

Legislative Council.

Tuesday, 23rd August, 1949.

CONTENTS.

	Page
Questions : Tractors, as to decontrol under 24 h.p.	1310
Manganese ore, as to deposits and export	1310
Leave of absence	1311
Bills : Bees Act Amendment, 2r., Com.	1311
Fire Brigades Act Amendment, 1r.	1316
Canning District Sanitary Site Act Amendment, 2r., Com., report	1316
Adoption of Children Act Amendment, 2r.	1318
Electoral Act Amendment (No. 3), 2r.	1320

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

QUESTIONS.

TRACTORS.

As to Decontrol under 24 h.p.

Hon. A. L. LOTON asked the Honorary Minister for Agriculture:

(1) Is the statement in "The West Australian" dated the 16th August, reported as having been made by him in connection with the decontrol of distribution of all tractors under 24 horsepower correct?

(2) Which make of tractors and their respective horsepowers come within the above release from control?

(3) Is a distinction to be made between steel and rubber tyres in arriving at drawbar loading?

(4) What formula is used for arriving at the B.H.P. and drawbar horsepower?

The HONORARY MINISTER FOR AGRICULTURE replied:

(1) Yes.

(2) McCormick WD6 (diesel), Oliver 77, John Deere AR, Fordson Major, Lanz Bulldog L type, Lanz Bulldog M type. These are wheel tractors. International T6, International TD6. These are crawler tractors.

(3) In present circumstances, no.

(4) The Nebraska Test. The rated horsepower is 75 per cent. of the maximum horsepower.

MANGANESE ORE.

As to Deposits and Export.

Hon. H. A. C. DAFFEN asked the Chief Secretary:

(1) Are there known manganese ore deposits in this State besides those at Horseshoe and Tenindewa?

(2) If so, what are the extent and percentage values of each deposit?

(3) In view of the Commonwealth Government's opposition to the export of manganese, is the quantity in all known deposits considered to be sufficient to warrant the State Government in making representations to have the export conditions eased on this dollar-earning American requirement?

The CHIEF SECRETARY replied:

(1) Other known deposits of manganese are:—(a) Various localities in the Phillips River district. (b) Teano Range (70 miles north-west of Horseshoe). (c) Laverton.

(2) (a) Phillips River. No estimates of the extent of the deposits have been made. The best ore from Ravensthorpe Range yielded on analysis, manganese 48.2 per cent., silica 2.2 per cent., iron 9.8 per cent. Hamersley River sample yielded 32.6 per cent. manganese and 15.9 per cent. iron. Fitzgerald River selected samples have shown from 41 to 57 per cent. manganese with 0.1 to 8 per cent. iron.

(b) Due to unfavourable locality, Teano Range deposit has not been systematically examined. The ore is said to have a high iron content.

(c) Laverton.—Recent samples analysed 42.2 per cent. manganese, 15.5 per cent. iron and 6.1 per cent. silica. The quantity of this grade available is estimated by the department's technical staff to be very limited.

(3) When the total embargo on export was imposed, the Mines Department immediately contacted the Commonwealth Department of Supply and Development and was informed that the Horseshoe deposit was the only one of any magnitude in Australia and that, bearing in mind Australia's difficult supply position as well as the general world shortage, there was no alternative but to impose a total embargo. The Mines Department insisted then that—

(a) A reasonable price should be paid producers for ore sold in Australia, and

(b) Australian users should be required to purchase all ore produced in Australia.

The reply was that—

(a) Broken Hill Proprietary Ltd., the main user, was offering more for manganese than are the established ore buyers who are seeking to export ore, and

(b) the company will readily purchase all ore that is offering.

In view of Australia's need for manganese and the undertaking to purchase all ore at a reasonable price, there is no warrant at present to urge removal of the export embargo.

LEAVE OF ABSENCE.

On motion by Hon. W. R. Hall (for Hon. G. Bennetts), leave of absence for six consecutive sittings granted to Hon. H. Seddon (North-East) on the ground of ill-health.

BILL—BEES ACT AMENDMENT.

Second Reading.

Debate resumed from the 9th August.

HON. A. THOMSON (South-East) [4.38]: I have much pleasure in supporting the second reading of the Bill which, I understand, was introduced at the request of the Beekeepers' Association. I communicated with a man who has been very actively engaged in this industry regarding the measure but unfortunately I have not received a reply from him. I am further disadvantaged owing to the fact that we have not received our copies of "Hansard" and I have not been able to read what the Minister said when moving the second reading.

From what I can understand, those participating in the industry will not be allowed to carry on unless they are registered within 14 days, and provision is made in the Bill specifying the number of hives that will constitute an apiary. The association is satisfied with the measure which, in my opinion, certainly gives the Director of Agriculture considerable dictatorial control. That, however, has no doubt been brought about by the necessity of protecting an industry which has become very valuable to Western Australia. Between 20 and 30 years ago, a

man in the district which I then represented in the Legislative Assembly started what was called the agistment of bees through various parts of the district, and that was thought rather a strange way of trying to make a living. But he was wiser in his generation than we were, and I know that quite a number of people have since made a comfortable competency out of that industry.

Honey is an important and highly nourishing food and I understand that last year we exported approximately £80,000 worth. That indicates how essential it is that some-one should take control, with power to determine how far apart the apiaries should be situated. I secured the adjournment of the debate on this measure because Sir Charles Latham, who had previously obtained the adjournment, was not present. I do not propose to labour the question except to add that I support the measure. I believe it to be a step in the right direction, since the people mainly engaged in the industry have asked for more control, particularly in the direction of defining who shall be beekeepers and ensuring that the standard of the product shall be maintained.

HON. SIR CHARLES LATHAM (East) [4.43]: I am prepared to accept this Bill. It is the second stage towards assisting the beekeepers of Western Australia. The first measure was introduced in 1930 and was designed to control diseases affecting bees. Under that measure apiaries were registered and the department was able to police them with a view to controlling what is known as foul brood. This Bill makes its appearance a long time afterwards, but it is a distinct step forward. It proposed to register all beekeepers, and no person will be allowed to have one hive without being so registered.

Hon. H. Tuckey: Do you think that is necessary?

Hon. Sir CHARLES LATHAM: Yes, for this reason: It will not cost much, and it will enable the department to keep a check on foul brood. Frequently there have been people with two or three hives of bees and they have been quite unaware of the fact that there was disease in the hives. They had only to reap the honey and send it to their friends and in that way distribute it to two or three places and spread the disease through bees feeding from the containers.

We are fortunate in Western Australia in that there is not a great deal of disease, but it does exist here. Just recently an occurrence of it was found not far from the metropolitan area, and steps were taken to eradicate it.

The introduction of this legislation is very wise because, as Mr. Thomson has pointed out, the industry is becoming quite important to this State. No less than £80,000 worth of honey was available for export last year, while the total output, including local consumption was valued at £100,000. The industry is capable of expansion. Recently two apiarists came here from the Eastern States. I do not like boasting about what they told me, but they think this is an ideal place for bee-keepers and they have done excellently since they arrived in the State. Under the Bill, apiarists will have to register annually. On the records there are about 400 odd bee-keepers, but really there are not as many as that in operation.

Quite a considerable amount of travelling is entailed in keeping in touch with those engaged in the business. A new man has recently been appointed to do the job and he desires to have some authentic information so that he will not lose time chasing around to ascertain whether people believed to be operating are in fact in the industry. It is proposed to classify apiarists. There will be the small man with 50 hives and under, and the man with more than 50. Then there will be the man who does nothing else but rear queen bees and the one who rears the queens and is a honey producer as well. As is the case with other stud stock, it is essential that we should have the best bees, and the rearing of queen bees is a very important business with the beekeeper. As Mr. Thomson pointed out, in the old days beekeepers kept their apiaries close to their homes. There was no such thing as the migratory beekeeper. I think that he came into existence some 30 years ago. A man put some bees on a truck, took them to a very good spot some 50 miles away from his home and was surprised to discover how quickly he was able to produce honey.

The business has since grown considerably, and beekeepers travel from close to Geraldton down to Manjimup; and in the seasons when the karri is flowering extensively, a great quantity of honey is produced in the lower parts of the State. Sites are leased

from the Forests Department and provision is made for the hives to be kept at a distance of about two miles apart. The Bill sets out that the apiculturist of the department will determine whether half a mile is a sufficient distance according to the amount of honey flow in the district where the bees are being kept. It is wasteful to tie up an area of perhaps two miles with only 50 or 100 hives, when it could carry 600 or 700. It will be recalled that a little while ago there were complaints by a country road board about bees preventing stock watering at troughs. Bees are great drinkers in the summer time and it is necessary for water to be provided for them. If the beekeeper is neglectful in this regard the bees have to find their own water and in some cases they become a nuisance, hanging round water bags, coolers and so on.

Power is taken in the Bill to deal with that state of affairs and also to prevent bees interfering with orchardists when the fruit is ripe. There have been some complaints in this regard, although it has been argued that it is impossible for the bees to penetrate the fruit. The Bill also deals with the branding of bee hives. In the past there has been some thieving of hives, but that should be eliminated to a great extent when the hives are branded. I hope that next year the Honorary Minister for Agriculture will see fit to bring down a further Bill to carry this matter another step forward, as the industry does require an orderly marketing system.

The Honorary Minister for Agriculture: A Government or private Bill?

Hon. Sir CHARLES LATHAM: I think a Government Bill would be better for that purpose.

The Honorary Minister for Agriculture: You are a long time waking up to what I meant.

Hon. Sir CHARLES LATHAM: I think the Honorary Minister for Agriculture will be quite capable of introducing that Bill and, with the knowledge he has gained through his department he will no doubt make a good job of it. It is the desire of the beekeepers to have an assured market for a good quality article at a price the people can afford to pay, and at present there is not sufficient honey used in this State. It is a pleasant and nutritious food and I am

surprised that more mothers do not appreciate its value to their children. Doctors often prescribe it as part of the diet for children and that proves its value as a food, particularly for the young. The timber known as wandoo or white gum is a great blossom producer, as is also the karri, and both are therefore valuable to the bee industry, but Industrial Extracts Ltd. are denuding considerable areas of these timbers. I hope that the stumps that are left will sucker sufficiently to go on producing blossom.

The Honorary Minister for Agriculture: I hope they do not do that on my property where they are being cut down.

Hon. Sir CHARLES LATHAM: The Honorary Minister for Agriculture is an exception. If he has a lot of white gum country on his property, I do not think he has got much out of it except honey, as that country will produce little else, apart from some poison bushes.

The Honorary Minister for Agriculture: That is all you know about it.

Hon. Sir CHARLES LATHAM: I think I know as much about white gum country as do most members of this Chamber. There is very little white gum land that does not produce some poison plants.

The Chief Secretary: Are you talking about poison plants or bees?

Hon. Sir CHARLES LATHAM: I am hoping that we will not entirely denude our lands of forests, because the trees prevent erosion and, particularly in the case of white gum and karri, are valuable to the bee industry. I know white gum does not flower every year, but its flowering is profuse when the season is favourable. It is mostly a question of rainfall, and there are many trees that bloom only once in three or four years.

The Lands Department has been very helpful to our beekeepers and I trust the good work it is doing will continue. Our forests play an important part in the general welfare of the country. It is well known that they prevent soil erosion and I think that in some way they also attract the rain. Further, our forests harbour great numbers of birds that are valuable as destroyers of insects. I am sure that in many places insect pests would not be so bad today if reserves of forest had been left for the birds to nest in.

The Chief Secretary: Birds or bees?

Hon. Sir CHARLES LATHAM: Birds.

The Chief Secretary: I thought it was the Bees Act with which we were dealing.

Hon. Sir CHARLES LATHAM: Apart from their value in other directions, our forest trees make it possible for the beekeepers to provide the honey that is going to be an important product of this State in the future. We exported about £80,000 worth of honey last year. Reports indicate that it was readily saleable on the London market and further supplies are being sought. I support the second reading.

HON. W. J. MANN (South-West) [4.57]: I think this is a timely measure and I see nothing in it to which objection could be taken. In past years our honey production has been to some extent neglected in this State. Some years ago an eminent authority on the question travelled through the extreme South-West of Western Australia, into the karri country, and there sampled what is known as karri honey. He stated emphatically that it was the finest honey in the world, as far as he knew.

I am glad to see in the Bill provision to deal with those people who have so little sense of decency as to indulge in the thieving of hives. When a number of hives are taken into the forest they are more or less isolated and it is easy for unscrupulous persons to steal them. I understand that that has occurred on a number of occasions in country areas with considerable consequent loss to beekeepers. Generally, the production of honey in this State is on the improve. I have also been told recently that the blending of our karri product with other heavier types makes an excellent honey and the State should do everything possible to ensure that this source of revenue is preserved to the fullest extent.

During the honey season it is extraordinary to enter the forest country and see the amount of nectar that flows freely from some of the flowering shrubs. I have seen big banksia cones full of bees and the nectar positively dripping from them. In many instances children pull the cones off the trees and suck the nectar from them. Honey is a high-grade food and it would be a disgrace to allow diseased hives to be

free of supervision. If that were permitted to continue it would be quite possible for the whole of our honey production to be affected and we would lose this valuable asset. I propose to support the Bill.

HON. H. TUCKEY (South-West) [5.2]: I intend to support the Bill and consider it is time that a measure of this kind was introduced. The industry has expanded a great deal over the last two years and it appears that that expansion will continue for some time to come. I agree with the remarks of Sir Charles as to the type of country in which bees are placed. In my opinion honey should be graded because honey from some districts is not at all palatable. It is all honey and is put on the market at a certain price regardless of any difference in quality.

On the coast, where we have peppermint trees, there are times when the honey is so strongly flavoured that it cannot be eaten. Then there are other areas in the banksia tree districts where the honey is totally unlike that from the white gum country. We have a belt of tuart trees along the coast which produces a good type of honey but the area is limited. The honey that comes from the white gum country is excellent and I would rather pay threepence a pound more for that than I would for any other. It would be a good thing if the timber in that country could be preserved for the beekeeping industry.

I do not know how it could be done because it might be necessary to clear land for clover pastures and farming generally, and I doubt whether an area could be preserved for feeding bees only. There is a great difference in the quality of honey, which depends largely on the area from which it is obtained and for that reason it should be graded. There is a greater demand for honey today than ever before in the history of the industry which is so profitable now that beekeepers transport the hives hundreds of miles to areas containing the right type of timber and blossoms for the bees to feed on.

There is one objection I have to the Bill and it is that every year we pass some legislation which further restricts the freedom of the people. I cannot see any need for a farmer to take out a license because he is keeping one hive of bees only.

There may be some disease but in the past we have not experienced it. I can remember that quite a long time ago there was a moth or an insect that exterminated the bees—they were of a large type—which used to swarm prolifically in hollow bush trees. Those bees provided a lot of honey but they became extinct.

Following that, a smaller bee, the Italian type, was introduced, and since then they have been increasing and today the bush is full of their hives. I think the Bill should be amended in order to ensure that a farmer can at least keep one hive without a license. Today, if one wishes to shoot a few parrots in the paddock one has to have a license for a gun or if one wishes to keep a sheep-dog a license also is required. I do not think a license is necessary for one hive of bees. Perhaps in the Committee stage we can do something regarding this particular matter.

THE HONORARY MINISTER FOR AGRICULTURE (Hon. G. B. Wood—East—in reply) [5.7]: I appreciate the reception of the Bill by members. It must be a great disappointment to Sir Charles Latham that he cannot find any objection to it. This must be a record!

Hon. Sir Charles Latham: Be a little generous to me sometimes!

The HONORARY MINISTER FOR AGRICULTURE: I have seldom introduced a Bill in this House without Sir Charles raising some objection to it. However, perhaps in this instance the reason is that the Bill was drawn up in close collaboration with the Beekeepers' Association of which Sir Charles is president. I take exception to the hon. member's remark in relation to the white gum country. He inferred that such country is not of much value except for growing bees. I would point out that tens of thousands of acres of white gum country are carrying at least a sheep to the acre and to reserve all this country for bees alone would, in my opinion be an economic loss.

At the same time, I am concerned as to the ruthless destruction of some of these white gum trees by Industrial Extracts Ltd. I had thought, as I told the beekeepers, that there would always be some of these trees for the bees but Industrial Extracts Ltd.

always take any white gum trees which exceed 18 inches in diameter. However, that company and the people at Toodyay have assured me that there is no fear in that respect because there will always be enough white gum trees for bees. But to talk about restricting the clearing of white gum country for honey production is, in my opinion, not in the best interests of the State.

The question of the necessity for registering one hive was raised by Mr. Tuckey. I do not suppose any officer of the Department of Agriculture desires to go to the trouble of registering one hive, but it is necessary in the interests of preventing disease. The departmental officers must know where hives are. Would anyone suggest that a person who has two fruit trees should not have them registered? No-one takes any exception to all the fruit trees in this State being registered, which I think is highly desirable. If we are to keep down fruit-fly we must register the fruit trees, and if we are to keep the country free from bee diseases we must necessarily register every hive.

Hon. R. M. Forrest: How much honey is being exported?

The HONORARY MINISTER FOR AGRICULTURE: I think about £100,000 worth of honey is being produced, and about £60,000 worth is exported. Production is increasing in Western Australia, which is known as an unstocked State. In my opening remarks, I told members about the millions of bees which are brought from the Eastern States because there is more room for them here, and I think there is still plenty of space for them, in spite of the destruction of the white gum trees. A survey was to be made by the C.S.I.R.O. or the University of a wide belt of country to the south-east of Perth because it was considered that there was a huge area in that part of the State which had never been touched. Mr. Stoute and other timber authorities have told me that beekeepers need not be afraid of lack of white gum country for honey production.

Hon. H. Tuckey: Do beekeepers suggest that if a farmer has only one hive, it should be registered?

The HONORARY MINISTER FOR AGRICULTURE: Yes. This Bill was introduced two or three weeks ago by arrangement with the beekeepers, and I told them at their conference that I would suggest to their president, Sir Charles Latham, that he could secure an adjournment for as long as he wished so that they might discuss it, and that was done. As Sir Charles has told us, they are entirely in agreement with the Bill and I hope members will not try to amend it as suggested by Mr. Tuckey. I repeat that no officer wishes to be bothered with the registration of one hive. But what would be the position if we had a commercial beekeeper operating 100 clean hives which are subject to inspection while two or three private persons had one or two hives each close by that were unsupervised?

Hon. E. H. Gray: It would be valueless and dangerous.

The HONORARY MINISTER FOR AGRICULTURE: Yes, and there are diseases which occur among bees that might possibly wipe out the whole industry. I am glad the Bill has been well received. There may be desirable amendments, as indicated by Sir Charles Latham which, of course, may be suggested by members of the industry. This Bill is a decided advance on the 1930 Act, which has never previously been amended. In view of the altered conditions I have found during my travels from one part of the State to another, the amendments are desirable in order to give more power to the Department of Agriculture to control the industry.

Question put and passed.

Bill read a second time.

In Committee.

Hon. G. Fraser in the Chair; the Honorary Minister for Agriculture in charge of the Bill.

Clauses 1 to 4—agreed to.

Clause 5—Sections 5A to 5J added:

Hon. A. L. LOTON: The incidence of Subsection (1) of proposed new Section 5J would be a little harsh on beekeepers. We know bees travel considerable distances to obtain water and sometimes are dangerous both to stock and householders; but where there is ample water available within reasonable distance of the hive, I do not think

that beekeepers should be forced to provide a good and sufficient supply of water as mentioned in the subsection. I move an amendment—

That at the end of proposed new Section 5J the words "subject to the consent of the Minister" be added.

The HONORARY MINISTER FOR AGRICULTURE: There is merit in Mr. Loton's amendment, but I suggest that his objection to the subsection might be met if it were altered to provide that the beekeeper should see that a good and sufficient supply of water was available.

The CHAIRMAN: The Minister is now discussing something in the Bill prior to the portion of the subsection which it is sought to amend. Of course, Mr. Loton could withdraw his amendment.

Amendment, by leave, withdrawn.

The HONORARY MINISTER FOR AGRICULTURE: I suggest that Mr. Loton move an amendment on the lines I have indicated.

Hon Sir CHARLES LATHAM: The beekeepers gave much consideration to this matter. It was thought by them that the Director of Agriculture would use common-sense and not prosecute a beekeeper for not providing a water supply if a running stream were available. The object of the provision is, of course, to ensure that beekeepers provide water for bees in order to prevent them from going to camps, destroying water bags, and otherwise causing a nuisance. The wording is identical with that of the Queensland Act and the provision has proved beneficial and useful in that State.

Hon. H. TUCKEY: I know of cases where bees have been a considerable nuisance when they have been placed close to water supplies for stock. Separate water supplies for bees should be provided.

Hon. A. L. LOTON: Upon consideration, I again move an amendment—

That in line 2 of subsection (2) of proposed new Section 5J after the word "may" the words "subject to the consent of the Minister" be inserted.

Hon. Sir CHARLES LATHAM: The additional words would be out of place where Mr. Loton seeks to put them. If agreed to the amendment would mean that the Director of Agriculture must get the Minister's approval.

Hon. A. L. LOTON: The amendment would place some responsibility on the Minister and thus not throw the whole policing of this legislation on the Director of Agriculture.

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

Clause 6, Title—agreed to.

Bill reported with an amendment.

BILL—FIRE BRIGADES ACT AMENDMENT.

Received from the Assembly and read a first time.

BILL—CANNING DISTRICT SANITARY SITE ACT AMENDMENT.

Second Reading.

Debate resumed from the 18th August.

HON. SIR FRANK GIBSON (Metropolitan-Suburban) [5.28]: I moved the adjournment of the debate to enable me to make a few inquiries. These have convinced me of the necessity for the passage of the Bill. I also learnt that it is most probable the area served by this site will be sewered before the expiration of the period provided for. The member who introduced the Bill in this Chamber has given members all the facts connected with it and I therefore content myself with saying that I support the second reading.

HON. G. FRASER (West) [5.29]: I want to let the House know that everybody is not as happy about this Bill as Mr. Watson who introduced it would have us believe. Everybody officially connected with it is satisfied, because it gets them out of a difficulty for the time being; but landowners in the district are not so pleased about it. As a matter of fact, two or three years ago a friend of mine who owns a block in that area was making a sale, and after the negotiations started the buyer found that the sanitary carts going to the Collier plantation passed along the area, and that was the end of the sale. Whilst the sanitary site remains at the Collier plantation, it is detrimental to those who own land along the approaches to it.

That is not sufficient for me to vote against the measure, and it is not my intention to oppose it. I do not, however,

want to let the opportunity pass without drawing the attention of the House to the fact that a couple of weeks ago the sponsor of the Bill laid great stress on continuance measures. Now we find the cycle has turned. The hon. member is introducing a continuance Bill to a temporary measure and not, as he put it, for one year, but for five. This is a most vicious Bill compared with those he has objected to. I hope that the hon. member has mended his ways with regard to continuance measures. However, we shall find that out at a later stage. I have no intention of opposing the Bill.

HON. H. HEARN (Metropolitan) [5.32]: I rise to support the second reading, because there is really no other alternative. I am quite sure that Mr. Fraser is correct when he says that some owners of land are not very happy about it. But when we realise the position—we have been told about it as late as this afternoon with regard to materials for building, and it certainly applies to plumbing—what alternative have we? I could tell members something in this connection that affects me personally. I therefore think that Mr. Watson, even though he does not like continuance Bills, is doing the right thing in sponsoring this one. I am sure he will be a happy man if at the end of two or three years it is possible for the local authority concerned to abandon the use of this particular site.

HON. E. M. DAVIES (West) [5.33]: It is with a great deal of reluctance that I lend my support to this continuance Bill. In the first place, I feel that a most objectionable and unhygienic system for the disposal of human excreta is to be continued for a number of years. My reason for supporting the Bill is that I believe the people who live in the area referred to could not at this stage be expected to spend the money necessary for the purposes of installing a sewerage system—in any case it could not be undertaken at the moment—or to establish a bacterial system.

Although I support the measure, I think it is a pity that the City of Perth, which is the capital of the State, has permitted the present system to operate for such a long time. If 15 or 20 years ago a system of bacterial treatment had been undertaken by the Perth City Council, the same as the local authority of which I have the honour

to be a member did, it would have proved most beneficial to the people not only from the point of view of comfort, but also of cleanliness. However, the opportunity was not taken.

In those days septic tanks could be installed, with new brick lavatories, for about £25 and, if standard fittings were used, when the sewerage came along later the people were not called upon to lose a great deal. All they would have to forego would be the tank, because the sewerage fittings would be available for connection to the sewerage system. However, the City of Perth was not as progressive as the City of Fremantle and so we have this unhygienic system for the disposal of night-soil still with us. We are asked, by the measure, to continue it for another five years. I trust that before then we will be able to use materials for this purpose as well as for new homes, so that the sewerage of these areas will take place within a short space of time.

It is unthinkable that an area so close to the centre of the capital city should still have a system which has been discarded by other local authorities for many years. I support the Bill because it would be unfair at this stage to ask the people concerned to expend amounts, individually, up to £60 to install septic tanks and lavatories when, in the not-very-distant future they may be compelled to spend more in connecting to the sewerage system. While I support the Bill I say that it does not detract in any way from the responsibility that the Perth City Council has to its rate-payers.

HON. H. K. WATSON (Metropolitan—in reply) [5.36]: I think all that it is necessary for me to do is to deny Mr. Fraser's soft impeachment. For his special benefit, I might explain that a continuance Bill is generally entitled a Bill to continue some Act, and it usually continues a temporary Act. The Act which is being amended here is not a temporary measure. All the Bill purports to do is to amend a section of it. Therefore, my conscience is clear and I can pursue the course which I have enunciated on previous occasions.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—ADOPTION OF CHILDREN ACT AMENDMENT.*Second Reading.*

THE CHIEF SECRETARY (Hon. H. S. W. Parker—Metropolitan-Suburban) [5.40] in moving the second reading said: This is a Bill of some importance. The Act was originally passed in 1896. It has been amended to a minor degree on several occasions, but in the main it has remained unchanged. The years have brought to light several defects which the Bill proposes to correct. The various amendments are considered advisable to make the law simpler and easier to work under and to give relief in certain directions. Perhaps for the sake of convenience I might deal with the amendments *seriatim*.

The first deals with the definition of "Child" which in the Act is "A boy or girl under 15 years of age." That is a mistake because Section 5 refers to a child being over the age of 15 years. It is obvious that a child cannot be under and over the age of 15 years. It is anomalous. Therefore the amendment defines a child as a person under 21 years of age. That is recommended by the Chief Justice. I may say that the Bill has been referred to His Honour, the Chief Justice, who considers all the amendments advisable and necessary. In fact, in the past, the question of the adoption of an infant—that is a person under 21 years—has always been dealt with as though the definition of "child" meant an infant.

Hon. R. M. Forrest: In the Children's Court it is under 18.

THE CHIEF SECRETARY: This has nothing to do with the Children's Court. In the original Act a deserted child was referred to as a legitimate child where what was meant was illegitimate. The intention now is to amend the Act to describe that child as "ex-nuptial," and leave out the word "legitimate." Again, there is reference to the word "Colony." In 1896 we were a Colony. It is now proposed to alter that word to "State."

It has been the practice in the past to insist on the consent to an adoption being obtained, wherever possible, from the putative father of an ex-nuptial child. This is not always desirable as the man concerned may have married and had a family. It would be rather awkward to have correspondence in this connection sent to his home where, perhaps, his wife knew nothing of it. Rather than run the risk of such a thing happening, it is proposed to give the judge the power to dispense with the consent of a putative father if he deems it wise to do so.

From time to time, applications to adopt children have been made, but could not be finalised because the necessary consent was not forthcoming from one of the child's parents. There are cases where the parent has done nothing for his child, has no love for it, will not maintain it, yet will take up a dog-in-the-manger attitude and refuse to give consent to an adoption, even though he knows that the child will benefit by being adopted. There is a glaring case of this nature. The man is at present undergoing imprisonment for life for murder. He is in the Fremantle gaol and has steadfastly refused to allow his ex-wife and her husband to adopt this child. The woman obtained a divorce and married again and has custody of the child. She and her present husband wish to adopt the child, but the man who is in gaol refuses to give his consent to the adoption.

Hon. Sir Charles Latham: The child would be a step-son, would it not?

THE CHIEF SECRETARY: The father wants to adopt the child legally so that it will become his son, but as Sir Charles rightly states, the child is his step-son at the moment.

Hon. Sir Charles Latham: And he is responsible for a step-child?

THE CHIEF SECRETARY: It is not his child in law; it is his step-child.

Hon. Sir Charles Latham: And he is responsible for the child because it is in his hands.

THE CHIEF SECRETARY: That is all very interesting. It is not a question of responsibility, but the man wishes to adopt the child legally. It is considered highly desirable that the child concerned should have the opportunity of bearing another surname.

Hon. Sir Charles Latham: That is a different aspect.

The CHIEF SECRETARY: The judge cannot grant the order of adoption, as the law stands at present, because it is necessary to obtain the father's consent. This new paragraph will give discretion to the judge to dispense with the consent of such a person if of the opinion that the child's best interests will be served by granting the adoption order. The paragraph provides proper protection to a parent by notice being given, and thus an opportunity will be available to the parent to state his objections to the application before a judge. Paragraph 4 of Section 5 requires that a child over the age of 12 years shall consent to his own adoption. There are many cases on record where a single woman has an ex-nuptial child and later marries a man who is not the child's father. Often that child grows up in the belief that the mother's husband is really his father and he bears his surname. It will be seen, therefore, that if this couple decided legally to adopt this child after he was 12 years of age, the child would have to be told the facts surrounding his birth and his true name, in order to secure his consent to the adoption.

The amendment embodied in the Bill proposes to give discretionary power to judges to dispense with a child's consent where it is felt that circumstances warrant such a dispensation. It will undoubtedly save a lot of needless pain and unpleasantness when the child concerned does not know the truth surrounding his birth. I have not the slightest doubt that very few adopted children appreciate that they had been adopted. The ex-nuptial child who has been brought up by his mother—who has since married—does not really believe that his mother's husband is not his father, and why should he not continue in that way without being told to sign an adoption paper after he is 12 years old?

Various discretionary powers are proposed for the judges and in addition the Bill provides that the reason for any dispensation shall be set forth by the judge in his order. After an order is made, the particulars are transmitted to the Registrar General and Clause 5 provides that the names of the child and its lawful parents shall be set out so that appropriate entries may be

made in the indexes for the purpose of ready location of the registration and that documents issued in respect to the birth registration of such child may be correctly prepared.

Up to date, the order of adoption confers the surname of the adopting parent on the adopted child. Such parents frequently desire to bestow different christian names, of their own choice, on their adopted children and the amendment avoids the old cumbersome method of obtaining licenses from the Attorney General under the Change of Names Regulation Act, 1923. Members would be surprised to see the number of applications made to the Attorney General for the changing of the christian names of adopted children. A great number of parents change the names of their adopted children and instead of going through the formality of applying to the Attorney General, it is proposed that this shall automatically be done at the time when the adoption order is obtained. This will simplify the procedure and a similar provision to this will be found in the Acts of the other States.

It is proposed to add a new section and this is set forth in Clause 8. These provisions will ensure that the re-registration of birth of an adopted child is effected and that particulars of any variation, reverse or discharge of any order of adoption will be promptly endorsed on the relevant registration. Members might call this an automatic registration of an adoption order in the births, deaths and marriages registration office. At present re-registration of the birth of a child under the provisions of the Adoption of Children Act is contingent upon application being made by the adopting parent. Many people who adopt children do not realise that it is necessary to make this application and it is considered, in the interests of the children, that re-registration of the births should automatically follow adoptions. Such a practice obtains in the other States of the Commonwealth. Experience has proved that some adopting parents fail to make such applications either through ignorance or carelessness.

Cases have come under notice where re-registration has not been made because the adopting parent has not applied for such an entry as provided for in Section 13 of the principal Act. As the existing provision precludes the making of such fresh entry or re-

registrations when application by the adopting parent is not possible owing to inaccessibility, it is desirable that the interests of the adopted child be protected by ensuring that some further provision is made so that re-registration can be effected. Where it has not been done, there is no provision now for going back over the years.

It is also considered desirable, in order to preserve the secrecy of adoption, to register documents in Perth, but the district office index shall be amended. All adoptions are kept secret and people cannot go along and merely pay a fee to see the particulars of any adoption. One has to go through a very careful procedure and obtain an order before one is permitted to do so. It is proposed that the re-registration of the birth be effected by the Registrar General or his deputy in Perth. The designation of the action by the Attorney General as "re-registration" is considered to be preferable to that of "making a fresh entry." There is also provision for a judge to cancel an order for adoption and if the order is cancelled, then there is the automatic registration in the births registration department.

The terms of proposed new Section 13 (1) (c) are incorporated in the Births, Deaths and Marriages Registration Act and it seems advisable that they should be also incorporated in the Adoption of Children Act in order that the discretionary power of the Registrar General may be clearly indicated, without recourse to any other Act. It simply puts in this Act what is already in another Act. I think members need have no fear at all but that this Bill is purely to bring the Adoption of Children Act up to date. It does not incorporate any new matter or procedure or any drastic alterations of what we understand to be the law in regard to the adoption of children. I move—

That the Bill be now read a second time.

On motion by Hon. E. H. Gray, debate adjourned.

BILL—ELECTORAL ACT AMENDMENT (No. 3).

Second Reading.

THE CHIEF SECRETARY (Hon. H. S. W. Parker—Metropolitan-Suburban) [5.55] in moving the second reading said: This Bill is to amend the Electoral Act

in three directions. Subsection (3) of Section 17 of the Electoral Act states that a member of the Legislative Assembly and his wife may claim to be enrolled for the district represented by such member. As a result of the Redistribution of Seats Act of this year, the present electoral districts, in a number of cases, have been so altered as to have been amalgamated with or have had added to them portion of another district.

For instance, the district of Perth has been eliminated and portions of it added to each of the new electorates of North Perth, East Perth and West Perth. It is considered desirable, therefore, that where portion of a member's district has been merged into a new district he should have the option, in the event of his seeking election to the new district, to be placed on the roll of that district. It is really an essential amendment to the Electoral Act in view of the redistribution of seats and it maintains the old principle that the member for the district should be on the roll for the district which he represents.

Hon. Sir Charles Latham: Does that mean that if he is going to be a candidate, he has his name put on the roll beforehand?

THE CHIEF SECRETARY: That is so.

Hon. Sir Charles Latham: He has that advantage over anyone else.

THE CHIEF SECRETARY: There is really no difference in principle. Take the member for Perth. Wherever he lived he was entitled to be put on the roll for the Perth electorate. Under the Redistribution of Seats Act the member for Perth will cease to exist. If the Bill is passed, then that member and his wife may be enrolled for the new district for which he seeks election.

Hon. G. Fraser: Supposing he sought election for a district completely foreign to his old seat.

THE CHIEF SECRETARY: Take the member for Perth. If he desires to stand for the Kimberleys, then he will be placed on the electoral roll for the Kimberleys, but he cannot be on two rolls.

Hon. L. Craig: Can any candidate be on the roll for that seat?

THE CHIEF SECRETARY: No, only if he has been a member of Parliament. The next alteration that the Bill seeks is to

Subsection (1) of Section 100. As the Act now stands the Minister may appoint such other polling places for each province and district as he thinks necessary. There is some doubt as to whether or not polling places are required to be situated within the boundaries of the district or province for which they are appointed. It is considered that in some cases it would be desirable that a polling place for the district or province should be situated a short distance outside the electorate for which it is provided, particularly in view of the recent alterations to the electoral boundaries.

There may have been a polling booth where the people of an area have been accustomed to voting over the years but now, owing to the changed electoral boundaries, their places of residence may be in another district so that the booth, although most conveniently situated for them for voting purposes, may be outside their district. Let me instance the position with regard to the East Perth and West Perth constituencies. The boundary extends down Barrack-street. For very many years the Perth Town Hall has been availed of as a polling booth. I am afraid that if, in view of the new boundaries, the polling booth there were done away with for the next general elections, there would be some extremely disappointed people who are residing in close proximity to the Town Hall.

I should not be surprised if a polling booth were retained there at which electors in both the East Perth and West Perth constituencies could record their votes. It would certainly be of great convenience to a large number of people. Members will appreciate that in the country districts there are many places where it would be best for the settlers to go for voting purposes although the booth might not be within their electorate. A provision such as that included in the Bill will facilitate electoral matters and greatly convenience people both in the country and metropolitan areas.

The next amendment of importance is to Section 119 but the amendments are largely consequential. The section requires the presiding officer to put to any person claiming the right to vote at an Assembly election the question: "Do you live in this electoral

district?" Obviously that question assumes that the polling booth is situated within the district where the elector is claiming the right to vote. In the altered circumstances the question is not appropriate and has to be altered, with the result that it is proposed that the question to be asked shall be: "Do you live in the electoral district for which you claim to vote?"

There are other consequential alterations. For instance, as the Act stands now the elector is required to be asked: "Have you, within the last preceding three months, bona fide lived within this electoral district?" That question is to be altered so that the presiding officer will now put the query: "Have you within the last preceding six months, bona fide lived within the district?" The 1948 amendment to the proviso to Section 17 (1) of the Electoral Act gives an elector who has changed his address but whose name has not been transferred to another roll, the right to vote for the district for which his name continues to be enrolled, in any elections held six months after he had ceased to live in the district. That being so, it will be obvious to members that the second question I have mentioned should refer to a period of six months and not to one of three months. There are one or two other minor amendments that I can explain when the Bill is dealt with in Committee, if members so desire. In the meantime, I move—

That the Bill be now read a second time.

On motion by Hon. G. Fraser, debate adjourned.

House adjourned at 6.4 p.m.