition that the States provide a similar sum. This item will make the funds available for contribution by Western Australia to those expenses.

When the matter was referred to me I questioned the reason for calling upon the State to contribute. I found that the other States had agreed to contribute their shares. In view of the very exciting and marked advance in the field of power development, I felt the State should make some contribution.

Mr. TONKIN: Will this be the only commitment, or is it merely an advance? The Treasurer stated that this State will have to find £10,000, and the item of £731 appears to be very small.

Mr. Watts: Western Australia's share of £730 represents approximately seven per cent. on the population basis.

Mr. TONKIN: Will we be able to send representatives to the conference and participate in the deliberations, or will papers be made available to the State?

Mr. BRAND: I would like to examine this matter further. The Commonwealth Government has already agreed to make a £10,000 contribution and each of the other States agreed to pay its share. I am quite satisfied, as a result of a conference of this nature which will bring to Australia from the other countries the most up-to-date information in regard to scientific discoveries on nuclear and electric power, that the information will be valuable to this State. I imagine we will be able to send observers. To the extent that we have people here capable of taking part in the discussions, any representative from this State will be welcome.

Vote put and passed.

Vote—Tourist Bureau, £60,433.

Item No. 4: Subsidies to Tourist Associations, £7,750.

Mr. KELLY: Does this increase of £3,443 mean that the number of associations has been almost doubled, or has the individual subsidy to the associations been doubled? I want to know whether the amount paid to the associations has been increased from the £750 subsidy that was the standing amount paid by the previous Government to each of these associations. It would appear that either the number of associations has increased considerably or the amount is in excess of £750 per association.

Mr. BRAND: Last year's vote was £3,600 and expenditure £4,307. The estimated requirement this year is £7,750, based on anticipated increased assistance to local tourist associations.

Vote put and passed.

Progress reported.

House adjourned at 11.12 p.m.

Legislative Council

Wednesday, the 14th October, 1959

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