

The member for Merredin-Yilgarn said the Commonwealth and State representatives of the dairying industry had discussed this matter fully. There is a fund of information available which I think gives a convincing reason why this legislation should be passed. We can take it for granted that when the States and the Commonwealth, with the support of all the branches of the dairying industry, are in favour of this legislation we, in Western Australia, would do well to adopt it. If passed, the measure will help an industry which means a great deal to this State and to the Commonwealth as a whole, and is worth nearly £160,000,000 annually to Australia. I do not think the measure can harm a single individual.

In milk we have at present a product which is being marketed to the public at a reasonable figure. It is wholesome and of high nutritional value, being one of our main items of food. I think we would be ill-advised to dally with something that could have a bad effect on the dairying industry.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. Roberts) in the Chair; Mr. Nalder (Minister for Agriculture) in charge of the Bill.

Clauses 1 to 3 put and passed.

Progress reported.

House adjourned at 10.57 p.m.

CONTENTS—continued

	Page
MOTION :	
Workers' Compensation Act, amendment to section 8	1063
BILLS :	
Motor Vehicle (Third Party Insurance) Act Amendment, 1r.	1063
Government Railways Act Amendment, 1r.	1067
Judges' Salaries and Pensions Act Amendment, 1r.	1067
State Electricity Commission Act Amendment, 3r., passed	1067
Foot and Mouth Disease Eradication Fund, 3r., passed	1067
Police Act Amendment, 2r.	1067
Traffic Act Amendment, 2r.	1067
Municipal Corporations Act Amendment—2r.	1068
Com.	1074
Personal explanation	1093
Road Districts Act Amendment, 2r.	1079
Parliament House Site Permanent Reserve (A 1162) Act Amendment—Com.,	1079
Report	1081
Museum, 2r.	1081
Art Gallery, 2r.	1082
Justices Act Amendment—2r.	1084
Com., report	1084
Fire Brigades Act Amendment, 2r.	1084
Motor Vehicle (Third Party Insurance) Act and Traffic Act Amendments—2r.	1086
Com., report	1087
Child Welfare Act Amendment,—2r.	1087
Com.,	1087
Report	1092
ADJOURNMENT, SPECIAL	1093

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

BAYSWATER PEDESTRIAN CROSSING

Petition

The Hon. R. F. Hutchison presented a petition from residents of Bayswater concerning the dangerous situation regarding pedestrians who have to cross Guildford Road at Bayswater.

Petition received and read.

NOTICE OF QUESTIONS

The PRESIDENT: I draw the attention of members to the fact that if they wish to give notice of more than one question there is nothing in our Standing Orders to prevent their doing so consecutively. Our Standing Orders do prohibit this in regard to motions. In future, if members wish to give notice of more than one question they may do so without resuming their seat.

Legislative Council

Wednesday, the 19th August, 1959

CONTENTS

	Page
BAYSWATER PEDESTRIAN CROSSING :	
Petition	1061
NOTICE OF QUESTIONS	1061
QUESTIONS ON NOTICE :	
Nelson location 12053, purchase price, expenditure and allottees	1062
Albany Harbour, completion of transit shed	1062
Olympic pools, financial assistance	1062
Albany-Lake Grace road, re-formation and reconditioning	1062
Clay holes, filling	1063

QUESTIONS ON NOTICE

NELSON LOCATION 12053

Purchase Price, Expenditure and Allottees

1. The Hon. A. L. LOTON asked the Minister for Local Government:

With reference to farm A587A, being Nelson location 12053:

- (1) Was this property originally purchased by the Land Settlement Board?
- (2) If so, what was the purchase price?
- (3) If answer to No. (1) is "No," was the property developed from the virgin stage by war service land settlement?
- (4) As the property is shown on file No. 1466/59 as being "isolated," can the total amount expended on this property be shown for—
 - (a) clearing;
 - (b) fencing;
 - (c) water supply;
 - (d) buildings;
 - (e) stock and plant?
- (5) Was Mr. N. H. Jones the original allottee; if not, how many had been on the property previously?
- (6) Has Mr. N. H. Jones been given the option of taking on another property?

The Hon. L. A. LOGAN replied:

- (1) Yes.
- (2) £1,492.
- (3) Answered by No. (1).
- (4) (a) £4,964.
(b) £1,366.
(c) £1,486.
(d) £2,624.
(e) £3,150.
- (5) No; two allottee designates.
- (6) No.

ALBANY HARBOUR

Completion of Transit Shed

2. The Hon. J. M. THOMSON asked the Minister for Mines:

In view of the existing procedure at the port of Albany of loading to rail at the shipside, and unloading at the goods shed prior to reconsignment and distribution will the Government undertake to

complete the transit shed adjacent to the new wharf during the current financial year, and thus avoid the additional handling charges and the subsequent delay in forwarding goods as is being experienced at present?

The Hon. A. F. GRIFFITH replied:

The extent of Public Works Department loan fund commitments on works in progress throughout the State makes it impracticable to provide funds to complete the transit shed in the current financial year. It is proposed that a commencement be made towards the end of this financial year, with a view to completion during the 1960-1961 financial year.

OLYMPIC POOLS

Financial Assistance

3. The Hon. G. E. JEFFERY asked the Minister for Mines:

- (1) Has the Government given consideration to granting financial assistance for the construction of Olympic pools in the metropolitan area?
- (2) If so, what decision has been arrived at?
- (3) If not, will the Government give consideration to this question?

The Hon. A. F. GRIFFITH replied:

- (1) An application for financial assistance has been received, but it is not contemplated that any direct assistance by way of subsidy will be granted.
- (2) A decision has not yet been made.
- (3) Answered by Nos. (1) and (2).

ALBANY-LAKE GRACE ROAD

Re-formation and Reconditioning

4. The Hon. J. M. THOMSON asked the Minister for Local Government:

In respect of the proposed expenditure of £118,700 on the Albany-Lake Grace road as recently announced by the Minister for Works—

- (1) What section of the road is to be re-formed and reconditioned?
- (2) What extent of—
 - (a) initial tar sealing; and
 - (b) bituminising.
 is contemplated, and where will this work be effected?

The Hon. L. A. LOGAN replied:

ALBANY-LAKE GRACE ROAD

(Albany 00·0 miles)

(1) GENERAL ROAD IMPROVEMENTS (INCLUDING BRIDGES)

Road District	Sections	Miles	Amount £
Albany Municipality	Widen 6 ft., 00·0-00·7m.	0·7	2,400 (including priming)
Albany Road Board	Upper King Bridge (part cost), 5·2m. ....	....	1,000
Gnowangerup Road Board	Construct bridges 24 ft. wide and approaches, 52·9m. and 66·2m. ....	....	28,000
Gnowangerup Road Board	50·8-67·7m., 74·7-76·8m., 92·1-92·6 m.	19·5	42,000 (including priming)
Nyabing-Pingrup Road Board	105-139m. (various sections)	8·0	4,000
Lake Grace Road Board	Improvements near Lake Grace ....	....	1,000

(2) (a) PRIMING PROPOSALS

			£
Albany Municipality	Prime 6 ft. widening, 00·0-00·7m.	00·7	See above
Gnowangerup Road Board	50·8-67·7m., 74·7-76·8m., 92·1-92·6 m.	19·5	See above

(2) (b) SEALING PROPOSALS

			£
Albany Road Board	5·00-5·30m.	00·3	600
Plantagenet Road Board	40·3-45·6m.	5·3	7,100
Cranbrook Road Board	45·6-50·8m.	5·2	7,000
Gnowangerup Road Board	68·05-73·25m., 76·9-92·6m.	20·9	25,600
Total ....	....	....	£118,700

CLAY HOLES

Filling

5. The Hon. G. E. JEFFERY asked the Minister for Local Government:

- (1) Has the Government given consideration to the filling-in of disused clay holes in the metropolitan area by the land-fill rubbish disposal method?
- (2) If not, will it do so in an effort to remove this very dangerous hazard?

The Hon. L. A. LOGAN replied:

- (1) Rubbish disposal by landfill method is now being considered by the Metropolitan Rubbish Disposal Planning Committee.
- (2) Hazardous clay holes will be brought to this committee's attention.

WORKERS' COMPENSATION ACT

Amendment to Section 8

THE HON. E. M. HEENAN (North-East)
[4.44]: I move—

That in view of the fact that certain of the diseases (such as silicosis) mentioned in the third schedule of the Workers' Compensation Act, 1912-1956, are now known in some cases not to reveal themselves until after the expiry of the term of three years specified in section eight of the Act, this House urges the Government to introduce a Bill to amend section eight in such a way as to cover such cases.

I think perhaps I should proceed firstly by referring to section 8 of the Workers' Compensation Act which reads as follows:—

(1) Where—

- (a) a worker is suffering from any of the diseases mentioned in the first column of the third schedule to this Act and is thereby disabled from earning full wages at the work at which he was employed; or

MOTOR VEHICLE (THIRD PARTY INSURANCE) ACT AMENDMENT BILL

First Reading

Introduced by the Hon. L. A. Logan (Minister for Local Government), and read a first time.

(b) the death of a worker is caused by any of the diseases mentioned in the first column of the third schedule to this Act,

and the disease is or was due to the nature of any employment in which the worker was employed at any time within three years previous to the date of the disablement. . .

It goes on to provide that if the worker is suffering from one of the diseases mentioned in the first column of the third schedule; or if the death of a worker is caused by any of those diseases as a result of his employment at any time within three years previous to the date of the disablement, then he is entitled to compensation or, in the case of death, his dependants are entitled to compensation.

The third schedule of the Act sets out a number of diseases and, for my purposes, I am going to mention only silicosis, pneumoconiosis and miner's phthisis. We amended the Act last year or the year before to include a similar disease called asbestosis which is contracted by workers employed at Wittenoom Gorge. The important point, in section 8 of the Act, which I want to draw to the attention of members is the limiting period of three years.

I am going to mention the case of a man named Giacomo De Conti whose case is typical of quite a few that have come under my notice and, I am sure, under the notice of all Goldfields members in recent years. De Conti was an underground miner. He came to Australia in 1927 from Italy and was naturalised five years later. He went to Kalgoorlie in about 1931, and from then onwards he worked in the mines at Kalgoorlie, Laverton, Gwalia, Mt. Ida and other places on the Goldfields.

Like most of his compatriots, he was an efficient underground miner, and was a healthy physical specimen. He ceased work on the Sons of Gwalia mine in December, 1950. He had been examined by the Commonwealth Health Laboratory over the years, and apparently had received a clean bill of health. When he left the Sons of Gwalia mine in 1950, to come to Perth, he did not realise that there was anything wrong with him; he had never been so advised, at any rate, by the laboratory. He had been examined on the 14th August, 1950, which was only a few months before he finished work on the mine.

After having left the industry, he was examined again in July, 1952, and apparently he was all right. He was again examined in July, 1954, and this examination disclosed that he had developed silicosis in the early stage; and on the 11th August, 1954, he received a notice to that effect. It will be remembered that he last

worked on the Sons of Gwalia mine in December, 1950; and on the 11th August, 1954, he was first made aware that he had developed silicosis in the early stage.

He had developed a disease mentioned in the third schedule of the Workers' Compensation Act; and he would have been entitled to compensation if he had come within the three-year period; but when he first learned of it in August, 1954, he was outside the time. What he did then was to go back to the Sons of Gwalia mine and obtain fresh employment. He worked on the mine, for, I think, about a fortnight in the hope that, by doing so, he would satisfy this technicality which debarred him from compensation. After having worked there, he consulted Dr. Hislop, and on the 16th February, 1955, he received a letter from the acting manager of the State Insurance Office which states—

A medical certificate completed by Dr. J. Hislop has been received by me and this indicates that you are suffering from a degree of silicosis, allegedly the result of your employment with the Sons of Gwalia Mines Ltd., Leonora.

If it is your intention to lodge a claim under the Workers' Compensation Act I should be pleased if you would complete and return the enclosed application and Form 2. On receipt of these forms I will advise you of any other requirements that may be necessary in regard to your claim.

The poor unfortunate fellow was, at this stage, doing all he could to obtain some remedy for his condition. However, on the 19th May he received this letter from the manager of the State Insurance Office—

I have now received from the Sons of Gwalia Ltd. a report upon your employment with that company. It appears from the information supplied that you were employed for one shift only—

I said, a fortnight, but it was for one shift—on the 29th December, 1954, since ceasing work on the mine on the 27th December, 1950. A claim for compensation based upon the industrial disease of silicosis must be made within three years of ceasing employment. Although you were so employed within the last three years, it was for a period of one day only, and I am not prepared to approve of your claim based on the fact that you acquired your silicosis as a result of that one day's work. As a consequence, your claim is declined.

I should, perhaps, mention at this stage that in years gone by there was a sort of gentleman's agreement—possibly that is what it could be termed—between the A.W.U., representing the miners in Kalgoorlie, and the State Insurance Office; and the agreement was that in cases similar to this one, where the period had expired, if

a man went back into the mine for only a day or two, or a week or two, it sort of reasserted his right to compensation. However, it did not have any proper legal basis; and I suppose that when a number of claims were forthcoming, the State Insurance Office eventually had to stand upon its legal rights and apply the provisions of the Act in the correct way.

That is briefly the case of this man, Giacomo De Conti, a genuine miner who worked in the industry for many years; who made a large contribution in the way of hard work; who suffered irreparable damage to his health; and who, through no negligence of his own, and through no lack of diligence or care, has not been able to obtain compensation. I mention his case, because it is typical of others.

My intention was to introduce a Bill to amend section 8, and to delete altogether the provision relating to three years. But such a Bill would require a Message, and no doubt you, Mr. President, would promptly tell me that I did not have jurisdiction to introduce such a measure. However, I sincerely trust that the Government will look into the matter and will, this session, introduce a short Bill which will rectify this unfair state of things. It might have application to only a few individuals, and might in a way be only playing with the real remedy. But we Goldfields members have contended for years that men who spend their lives working in the goldmining industry are not adequately compensated or rewarded when they irretrievably lose their health.

The provisions of the Mine Workers' Relief Act and the Workers' Compensation Act, as they apply to silicotic and T.B. miners are grossly inadequate, and the time has now arrived when a real effort should be made to introduce more enlightened legislation to deal with the question.

I have had the loan of a little booklet, dealing with this subject, which is most interesting. Possibly it is out of date, but I think it would be of interest to members for me to quote several portions of it. It is called, *Industry Tuberculosis Silicosis Compensation*. It was published by the National Tuberculosis Association of New York in 1945. I realise that I am trespassing on ground that may be quite out of my depth, but there are a few paragraphs in the booklet which may be of help to members; and I hope that Dr. Hislop, who has always been sympathetic in these matters, and whose help has been appreciated by the representatives of the workers on the Goldfields, will, perhaps, give us the benefit of his profound learning in this particular sphere. This paragraph may be enlightening—

The intensive study and investigation of the pneumoconioses in recent years have shed much light on a dusty subject. Some house-cleaning has

been done and earlier, unconfirmed ideas have been replaced by more definite facts established by the light of wider experience. In industry, management and labour, recognising the danger to each and the effect on production, lost time, health, safety, and the mutual pocketbook, have signified their desire to do something about it. They have put the problem squarely up to the industrial hygienist and the medical profession. Our legal friends have also come into the picture, sometimes rather willingly, a circumstance which makes it all the more desirable for those concerned to have a better understanding of the disease.

Under a paragraph headed "The Effects of Rock Dust" appears the following:—

The effects of silicious rock dust on the human lung and its association with tuberculosis have been recognised for centuries, but only in comparatively recent years has an attempt been made to investigate and establish measures for regulating the hazard.

I realise my limitations in this field, but we members who represent the Goldfields have had much to do with miners who have developed this complaint. For years it was thought that if a man contracted silicosis and he got out of the industry his condition remained more or less static. But apparently further investigation has shown clearly that the condition progresses. This seems to be borne out by the following paragraph in the book:—

It is true that the higher the concentration of particles and percentage of free silica in the air, the more rapidly will the disease manifest itself, but even under the worst conditions the development of silicosis requires time. In South Africa, experience indicates that it takes eight years to progress from a pre-silicotic stage to a definite degree of nodulation, and a somewhat lesser time for a man to go from first to second degree nodulation.

That seems to bear out my contention that to apply a limiting period—three years in this instance—is improper. This is another interesting paragraph:—

A majority are unaware that they have developed the disease because symptoms are lacking. It is only when they have been x-rayed that their condition has been revealed, and in many cases, where the exposure to dust has extended over long periods of time, the x-ray findings demonstrate much less reaction than might have been anticipated. Most of the men are capable of doing a regular day's work, as many of their forbears, ignorant of the findings of physical examinations, and x-rays, have done

for years before. They still continue to produce effectively without discomfort, even after having been informed that their roentgenograms show accumulations of dust.

Then there is a further paragraph—

From the preceding remarks it would be wrong to assume that silicosis is not a dangerous disease.

Today I had a cursory glance at the report of the Commissioner of Public Health for the year 1954. I shall not weary members by going right through it, but there is a report by Dr. King entitled, "Pulmonary Tuberculosis in Goldminers." It reads—

Of a total number of 2,769 notified cases, there are 218 known to be ex-goldminers; of these 138 are registered as suffering from pulmonary tuberculosis, and 80 from silicosis, with super-added pulmonary tuberculosis (silico-tuberculosis).

Those are facts as at the 31st December, 1954. The report goes on—

In addition to the above, 141 ex-goldminers have been removed from the register since 1949 (66 listed as pulmonary tuberculosis and 75 listed as silico-tuberculosis). The majority of these removals have been because of death.

An analysis of the admissions to the Wooroloo Sanatorium over the last four years shows that out of a total of 763 male admissions and readmissions, 124, or 16 per cent., have been ex-goldminers.

Further on there is another paragraph which reads—

Other significant findings are that at the Wooroloo Sanatorium it is quite common for 20 per cent. of the male beds to be occupied by ex-miners. Allowance must be made here for the fact that these are often long-term cases, but also this excludes ex-servicemen admitted to repatriation institutions.

Out of the last 173 deaths at the the Wooroloo Sanatorium, 47 (or 27 per cent.) were ex-miners.

Summarising of the above facts suggests that the prevalence and incidence of pulmonary tuberculosis (including silico-tuberculosis) is much higher in goldmines than it should be in relation to other members of the community. This incidence has persisted in spite of special supervision and preventive measures.

The conclusion reads—

It is obvious that the existing measures to date have not lowered the incidence of pulmonary tuberculosis in goldminers to that normal in the community.

A further attempt will have to be made to discover each and every infectious case of pulmonary tuberculosis in the goldfields.

There is no doubt that goldminers, by reason of their occupation, and exposure to silica dust, are more susceptible to infection with pulmonary tuberculosis.

It is seriously suggested that, in spite of a possible detrimental effect to the labour force in the goldmining industry, workers contracting silicosis in the early stage be excluded from the industry and receive some compensation for this exclusion.

This would then allow these workers to leave the industry at the stage when they would be capable of taking up other work. As it is, the longer they stay in the industry the more loth they are to leave it, even though their silicosis is advancing and increasing their susceptibility to tuberculosis.

Although from the conclusion it seems inevitable that silicosis predisposes miners to tuberculosis, the present legislation allows them to continue working in the mines even though they have been notified that they have advanced silicosis.

When they contract it in the early stage they are notified to this effect. They can get out of the industry, but this is purely voluntary. They can receive compensation if they are within the three-year period even though they go into some other industry; or they can continue working in the mines when eventually the silicosis becomes advanced. They can still continue working at that stage, as long as they do not develop tuberculosis.

To me it seems wrong for them to continue in the mines, although it is understandable that men who for years and years have been employed as miners and whose homes are established in the Goldfields are not of much use in any other industry. There are no openings for them elsewhere. They have no other trade, and, unfortunately, they continue working although they have been notified, and are aware that they have advanced silicosis.

Some of the remarks I have made open up subjects which go far beyond the modest proposals I am putting forward in this motion. The time has arrived when we should have a complete review of our industrial legislation as it affects miners, quarry workers, and the like, because one cannot escape the conclusion that at the present time we are doing them less than justice.

In this motion I am trying to draw attention to what I consider to be an obvious shortcoming in section 8 of the Workers' Compensation Act, which could quickly be corrected by the introduction of a small measure. That would at least assist a few individuals who are similarly situated to De Conti, whose case I have outlined.

To this extent some justice would be done, but the overall problem requires a far more serious approach. I hope that a Select Committee may be appointed; or that the Government may be disposed to appoint an expert committee to recommend a more comprehensive way of dealing with the complex questions arising from the state of affairs which I have, somewhat inadequately, set forward.

On motion by the Hon. A. F. Griffith, (Minister for Mines), debate adjourned.

BILLS (2)—FIRST READING

1. Government Railways Act Amendment.
2. Judges' Salaries and Pensions Act Amendment.

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

BILLS (2)—THIRD READING

1. State Electricity Commission Act Amendment.
2. Foot and Mouth Disease Eradication Fund.

Passed.

POLICE ACT AMENDMENT BILL

Second Reading

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [5.22] in moving the second reading said: This small Bill deals with two matters of widely varying natures. The first is an effort to curb the considerable incidence of valueless cheques that have been circulating. This particular offence is not where cheques are drawn on non-existing accounts—concerning which ample provision exists in the Criminal Code—but where accounts are opened with a relatively small deposit and cheques far exceeding this sum are deliberately written. There is a certain type of offender, I understand, who makes a habit of this practice.

As such persons have to carry out their operations as soon as possible after the opening of the cheque account, the Bill seeks to make it an offence, punishable by a fine of £50, or imprisonment for six months, to obtain value for such a cheque within 60 days of the opening of the account, unless it can be proved that the writer of the cheque had reasonable grounds for believing the cheque would be met, or had no intention to defraud. It is considered that the period of 60 days would minimise the danger of a *bona fide* bank operator being penalised.

Further protection is included in the Bill by a provision that no prosecution shall be commenced without the written authority of the Commissioner of Police. Under section 409 of the Criminal Code,

it is an indictable offence to draw a cheque on a non-existent account. The penalties are a maximum of three years imprisonment for obtaining up to £500 in this way, and up to seven years for obtaining more than £500.

The second proposal in the Bill deals with drugs. Section 94A (2) (d) of the Act empowers the Governor by proclamation in the *Government Gazette* to specify drugs concerning which it is considered that manufacture, sale, possession, distribution, and supply should be regulated and controlled. These are drugs which, if improperly used, would produce ill-effects substantially similar to those caused by morphine or cocaine.

In nearly every instance, drugs brought under this control have been those recommended by the World Health Organisation, of which Australia is a member. I understand new drugs appear quite frequently, and, in its efforts to prevent addiction, the World Health Organisation may seek control of a new drug until such time as a proper evaluation of the addictive properties can be made. It may then occur that such a drug should be released from control.

The present Act, however, does not make provision for the cancellation or variation of any proclamation and, therefore, once a drug is brought under control, it remains legally under control. To meet the situation, the Bill seeks authority to cancel or vary any proclamation made under Section 94A of the Act. I move—

That the Bill be now read a second time.

On motion by the Hon. E. M. Heenan, debate adjourned.

TRAFFIC ACT AMENDMENT BILL

Second Reading

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [5.27] in moving the second reading said: The principal object of this Bill is to give greater protection to riders of motor cycles and motor scooters and the drivers of vehicles engaged in motor racing, speed tests, hill climbs, reliability trials, etc. The Government, in conjunction with the National Safety Council, has for some considerable time been endeavouring to ensure that safety helmets, offered for sale to the public are of a quality to provide the wearer with reasonable protection in the event of an accident.

The Bill, if approved, will enable the Government to make regulations to ensure that no helmet is sold unless it complies with British and Australian standard specifications. Although some requests have been made to make the wearing of these helmets compulsory, this is not proposed at present. The Government, however, is concerned at the great number of fatalities caused by

head injuries, and is giving every encouragement to all drivers and pillion riders to wear these helmets, which, it is claimed, increase the accident survival rate by 70 per cent.

Two recent fatalities at the Claremont Speedway were attributable to faulty or insecure safety belts, and therefore the Bill seeks to enable the making of regulations which will ensure that racing vehicles will be properly equipped and that the equipment will be in good condition.

The principal Act provides that the maximum overall width of a vehicle shall not exceed eight feet. Legally, this width includes mechanical signalling devices and external mirrors, which it is considered should not be taken into account. The Bill seeks to exclude these devices so that the permissible eight feet can be fully utilised.

While the traffic regulations permit drivers of passenger vehicles to remove disorderly or inebriated passengers, there is no specific regulation giving power in the principal Act. The Bill, therefore, proposes that regulations may be made to empower drivers and conductors to remove persons from passenger vehicles.

The majority of licensing authorities permit agricultural implements to be towed on public roads when passing from one property to another. Whilst being towed, these implements come under the category of a trailer. Under the Traffic Act the definition of a trailer makes no provision for an agricultural implement, and, in order to exempt these implements from the normal licensing requirements of a trailer—such as the provision of lights and brakes—the Bill seeks to include in the Act an interpretation of the term "agricultural implement," and to provide that these implements shall not require a license when being towed by the owner's vehicle.

The Bill also contains several clauses which, whilst not affecting existing legislation in any way, simply tidy up references to sections and subsections in the parent Act. I move—

That the Bill be now read a second time.

On motion by the Hon. W. F. Willesee, debate adjourned.

MUNICIPAL CORPORATIONS ACT AMENDMENT BILL

Second Reading

Debate resumed from the previous day.

THE HON. F. J. S. WISE (North) [5.30]: This Bill and the one introduced immediately after it are obviously intended to fill a gap until the consolidated Act is introduced and passed. It is apparent that the consolidated Act, presumably in a somewhat similar form as that dealt with at great length by this House, will not be considered until at least this time next

year; and will not, perhaps, become law for a year or two. There are many reasons for that, which are beside the point at the moment. We have to cover situations which are not met under the two distinct Acts dealing with road districts and municipalities.

This Bill, therefore, can only be regarded as a stopgap measure; and, to a certain degree, as one of expediency. Almost all the provisions in it are designed to cover matters which are now considered actionable against the holders of office in municipalities; and, in the case of the subsequent Bill, in road districts. While the situation is all right in large municipalities, it is somewhat difficult in the smaller ones. The provisions in this measure leave the door wide open to any business transaction being possible between any member of a municipal council and the council itself.

It is quite understandable that it is necessary to protect such people because in small municipalities where outstanding citizens in business are available to offer themselves for service upon a council, they would render themselves liable because of the normal transactions within that community between the council and the citizen. It is quite feasible that a leading citizen may be the owner of a garage; he may be the district agent for the type of truck required by the council; he may be the district agent for a small steam roller or concrete mixer; or he may own the only garage available to service the council's vehicles; but, as the law stands, he would be liable to be challenged in regard to his membership.

I repeat that although it is necessary to protect such people, this amendment leaves the situation entirely without restriction as to the nature of the transactions which may occur between the council and the councillor. I suggest that it is a point which needs close examination in the intervening period between now and the introduction of the consolidated Act to see whether there is some way of avoiding abuses which such a provision could allow.

A further proposed amendment in this Bill is also a broad one. I am referring to the amendment dealing with the members of incorporated associations, and members associated with cultural organisations which may receive some finance through council avenues or channels. Because of their council representation, even though it be oblique, they would be liable at law. While I concede that such people are entitled to protection, here again it is in a very broad sense covering the possibility of a person as a common citizen interested in all the amenities within a town in which the council has its headquarters, being in a difficult position if challenged.

The amendment which covers the fire officers under the Bush Fires Act of 1954, was raised in this Chamber during the last

two years, and it is obvious that those folk who give tremendous service in country districts at great inconvenience and cost to themselves, and who become district organisers of very great importance in the protection of life and property, should be absolutely and without doubt removed from any chance of action being taken against them in regard to their receiving benefit through municipal activities.

I can see no objection to the clause which deals with the representation of a corporation or general stock company within a district, because there must be changes in personnel in such cases. One of the most important matters in this Bill is the one which gives exemption for part of a property in regard to rates. A few illustrations of this could be given; and I think the Minister mentioned one yesterday.

The Hon. L. A. Logan: Two.

The Hon. F. J. S. WISE: The Lotteries Commission—

The Hon. L. A. Logan: And the British and Foreign Bible Society.

The Hon. F. J. S. WISE: That is right. The British and Foreign Bible Society is the owner of buildings representing a heavy investment of capital. Even though its objective is solely charitable, or comes within the ambit of the interpretation of "charitable" it is unable to be exempt from rates because part of its property is let to tenants. The Lotteries Commission has two or three tenants, and I feel sure that the Minister, during his period of office, has been asked for exemption, and has found it necessary to refuse it. If this provision is widened too greatly there could be more or less flimsy interpretations or extensions of the interpretation, of "charity"; and other people will become involved.

This matter is one which I hope will be closely investigated, pending the introduction of the parent Act. In general, I have no objection to the principles within this Bill, though I repeat that it can only be regarded as an expedient; and all of its provisions require careful examination in the near future.

THE HON. G. C. MacKINNON (South-West) [5.40]: There is one point in this Bill which I feel needs careful consideration but I would like to deal with it in general terms; and to disagree, to a certain extent, with the previous speaker. Those provisions which have been placed in practically all local government Acts—and I have said this in the House before—were included at a time when communications were extremely difficult and the average voter could neither read nor write. At that time it was felt that there was a great need to hedge about the activities of representatives of local authorities with a great degree of protective regulation in order that in some way, it would be made more difficult for men to engage in the

type of graft and corruption that would afford them personal gain at the expense of the citizens. Those conditions no longer apply.

The Hon. G. Bennetts: Are you sure of that?

The Hon. G. C. MacKINNON: Yes. There is no longer an inability to read or write. We have universal education, and people can read their papers and keep in touch. I maintain that the best solution to the problem is that all contracts and agreements should be published, and those people who vote in local authority elections could read them. If they find that a member of a board or municipality is getting too big a share of local authority contracts or business, then they have the remedy in their own hands. They do not return him at the next election.

I would like to stress the point that despite the fact that every local authority Act in Australia has this type of clause in it, there is far more talk, rumour, and proof, of graft and corruption in local authorities than in any other form of government. In short, the Acts have not been successful. One of the reasons for that is that they are so completely all-embracing; and I doubt whether there is any local authority in this State in respect of which a finger could not be pointed to at least 50 per cent. of the members.

The Hon. E. M. Davies: You are talking about road boards.

The Hon. G. C. MacKINNON: That applies particularly in the case of small districts. Where a man reaches the stage at which he can take a place on the road board and has the time and ability, we find that he is almost automatically interested in a variety of business undertakings and other matters throughout the district. I am positive that, with or without this amendment, if all the members of local authorities in this State tomorrow got legal advice in regard to all their actions over the last 12 months, and discovered the danger in which they stood and consequently resigned, local government in Western Australia would stop. On page 2 of the Bill we read—

by adding after the word, "advertisements" being the last word in paragraph (e), the following—

; or

being an officer or member whether appointed by the council or not, of any club or association incorporated or otherwise that is not formed for the purpose of securing pecuniary profit to the members from the transactions thereof, and has for its object the physical recreation—

and so on. I feel that that could be very misleading; because, on reading it, a member of a road board might easily say

to himself, "I am a member of this club. It does not engage in any transactions to my profit, and therefore I am in the clear." But, as I am sure Mr. Heenan will agree, there are many cases in which it has been ruled that if the constitution of the club does not specifically state how the club is to be wound up and, if after it is wound up, its assets are sold and the moneys distributed among members, that constitutes a pecuniary profit.

The Hon. H. K. Watson: Even though it is only returning members' subscriptions over the period.

The Hon. G. C. MacKINNON: Yes, and they go so far as to state that a pecuniary interest can involve a loss; so this provision can be extremely misleading. A disgruntled ratepayer or some other member of the board could point a finger at the man concerned; and he might find himself not to be in the safe position in which he thought he was. I would like the Minister to inquire into that aspect of the measure.

The Hon. L. A. Logan: What makes you think he is not safe?

The Hon. G. C. MacKINNON: Because of the case histories available, with regard to what constitutes a pecuniary profit from an organisation.

The Hon. L. A. Logan: But this provision puts him in the clear.

The Hon. G. C. MacKINNON: I feel sure it does not; and I think this method of tackling the problem is basically incorrect although, as Mr. Wise said, it may ease the position a little. On page 3 there is provision for power for a municipality to serve on the owner or occupier of land, notice that refuse, rubbish or other material of any kind whatsoever, which in the opinion of the council is likely to affect adversely the value of an adjoining property or the health, comfort or convenience of the inhabitants thereof, must be removed.

That is all very well in large towns; but in a small town a man may buy a block on the outskirts and use it for storing material of some sort in connection with his business, or for other purposes. If houses were built on the adjoining blocks, the occupiers might get the ear of a sympathetic member of a local authority and request him to exercise this power. I think that the reference to refuse or rubbish should be sufficient; and I would like to know why it has been necessary to make the provision so all-embracing by the inclusion of the words "or other material of any kind whatsoever."

As Mr. Wise said, this and the following measure are interim legislation to ease the position until the new measures are brought down. For those reasons I will support the second reading; but I would like the Minister to answer my queries.

THE HON. R. C. MATTISKE (Metropolitan) [5.51]: Mr. Wise covered adequately all the matters on which I intended to comment, with one exception; and that has reference to clause 4, which deals with the power to make by-laws under which a local authority may require the occupier or owner of property to remove rubbish, etc. If this provision is agreed to, there will be certain heartaches on the part of owners of land.

There are owners of vacant land who do not have occasion to go near it from time to time; and they may suffer an unfortunate but common experience, inasmuch as neighbours frequently treat such land as a rubbish dump on which to deposit tins, bottles and other refuse. In such an instance, the unfortunate owner of the land might, in due course, be served by the local authority with a notice to remove the rubbish and clean up the block.

I can see no way of avoiding that position, as the local authority must have power to demand the removal of rubbish in such instances; and all I can hope for is that discretion will be used in the exercise of this power if the Bill is passed in its present form. Another aspect of this clause is its impact on private rights-of-way, which at present are virtually no man's land. I do not think a local authority has at present any power to expend money on the clearing of rights-of-way although, under the Health Act, they have been doing so in cases where the health of a community might otherwise be impaired. This is a matter which should exercise the attention of the Minister.

In private rights-of-way there might be dangerous trees that require removal; yet the local authority has no power to remove them. If it were in the interests of public safety to do so; and the local authority decided to remove such trees and workmen were injured while engaged in that task; as they have no legal authority to do that work, a workers' compensation claim would not hold good.

These are things which occur every day; and I think action should be taken by the Minister to clear up points such as I have mentioned. Rights-of-way were originally designed for the removal of nightsoil, in the main; and in most cases they could now be closed; although in certain instances they may still be necessary to provide access to the rear of blocks. The fact remains, that usually rights-of-way now simply become the dumping ground for all sorts of rubbish that is thrown over back fences; and they constitute an excellent breeding ground for Argentine ants, vermin and so on.

Apart from the points I have raised, I have pleasure in supporting the Bill, because I feel that those provisions which give protection to people engaged in local government are highly desirable at present, when it is so difficult to attract to local

government persons with the necessary time, money and qualities for the job. Such people should be encouraged, and not discouraged through any possible legal disability. I feel sure that in many ways the Bill is a most desirable one, and I support the second reading.

THE HON. G. BENNETTS (South-East) [5.57]: I wish first to deal with the provision relating to rights-of-way. Almost every part of Kalgoorlie and Boulder was provided with rights-of-way, on account of the sanitary services; but since septic tanks have come into vogue, the rights-of-way are used only by woodmen or others who wish to have access to backyards. The local authorities have to keep the rights-of-way clean, and there are a great number of them, such as the ones which run between Piccadilly Street and Ward Street.

Many of those rights-of-way have been taken over by the residents on either side; but the one which adjoins my property is a nuisance, having been used as a dump for rubbish. On occasions children dump all sorts of things there, and at times the children themselves gather there and become a nuisance. They ride bicycles down the lane, with the result that anyone walking up the street is likely to be involved in an accident.

The Kalgoorlie Council has to keep those rights-of-way clean; but the cost is now too high, and the result is that adjoining property owners have to clear away the weeds and so on.

The section of the right-of-way adjoining my property is 15 ft. wide, and it runs the full length of my block; and I made application to the Kalgoorlie Municipal Council to inquire whether the council had any objection to my taking it over. The residents at each end of my block have taken over the sections of the right-of-way which adjoin their properties, and have fenced them in. I have also made proper application to the Lands Department in regard to taking over this land, and an advertisement has been published in the Press stating that the land will be handed over to me if no objections are lodged.

If any person desired to make objection, it would have to be a fairly strong one and the complainant would have to have a water-tight case to prevent my taking the land over. I did not want that section of the right-of-way, but the right-of-way as a whole constitutes a nuisance to the council, and it does not want to continue meeting the cost of cleaning it up.

There has been a mention of bribery among local government bodies. However, I do not agree with that contention. On the local government authority, I am acquainted with, every member, with the exception of one, is a businessman. There is a hotel-keeper; a builder; a painter and decorator; a caterer; insurance agents

of various kinds; contractors; undertakers; and motor car salesmen. So there is quite a variety of interests represented on that body. The man who is in business, generally seeks to be appointed to the local governing body and similar boards for the benefit of the undertaking he is controlling.

There is no doubt that his representation influences the other members who sit around the table, and he certainly draws more business to himself than if he were not a member. The usual practice, when tenders are being called, is for the members of the council to select the successful tenderer. There was a provision in the Municipal Corporations Act which provided that a councillor could tender for any contract let by his council, but was unable to take part in the discussion on the matter.

On these occasions he would sit away from the table, but the fact that he was a member of the council influenced the other members to grant him the contract. That was the usual thing. I have never seen a contract given to any other businessman. I could not see that there was any harm in that. It was merely a policy of helping one's friend and neighbour. I think that is a fine gesture, and if such an attitude was followed by more people it would be better for everyone. Nevertheless, it is of not much use for the other businessmen who sit around the council table. However, when the matter is discussed there are always ways and means of dealing with it.

On one occasion the council decided that it needed several motor trucks. This was in a place which I will not mention. A smart Alec got to work and he put up the proposition that they should concentrate on one make of vehicle. Of course, such a policy is a wise one for a big firm or any local authority to follow.

THE PRESIDENT: Had not the honourable member better connect his remarks with the Bill?

The Hon. G. BENNETTS: I am speaking of graft in municipal councils, and how councils are elected. However, I will leave that part of the Bill and refer to the section which proposes to deal with the dumping of rubbish. The practice of dumping rubbish on vacant blocks is becoming quite prevalent, as Mr. Mattiske has pointed out. There are many such places on the Goldfields. The Minister, when moving the second reading of the Bill, said that old motor parts and other items of rubbish were often dumped around different parts of country townships; and that this gave the towns an untidy appearance, which was not in keeping with properties in the near vicinity that were well maintained.

I know of one case where people were complaining about the old motor parts and other rubbish that was dumped on

the block in between their properties. There is no doubt that the block is an unsightly mess, and is littered with old motor vehicle parts and other rubbish. However, if this Bill is passed it will permit people to object to such a practice. The Bill should be passed; and when the Local Government Bill is introduced we can then review these provisions to see whether they have been effective.

THE HON. J. M. THOMSON (South) [6.7]: I support the Bill because it is similar to one that was introduced by a private member in the dying hours of last session. This measure seeks to give protection to councillors who, in the ordinary course of their business, offer to their councils their business wares. I am fully in accord with the clause which will enable a council to dispose of any rubbish or old motor vehicle parts which may be stacked on blocks owned or rented by second-hand car dealers. There is no doubt that these places become extremely unsightly, and some power should be vested in the local authority to clean them up.

In an area that I know very well there is a place such as this which is causing the local authority a good deal of concern. This Bill, of course, will not protect the councillor who tenders for council work, such as a sewerage contract or a contract for the construction of any building.

The Hon. L. A. Logan: Only in the ordinary course of business.

The Hon. J. M. THOMSON: Yes. Where a man lodges a tender to carry out a sewerage contract in a country district, I take it that under this measure he will not be protected as he was previously.

The Hon. E. M. Davies: He is not protected now.

The Hon. J. M. THOMSON: I agree; but this measure apparently will make it more definite.

THE HON. J. D. TEAHAN (North-East) [6.10]: With reservations I also support the Bill. At the moment the Act contains a barrier which prevents any area from obtaining as councillors, the best men offering. If councillors desire to trade with the council in their capacity as businessmen, it is awkward for them to comply with the law and to sit around the council table. So I agree that there should be a provision in the Act to enable them to be present at any discussion carried on around the council table. At the same time, I appreciate the point that Mr. Thomson was trying to make in regard to the lodging of tenders by a councillor.

A councillor should not be confronted with any legal barrier should he desire to trade with his council in the ordinary course of business, but if a transaction is worth, say, £100 or more, at least the councillor should refrain from voting

when the tenders for that particular contract are being called or discussed. I have in mind such tenders as those for motor vehicles, or a road grader, which could involve £3,000 or £4,000. The councillor who had tendered for the supply of such a vehicle could be sitting at the table when the matter was raised. In my opinion, he should be able to trade and be permitted to tender, but it should be obligatory that he refrain from voting or from taking part in the discussion on the matter in question.

However, the Bill seeks to include a wise provision in permitting a councillor, who is a butcher or a grocer, to trade with the council, and to sit at the council table. The clause which seeks to give power to a council to remove unsightly rubbish and any material from a property has not been introduced too soon. Only today I saw, within three miles of the Perth Town Hall, some blocks of land upon which rubbish was being deposited; and nobody seemed to care. Mr. Mattiske said that he did not understand why the owner should be forced to remove the rubbish from any land. At least, if this provision is agreed to, he will be able to take the necessary action to prevent people from dumping rubbish on his block.

He will either fence it or take other steps to ensure that it does not become unsightly. With scrap material becoming more valuable than it was previously, there is a tendency for blocks of land to be littered with all kinds of scrap metal and other waste, the idea of the owner being to hold it in order to obtain a better price. There is no doubt that these blocks are unsightly.

There are other people who deal in used motor vehicle parts. In most cases they either buy or lease blocks of land on which they deposit old vehicles, and then strip them of all the saleable spare parts; and they leave the chassis and other parts of the vehicle on the land. Such cases will be covered by this Bill, and the local governing authority will be given power to take action to have them cleaned up. I therefore have much pleasure in supporting the Bill.

Sitting suspended from 6.15 to 7.30 p.m.

THE HON. L. A. LOGAN (Midland—Minister for Local Government—in reply) [7.30]: I desire to thank members for their contributions to the debates on these two Bills. I must agree with Mr. Wise that this is, to a certain extent a stopgap measure to tide us over until such time as a Local Government Bill can be consolidated by Parliament. Because of attempts by Parliament to consolidate the Act, no real endeavour has been made to amend either of these Acts. Accordingly, one or two of these amendments are really necessary. They have been made all the more necessary by Mr. Gifford's interpretation of certain sections of the Act.

I do not know why, but Mr. Gifford's interpretation seems, most unnecessarily, to have thrown the local authorities into a flat spin. Some of his criticism was quite unwarranted and it would have been better left unsaid. He has, however, raised the issues and, rather than leave honest and sincere men in a doubtful position, I think it is right that we should amend the two Acts in question to make sure that these citizens can direct their time and energy to the betterment of the districts in which they live.

The Hon. F. J. S. Wise: But for Mr. Gifford we would have had a consolidated law.

The Hon. L. A. LOGAN: That could quite easily be so. I appreciate Mr. Wise's point of view: that we will have to watch these new sections carefully to see the effect they will have. Mr. Thomson raised the question in regard to a person tendering. My interpretation of the Act is that there is nothing to stop a member tendering for a job, but the moment his tender is accepted it becomes a written contract, and he would then be disqualified.

The Hon. J. M. Thomson: That is as the Act stands at present.

The Hon. L. A. LOGAN: Yes; as it stands at present. I think there is a safeguard in relation to the issue raised by Mr. Wise concerning members of organisations. Section 134 has this to say about the members of organisations—

No member shall vote upon or take part in the discussion of any matter before the board in which he has directly or indirectly, by himself or his partner, any interest.

That, of course, is subject to veto by the Minister where he thinks there are too many members of the board coming under that category. The Minister can then say, "You cannot get a quorum; you can go ahead and act." I think I have done that twice since I have been in office as Minister; and there is some safeguard in that respect. The by-law dealing with junkyards, etc., seems to have created a lot of interest. Mr. MacKinnon was worried about the words "or other material."

Having had a look at it, I can imagine that the words, "refuse and rubbish," do not quite cover all the materials that could be classed as such if we only leave in the words "refuse and rubbish." I think we could leave this to the commonsense of the local authorities. After all, most local government members are honest and sincere men, and they would no doubt use their sound judgment and commonsense; they will not do anything silly.

The same thing can be said in regard to the first portion where we are taking away some of the disqualifications. If any member tried to take advantage of his position as a member of the board it would not be long before the Minister was told

what was going on. I think Mr. Wise will appreciate that. It is surprising to see the number of letters that the Minister receives concerning the happenings in various road board areas. It would not be long before somebody was apprised of what was going on.

The question of rights of way was raised by Mr. Mattiske. I am afraid I cannot give an answer to him because I do not know exactly what the position is. I will, however, have a look at it and let the honourable member have an answer later.

The Hon. A. R. Jones: Did you note Mr. Thompson's interjection about Lake Monger?

The Hon. L. A. LOGAN: There is something in Lake Monger now that cannot be found. This Bill seeks to clean up the mess; and if we start putting in provisions in that connection, we might make a greater mess.

The Hon. F. J. S. Wise: Including dead cats.

The Hon. L. A. LOGAN: I did mention that it was my intention to move further amendments to make possible the framing of by-laws to deal with antennae masts for TV. I would also crave the indulgence of the House in seeking to move another amendment dealing with motels.

I called a conference in my office on Tuesday morning to deal with motels. There is a considerable move for motels to be built in certain areas in Western Australia. It is, however, deemed advisable that some standard should be set so that local authorities can employ that standard if necessary. It is imperative to ensure that motels do not become slum areas. I think we could classify motels in two categories. The first would be the roadside type for the use of the travelling public; who would probably use them for only one night.

The other is the resort type, where a motel is built as a holiday resort, such as that which is, at the moment, being built at Como. I think it is essential that we give local authorities the right to make these by-laws if they desire, and set a standard to ensure that motels are efficiently run. There is the Australian Motel Federation which has set a fairly high standard; and I think it would be advisable to have such a standard recorded in our own statutes.

The Hon. J. G. Hislop: Can we discuss that in Committee?

The Hon. L. A. LOGAN: Yes. If members are not satisfied, and wish to have further discussion, I have no desire to stop them. I know I would be throwing this into the ring, but if any member should require more information I would be quite prepared to adjourn the Committee stage until tomorrow. I would remind members, however, that we will not be sitting next week, and it might be as well to clean up as much of the notice paper as we can.

The Hon. A. L. Loton: Would you read your amendment?

The Hon. L. A. LOGAN: I need only read the last portion which deals with the Municipal Corporations Act, clause 4. The amendment is as follows:—

(b) by adding after paragraph 24 a new paragraph as follows:—

(24A) for regulating the establishment, operation and maintenance of motels and similar establishments.

The other amendment deals with the by-law, and comes under the building regulations. It reads—

(1A) providing for the regulation of the construction of buildings to be used as motels and for similar establishments; and

(1B) providing for regulation of the construction of television masts and antennae whether attached to buildings or not.

It is only giving them the right to make a by-law. Representatives of 12 organisations were present at the meeting, and they all appreciated that some standard should be set. I have established a sub-committee which includes the Acting Secretary of Local Government (Mr. White); Mr. Miller, of the Tourist Bureau; Mr. Lawrence from Town Planning; and Mr. Billy Thomas. They will submit recommendations to me which will then be placed before the various organisations for approval.

Question put and passed.

Bill read a second time.

In Committee

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

Clause 1 put and passed.

Clause 2—Section 39 amended:

The Hon. G. C. MacKINNON: I thank the Minister for his explanation though he did not deal with the particular aspect I raised. The main reason for this measure seems to be what Mr. Gifford said. No matter what Mr. Gifford did, or did not say, the fact remains that the law exists; and whether it was best left alone or not, has no bearing on the case, because, in the eyes of the law as it exists, and according to the best advice available, there are in fact offences committed.

The Hon. F. J. S. Wise: Offences without criminal intent.

The Hon. G. C. MacKINNON: Of course, but in the eyes of the law they constitute a corruption of the position; and so on. We might agree with the Minister and say it was a pity it was

brought up, but that is beside the point. If members do not believe it has been brought up I would advise them to read the last couple of issues of the Bunbury newspapers. The fact is that the law in its present form does exist; and there is no use deluding ourselves and saying it should not have been done. Ignorance of the law is no excuse. Despite the colossal volume of law which we have, we still hold that outmoded view.

The Hon. J. M. Thomson: Attention should have been drawn to it before Mr. Gifford made that statement.

The Hon. G. C. MacKINNON: It had been. In fairness to the men who take on these jobs in an honorary capacity, we should make the dangers perfectly obvious. If they are absurd dangers, this is the place in which we should have them removed. I hope that when the Act is brought down next year, the attitude is not taken that this sleeping horse should never have been woken up. If it is in the law, we should work on the basis that ignorance of the law is no excuse. It is our place to point out to those people that in the eyes of the law, as it exists, many are guilty of grave offences and subject to serious disabilities. We should amend the law in such a way that these hindrances to the efficient running of a local authority do not prevent people from doing the job properly.

The Hon. L. A. Logan: Which provision do you think is not covered?

The Hon. G. C. MacKINNON: I do not think the Bill goes far enough. I do not think there is any need to have the words "pecuniary profit" in the clause. In all good faith, men in local authorities do the best job they can on a voluntary basis.

The Hon. G. Bennetts: A lot go in to get something out of it for their business.

The Hon. G. C. MacKINNON: They are in the minority; and very often it is not to the detriment of the people in the town.

The Hon. J. M. Thomson: The electors could deal with them.

The Hon. G. C. MacKINNON: Yes.

The Hon. A. R. Jones: Is it your intention to amend the clause?

The Hon. G. C. MacKINNON: Yes. I move an amendment—

Page 2—Delete all words from and including the word "that" in line 20 down to and including the word "thereof" in line 23.

I do not think it matters whether it is for pecuniary benefit or not, as the electors can deal with any person. If the amendment is passed it will remove another doubtful borderline case that could worry a lot of genuine members of local authorities.

The Hon. L. A. LOGAN: Mr. Wise pointed out that this clause was leaving the gate wide open. If this amendment is accepted and the words taken out, it will be still more open. If the words are taken out, members can form themselves into a body solely for the purpose of getting pecuniary profit.

The Hon. G. C. MacKinnon: Read the rest of the clause with the words taken out.

The Hon. L. A. LOGAN: It does not matter whether it is for the purpose of physical recreation or not. I think the amendment is too wide altogether. It would be better to leave the clause as it stands for a further 12 months, when it can be amended in the Local Government Bill.

The Hon. G. C. MacKinnon: We have a completely educated electorate today. The people read the papers and know that if they form themselves into a body for the purpose of making a profit, it is their own responsibility. The ideal would be a complete publication of all contracts, but that is too involved to be incorporated here. I feel that we are tending to treat the electors in local authorities as completely uneducated idiots. They know what is going on in their districts, and they are fully aware that a group of people can form themselves into an association purely for the purpose of making a profit at the expense of the district; and they can have someone on the local authority for their own purpose.

Amendment put and negatived.

Clause put and passed.

Clause 3 put and passed.

Clause 4—Section 180 amended:

The Hon. L. A. LOGAN: I move an amendment—

Page 3, line 25—Insert after the word "amended" the paragraph designation "(a)."

If members agree to this amendment, I shall move an amendment for regulating the establishment, operation and maintenance of motels and similar establishments.

It is possible that if anything comes of the committee meetings, and standards are set down, this matter may be covered under town planning; but until that has been brought about, I think it is necessary to have this provision in the by-law-making powers of the Municipal Corporations Act.

The Hon. J. G. HISLOP: Quite frankly, I do not like the amendment which deals with the question of motels and similar establishments. I think it is far too wide. Motels have a distinct significance. They are places which are built for the purpose of travellers and their overnight accommodation. If we erect what might be called motels at a beach such as Como, or on the coast, we will be building seaside camps,

not motels. The two must come under completely different headings. In most motels there is a sitting room and perhaps two bedrooms, or a double and two single bedrooms; but the cooking accommodation is arranged quite separately as portion of a business. The individuals who stay at motels are only provided with sufficient cooking facilities to permit of the making of a cup of coffee or tea for themselves. In the morning they have to go to a restaurant which is established in the same grounds as the motel. They have breakfast and move on.

The Hon. A. F. Griffith: What do you think about the motel situated on the road from Busselton to Yallingup?

The Hon. J. G. HISLOP: It should be there. Motels should be restricted to areas outside of a town or city; they should be on crossroads where individuals can be accommodated for the night.

The Hon. H. K. Watson: What about the South Perth project?

The Hon. J. G. HISLOP: I do not agree with it. I believe we are really building camping accommodation which has nothing in common with motels. In this amendment appear the words "motels and similar establishments." Those words leave the position wide open for all sorts of accommodation to be built.

I am going to vote against the amendment because I do not think sufficient thought has been given to the definition of "motels." I would not like to see our beaches littered with these places called "similar establishments" because they would have no relation to motels, and would establish sub-standard accommodation in which individuals would live for more than a short period. I appeal to the Minister to remove this provision. It could lead to disaster at some of our beaches.

The Hon. F. R. H. LAVERY: I feel the same as Dr. Hislop on this matter. No matter what move we make in regard to tourism, we must ensure that the standard of our accommodation is high. No regulation can be stringent enough in this regard. Once we move out of the City, we have to accept a poor type of accommodation. Some people seem to be building various types of supermarkets. One is being built at Mosman Park. It is a reasonable type of building, but it is sited so badly that the shops cannot be let.

The Minister is to be commended for bringing forward an amendment to allow this type of building to be erected; but in supporting his amendment I want the regulation to be so tight that a good type of accommodation will be constructed.

The Hon. A. F. Griffith: What type of person do you think would use the accommodation?

The Hon. F. R. H. LAVERY: That is what concerns me. If motels are built close to the city, the people who will use them, will do so as a convenience. I believe that for such places as Mandurah, Albany, and so on, motels are a necessity; but they should be of a high standard. In most of our hotels one can find in the bedrooms, beds that may be new, but everything else is 30 to 40 years old. We would not want to take tourists to the types of buildings that we have at Lake Leschenaultia. I do not think motels are a necessity in the city.

The Hon. G. C. MacKINNON: People read about high class motels in countries where there is an immensely wealthy travelling population, and then they decide that we must emulate that standard. We are trying to establish some sort of tourist facilities. On my last visit to Walpole, I was delighted to find a motel being built. No doubt by overseas standards it would not rate a mention, but by Walpole standards it is a first-class motel, because it is the only one there; and there is no hotel. So it is a case of sleep at the motel, or sleep under the nearest karri tree.

Let us get some people established in this line of business in the isolated places; and let us not make the regulations and by-laws so stringent that one must be in the millionaire class before one can start a project of this nature. We want nice accommodation to be available in the South-West. What is to be done in the city, is the worry of the metropolitan members; but I hope the regulations will not be so stringent that no-one will be able to build a motel, or other accommodation, in the outback areas.

The Hon. G. BENNETTS: Do motels, when they are granted a license, have a liquor license?

The Hon. G. C. MacKinnon: No.

The Hon. G. BENNETTS: I think we should have motels because not much accommodation is available at some of our beaches. We should have accommodation for different classes of people—high-class accommodation for those with money; and middle-class accommodation for the working class man.

The Hon. H. K. WATSON: The amendment merely proposes to give the local authority power to make a by-law.

The Hon. L. A. Logan: Yes, if it wants to. It need not make a by-law if it does not wish to.

The Hon. H. K. WATSON: Would the by-law be presented to this Chamber so that we would have the right to disallow it?

The Hon. L. A. Logan: No; it would not be presented to the Chamber. It would have to be presented to the Minister.

The Hon. J. G. Hislop: It makes an awful difference!

The Hon. H. K. WATSON: It does. If the amendment is not inserted in the legislation, would such buildings come under the general building by-laws?

The Hon. L. A. Logan: There are no general building by-laws.

The Hon. H. K. WATSON: Then how has the motel that Mr. MacKinnon mentioned—which I gather can be classed as sub-standard—been permitted under the existing by-laws?

The Hon. L. A. Logan: We have no by-laws dealing with motels.

The Hon. H. K. WATSON: The building would have to comply with the same qualifications as a house. One cannot escape the health or building by-laws by calling a house a motel. I would like to know what will happen if we pass the amendment; and what will happen if we do not pass it.

The Hon. J. G. HISLOP: I have seen the motel that Mr. MacKinnon mentioned. It consists of a row of rooms at the back of a tea-house. While the motel was being built I noticed that it would be impossible for anyone to live in it for more than a short period, because there was no ventilation apart from the front louvred window. I pointed this out, and the man's wife said, "I thought the rooms were stuffy, myself." I suggested they should put a window in the back wall; and they have done that at my suggestion. I asked why the rooms did not face the sea; and I was told that it was not possible, because there was swamp land behind them.

The size of the rooms leaves much to be desired when we consider the space required for two individuals. I doubt whether the rooms would comply with the health regulations. It might be possible for people to stay in them overnight. When I inquired about this aspect, I was told that the local authority had no knowledge of motels. I said to the owners, "On what basis are you building?" They said, "We are building the place, and then the local authority will see whether it approves of it."

The Hon. A. F. Griffith: Did those people have a permit to build?

The Hon. J. G. HISLOP: Yes, but no plans had been submitted to the local authority.

The Hon. A. F. Griffith: That is foreign, anyway. You cannot decry the Minister's amendment because of what one local authority does.

The Hon. J. G. HISLOP: I would be quite happy with the amendment if the words, "and other similar establishments" were deleted; and I would like to move to have those words struck out.

The CHAIRMAN: You cannot do that at the moment.

The Hon. J. G. HISLOP: I shall do it when you say I may.

The Hon. E. M. HEENAN: I am rather critical of the proposal to give power to regulate the operation, conduct and maintenance of motels and similar establishments. That will give local authorities a far-reaching power regarding this type of accommodation which, in my opinion, is urgently needed in Western Australia, and which has proved so successful and attractive in other parts of Australia. Undoubtedly it is the type of accommodation which appeals to holiday-makers of the present generation. During my travels in the Eastern States I saw a number of these establishments, some licensed under the licensing laws and others conducted more or less as up-to-date lodging premises.

I believe that there should be some control of their building, design and location, and that some uniform standards should be laid down. There are plenty of examples in the Eastern States where they have proved such a success, and my idea is that their regulation and control should be vested in the Licensing Court.

The Hon. L. A. Logan: They are not licensed.

The Hon. E. M. HEENAN: But that does not make any difference. If we are to provide the accommodation which will attract tourists, the licensing of such accommodation should be vested in the Licensing Court. The Licensing Act in the past has not been restricted only to those premises where liquor is sold. The type of accommodation we are speaking about will play an important part in the tourist industry; and in my opinion the Licensing Court, which has jurisdiction over the whole of the State, is the body best equipped to frame regulations for and to exercise some control over, the type of accommodation we shall have, and the type of person who shall conduct these places. If we give the power to the various local authorities we will have all sorts of shapes and sizes of accommodation provided.

The Hon. L. A. Logan: But not if there is a standard by-law.

The Hon. E. M. HEENAN: But there will not be a standard, set by one controlling authority. The standard, set by one local authority, would vary greatly from the standard set by another authority. As the Government has announced that it will completely overhaul the Licensing Act, this is an opportunity to repose the responsibility and regulation of such places in the hands of the Licensing Court instead of in the hands of countless road boards and other authorities which are composed only of laymen.

The licensing authorities are experts. I do not say that they will impose standards which will be beyond the means of people who will want to put up modest premises.

The Hon. G. Bennetts: Are these licensing people experts?

The Hon. E. M. HEENAN: We do not want these motels springing up all over the place. If there are two or three at the one seaside resort the standard falls.

The Hon. A. F. Griffith: If the Licensing Court had the authority wouldn't that pre-suppose that the premises were going to be licensed premises?

The Hon. E. M. HEENAN: Not at all. I hope that most of the work of the Licensing Court in the future will be to see that hotels and the like, which provide accommodation for the public, will be built to modern standards, incorporating all the modern ideas, and will be conducted by reputable people who know the business.

The Hon. A. F. Griffith: With or without licenses?

The Hon. E. M. HEENAN: Yes. I think in the Licensing Act at present there is a provision for boarding houses to be licensed. As we are to have an overhaul of the Licensing Act; I think a provision such as I have envisaged should be included so that we can have a set standard for these places.

The Hon. L. A. LOGAN: The suggestions of Dr. Hislop and Mr. Lavery show that we want a by-law to cover the position, because had such a by-law been in operation the set of circumstances which are supposed to exist at Walpole could not have occurred.

The Hon. J. G. Hislop: That could be classed as "a similar establishment."

The Hon. L. A. LOGAN: I am willing to leave those words out.

The Hon. F. J. S. Wise: Even so, the Health Act would cover most of it.

The Hon. L. A. LOGAN: Yes. At the moment a fair amount of money could come to Western Australia if people were given the opportunity to bring it here. One of my first remarks when I arranged this conference on Tuesday morning, was, "I don't want you to set too high a standard; if you do, you will drive the people away. But we must have some standard so that we do not create slums."

I have had a look at the pictures, and plans and specifications of some of the motels in the Eastern States; and whether we like it or not, the building at Como will be called a motel. As I said earlier, there are two types of motels, the resort motel and the wayside motel. I do not know whether we could have a wayside motel in Western Australia at the moment, because we have not the travelling public.

The Hon. J. M. Thomson: I can suggest a place to you.

The Hon. L. A. LOGAN: In America something like 2,000,000 people use motels every night. Probably the one being built at Geraldton could be called a wayside motel, or a half-way motel because it is half-way between Perth and Carnarvon.

The Hon. F. R. H. Lavery: There is nothing wrong with it.

The Hon. L. A. LOGAN: The plans are quite good. At the moment I have on my plate an application for one at Rockingham in which there are to be separate kitchens for each of the living rooms. The plans and specifications are the same as those for the motel on the Gold Coast known as Eldorado.

The Hon. J. G. Hislop: You would not like them here?

The Hon. L. A. LOGAN: It is good enough for the Gold Coast where I believe the standard is high. The standards were laid down by the Australian Motels Federation.

The Hon. F. R. H. Lavery: Who are they?

The Hon. L. A. LOGAN: The federation of all motel owners in Australia, and their by-laws and specifications, which we have, are fairly high to make sure that these areas do not become slums.

The Hon. J. G. Hislop: They are boarding houses with car parks.

The Hon. L. A. LOGAN: A motel is a place where a person can drive up in his motorcar, get out and go into his room without having to go through any public area. In addition, the people building them have to abide by the health regulations. These motels are used by the working men and their families; and I can assure members that the standard laid down will be such that slums will not be created and we will not drive capital out of Western Australia.

Mr. Heenan spoke of the Licensing Court. The chairman of the court was at that conference. There were also an inspector of police; a member of the Government Tourist Bureau; and representatives from the town planning authority, the local authorities, and the Local Government Association, and an engineer from the Main Roads Department. They were all imbued with the idea that we had to have some standard laid down. We do not want conditions such as those described by Dr. Hislop at Walpole to become general.

The Hon. G. C. MacKinnon: He was exaggerating.

The Hon. L. A. LOGAN: I do not know whether he was or not. The one I have on my plate at the moment I believe is not quite big enough, and the people concerned are wanting to build it in an area which is not large enough. The buildings must be 15ft. from the boundary line, and they must be set back from the main road with room for expansion. In addition there must be room so that cars can be parked.

The Hon. H. C. Strickland: Are the motels to be licensed?

The Hon. L. A. LOGAN: No. I told the conference on Tuesday that I did not want any motel licensed; and all the representatives agreed. There is no need for us to get the Licensing Court to control these premises.

The Hon. J. M. A. Cunningham: Do they need to be registered in any way at all?

The Hon. L. A. LOGAN: The Health Act already covers boarding houses. I want to make sure that the amount of money which is available for this purpose in the next few years will not leave the State. I am told that the capital is already on hand, and all that is needed is sanction by Parliament. In the application under consideration for the establishment of a motel, the area is too small to enable a residence for the manager to be erected thereon. Permission should not be given where the site is not large enough to include a residence for the manager.

When the matter was brought before the road board, there were two requirements one of which was the provision of two coppers. It was suggested that a washing machine with an electric heater be provided in lieu of the coppers, and agreement was reached on that point. The plan which has been submitted is the same as the plan for the motels being erected on the Gold Coast. If we do not have in this State legislation setting out the standard for motels, we will be in a quandary.

The Hon. J. G. HISLOP: I want the Minister to realise the dangers facing us when privileges of this type are granted to people who have the money to build this accommodation. What they are really attempting to do is to dodge the building of boarding houses; they want to put up a smaller type of accommodation and term it a motel.

My definition of a motel is something that provides over-night accommodation for persons and cars, and attached to it is a restaurant which will supply breakfast. No cooking facilities should be provided in a motel. This means that motels are to be used purely as transit accommodation.

Motels as a rule are not established along beaches, but at junctions of main roads, such as the junction of the Northam and York Roads. A motel at that spot would provide country residents with over-night accommodation at a cheaper rate than the accommodation in the city.

The types of accommodation generally provided at beaches are pocket editions of first-class residentials, such as Forrest House. If we allow the standard to be degraded, and if we allow smaller places to be erected where minor living accommodation and car parks are provided, there will be chaos.

The development of Surfers' Paradise and the Gold Coast was made possible by an almost complete abolition of the building by-laws in that area. At present, as a result of the huge sums of money being poured into the Gold Coast, many of the original sub-standard buildings are being demolished and the sites taken over. Some of the original sub-standard shops have been purchased, and their sites now form the frontage of the Chevron Hotel. Today at centres like Surfers' Paradise and El Dorado, a much better grade of accommodation is provided by flats with car parking facilities attached. Service is also available.

In this State we should not encourage the construction of beach boarding houses merely for the purpose of reaping some benefit from the capital to be invested. I would prefer to see our beaches kept as they are. Some term other than "motel" should be used to define the beach-type of accommodation. The term "motels" should apply only to establishments providing over-night accommodation.

The CHAIRMAN: We have been discussing a paragraph designation. I have allowed discussion beyond that, because another amendment is involved. There has been some repetition on the part of members, but at the same time an amendment, which has not yet been moved, is tied up with the one now before the Chair.

Amendment put and passed.

The Hon. L. A. LOGAN: I move an amendment—

Page 3, line 35—Add after proposed new paragraph (19A) the following:—

(b) by adding after paragraph (24) a new paragraph as follows:—

(24A) For regulating the establishment, operation and maintenance of motels.

The Hon. H. K. WATSON: In view of the difference between the construction placed on the word "motel" by Dr. Hislop and the construction placed on it by the Minister, some clearer definition should be given. Dr. Hislop referred to motels as being confined to a certain type of accommodation, but the Minister has in mind establishments of an entirely different category. As this matter has been brought up without much opportunity for consideration, I ask the Minister to report progress.

The Hon. F. R. H. LAVERY: I support the amendment. I want to qualify a statement I made previously. When I objected to the building of motels, my objection was confined to their erection in the city area. If they are to be built within the city, they should be of a high standard. Even if they are built in areas convenient to the

travelling public, they should also be of a high standard and should contain all the amenities which are required by tourists.

Progress reported.

ROAD DISTRICTS ACT AMENDMENT BILL

Second Reading

Debate resumed from the previous day.

THE HON. F. J. S. WISE (North) [8.44]: This Bill is almost a twin to the Bill previously under consideration, although it is not an identical twin. It deals with the same aspects as the other measure, as they affect road districts. One or two variations include the provision for a schedule setting out certain fees to be paid. Other than that it is entirely tied to the verbiage and intention of the previous measure. I have no other comments to make on the matter. If the previous Bill is to pass in a slightly amended form, the Bill before us should cover the situation as it is today. It will meet all emergencies until a consolidated Bill is introduced. I support the second reading.

THE HON. L. A. LOGAN (Midland—Minister for Local Government—in reply) [8.45]: One question raised by Mr. Loton by way of interjection yesterday was in regard to the fifth schedule. He wanted to know why presiding officers were on an hourly basis and not fixed rates. I think it will be found that most of the other officers were executive officers, and that presiding officers and poll clerks were on an hourly basis.

Question put and passed.

Bill read a second time.

PARLIAMENT HOUSE SITE PERMANENT RESERVE

(A†1162) ACT

AMENDMENT

BILL

In Committee

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

Clause 1 put and passed.

Clause 2—Section 3 amended:

The Hon. A. L. LOTON: As indicated last night, this is the clause to which I wish to make an amendment. I move an amendment—

Page 2, line 6—Delete the word "eight" and substitute the word "six."

In 1956, when a previous Bill was before the House the period was stipulated as three years. After having listened to the debate last night I feel that it would be

appropriate at this stage if we gave an extension of only three years. If necessary, it can be extended again later.

The Hon. L. A. LOGAN: The only comment I want to make is that if we leave the Bill as it is, we may not have to introduce similar legislation again. If, however, the eight years is reduced to six, the necessity for the further legislation will probably arise. It does not matter to me very much. I only hope and trust that the Stephenson Plan, or a plan for the City of Perth, will soon be so far advanced that there will be no further need for this type of legislation, and that we will have offices for Government departments in one place. We all know that quite a lot of work has been done on this matter, but everything cannot be achieved at once. There is a limited amount of money which can be spent on these projects; and if some nice, kind, benevolent person were to leave us a rough £5,000,000 we could do something.

The Hon. J. G. Hislop: Is that all you want?

The Hon. L. A. LOGAN: It would do for a couple of days, anyway. I am going to leave this matter for the Committee to decide.

The Hon. J. MURRAY: In supporting the amendment I stress the fact that I am not very concerned whether the word "eight" or "six" is included. However, the Committee must establish some very definite protest against the method continued by the Government of introducing legislation which interferes with the rights of Parliament in regard to this class A reserve, which rights are vested at present in the House Committee. When this action was taken a few years ago, strong protest was made. In fact, an injunction was going to be taken out to have the building pulled down.

The Hon. L. A. Logan: It nearly was, too.

The Hon. J. MURRAY: But because there would have been a public outcry about the waste of public money, members in another place and in this House agreed to let the building remain for a limited period. All that was said during the debate on that particular occasion has been completely ignored—not so much by the Ministry, but by the departmental officers. The first step was taken by departmental officers, and this present action is only adding insult to injury. On those grounds alone, I think the Committee should amend this clause and reduce the period.

The Hon. A. F. GRIFFITH: As a private person I hope that the day will come when Parliament House can be constructed as originally intended; and that it will appear on the landscape of this city so that it will look down on the streets of the capital; and that the buildings below

which obscure the view will be demolished. However, we do not know when that day will come, but it is not going to make any difference to the overall thinking of the present Government, or any other Government for that matter, if the word "six" is used instead of "eight." If the period is reduced, it will limit the life of the existing Bill by two years. In all common sense, I venture to suggest that it will probably not be possible in the next two or three years to plan to remove the buildings under discussion.

The Hon. J. Murray: Let the Bill be introduced in a proper manner, with the blessing of the House Committee.

The Hon. A. F. GRIFFITH: I am not going to enter into an argument except to say that the Bill has been introduced in a proper manner. Whether or not the Minister took it to the House Committee before it was introduced is another matter. It would have been quite within the means of any member to move it out of order if it had not been. I do not think it is possible for a Government to plan at this stage whether, within a certain time, those buildings will be demolished, because the availability of money to any Government is limited.

If in the event of planning, some steps are taken which enable the Government of the day to bring to fruition any plan that might be envisaged for the development of Perth at a date sooner than the expiry date provided for in the Bill introduced by Mr. Logan, well and good. But surely in those circumstances it would be better to adhere to the period stipulated in the Bill because it has already been given serious consideration.

The Hon. E. M. DAVIES: Let us not be petulant over this matter. I think we all remember the circumstances surrounding the erection of the buildings under discussion. Although, perhaps the authority that was given by the powers that be to erect them was not sought from the House Committee, which is the committee which controls Parliament House and its reserve, I think the action of the Government of the day was ratified by Parliament. Everyone knows that at that time it was absolutely essential for the staff of many Government departments to have some decent and reasonable accommodation. It was for that reason those buildings were erected. Following that action, a further Bill was introduced to extend the period for another three years. Nothing was done in the three years to move the buildings because, as far as I know, it is the policy of all Governments to have eventually, a centre where new Government offices will be built.

I hope that in time new buildings, centrally situated, will be built around Perth. For the time being I do not think the buildings are doing any harm. I would prefer that the Bill remain as it is.

The Hon. A. L. LOTON: There is one important factor to be considered. Since the last extension of three years, the Government has acquired the Hale School site opposite Parliament House, and the undertaking is that as soon as Hale School can erect some of its buildings at Wembley Downs, it will vacate the buildings opposite. I am hopeful that as soon as that is done the Government will move to establish some of its offices there. The Main Roads Department, which is occupying the building under discussion, could easily be moved there.

What the Government plans in regard to permanent buildings on the Hale School site I do not know; but a considerable area of land has been acquired there. Obviously, with expected progress, there will be continual changes in the transport problems of Perth, and so I hope the Committee will agree to the amendment.

The Hon. L. A. LOGAN: I am perhaps in a spot, inasmuch as the Government introduced this Bill in another place, containing provision for a six-years' life for the measure, and a Country Party member there successfully moved that the word "eight" be substituted for the word "six." Now a Country Party member in this Chamber has moved again to reduce that term. I ask the Committee to allow the provision to remain as it is.

Amendment put and a division taken with the following result—

Ayes—9.

Hon. G. Bennetts	Hon. J. M. Thomson
Hon. E. M. Heenan	Hon. H. K. Watson
Hon. G. E. Jeffery	Hon. W. F. Willesee
Hon. A. R. Jones	Hon. J. Murray
Hon. A. L. Loton	(Teller.)

Noes—12.

Hon. C. R. Abbey	Hon. C. H. Simpson
Hon. J. Cunningham	Hon. H. C. Strickland
Hon. E. M. Davies	Hon. J. D. Teahan
Hon. J. G. Hislop	Hon. R. Thompson
Hon. L. A. Logan	Hon. F. J. S. Wise
Hon. G. C. MacKinnon	Hon. A. F. Griffith
	(Teller.)

Pairs.

Ayes.

Hon. L. C. Diver
Hon. H. L. Roche
Hon. R. C. Mattiske

Noes.

Hon. F. D. Willmott
Hon. J. J. Garrigan
Hon. R. F. Hutchison

Majority against—3.

Amendment thus negatived.

Clause put and passed.

Title put and passed.

Bill reported without amendment and the report adopted.

MUSEUM BILL

Second Reading

Debate resumed from the previous day.

THE HON. W. F. WILLESEE (North) [9.6]: This is a measure to provide for the control and management of the Western Australian Museum; and for other purposes. In 1911 an Act was passed, covering the Public Library, and the Museum,

and the Art Gallery of Western Australia; and those three institutions were operated under trustees until 1955. In that year the Library Board, by Act of Parliament, took over the Public Library; and since then there has been a marked improvement in the growth and conduct of the Public Library of Western Australia.

It is essential that these instrumentalities in the city of Perth should keep pace with similar institutions in other parts of the world. With the marked progress made in the case of the library, it seems only logical that the remaining two of these instrumentalities should be separated and should operate from now on under separate direction. They have each developed to a point where they have exhibited clearly their wide and varying functions in their own rights.

Both the Museum and the Art Gallery supply their own services to the Government and the public of Western Australia, and each specialises in its particular field. The Museum is interested mainly in scientific research; the acquisition and preservation of natural history specimens, coins, and medals; natural history; public displays; and public instruction. The main expenditure of the Museum is on material for maintenance, and on collections; whereas the expenditure by the Art Gallery is mainly on the preservation and display of historical art collections and the acquisition of temporary art exhibits. It is the job of the Art Gallery to stimulate public interest by means of lectures and social functions; and its main expenditure is on art pictures.

It is clear that these two institutions have distinct and separate interests and lines of duty. It therefore becomes imperative that each be given separate legislative powers. The proposed powers, in the case of the Museum, are set out on page 6 of the Bill, in clause 17, which states—

(1) The Board—

- (a) shall undertake the care and control of the Museum and all lands and premises placed under the care and control of the Board;
- (b) shall undertake the care and control of all coins, medals, objects of natural history, mineral specimens and exhibits and other personal property acquired for the purposes of the Museum;
- (c) shall receive and apply all moneys voted by Parliament for the purposes of the Museum.

(2) The Board may—

- (a) receive, take, or purchase any coins, medals, objects of natural history, mineral specimens and exhibits or other personal property;

- (b) sell or exchange any coins, medals, objects of natural history, mineral specimens, exhibits or other personal property or any coins, medals, objects of natural history, mineral specimens, exhibits or other personal property under the care or control of the Board;
- (c) lend or make available to any institution, Government department or persons, upon such terms and conditions as the Board thinks fit, any coins, medals, objects of natural history, mineral specimens, exhibits or other personal property of which the Board has the care and control;
- (d) upon any occasion or for any purpose on or for which the Board considers in the circumstances a charge for admission to the Museum is warranted, require that admission to the Museum or any part of it is subject to such charge for admission as the Board determines.

Those provisions are clear and emphatic. The board will be financed by Government grants. At present the finance for the Museum comes from Government grants and is allocated by the trustees more or less by rule of thumb. The total allocation for the last financial year was £45,000. The trust, at the moment, is operated by two committees, the members of which are selected as being men of special interests and with special knowledge to fit them for their respective committees.

In view of the expansion of both the Museum and the Art Gallery; the establishment of separate trusts, as envisaged in this and the succeeding measure, is a logical and progressive move. It is worthy of note that, in South Australia, legislation similar to this was enacted in 1939; and has given good results. When this Bill becomes law the board, when constituted, will enjoy specific advantages, in that it will be a body corporate, with perpetual succession and will operate under a common seal and will be able, in its corporate name, subject to the Governor's consent, to acquire, hold, lease, exchange, mortgage and dispose of real and personal property and will be able to sue and be sued.

In perusing the Bill I cannot see that the overhead of the administration involved will be increased in any way; and the measure, therefore, is one designed to give distinct and individual life to what was previously something conglomerate.

In my view, if this legislation is passed, both organisations will benefit. Each has its own realm of activity and its own sphere of influence, and those activities will now be particularised to the benefit of the members of the community. I support the measure.

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines—in reply) [9.15]: I take the opportunity of thanking Mr. Willesee for the research he has made into this Bill and for the support he has given to it. It is not my intention to ask the House to go into Committee on the Bill this evening. I would prefer that we should deal with the Committee stage tomorrow, because it has only just occurred to me that there is one matter that may be questioned in Committee and I would like to make sure it is in order before we proceed with the measure.

Question put and passed.

Bill read a second time.

ART GALLERY BILL

Second Reading

Debate resumed from the previous day.

THE HON. J. G. HISLOP (Metropolitan) [9.17]: I regret I will not be able to deal with this Bill as fully as I intended because when I moved for the adjournment of the debate yesterday I requested that the adjournment be made for Tuesday next, not realising that the House would not be sitting on that day. There are many matters contained in the Bill to which I would like to give more consideration, but if the Committee stage is held over until Tuesday week I will place some amendments on the notice paper which can be discussed by the Committee.

One feature that interests me in regard to the Bill is that the Minister will appoint all the five members who will constitute the board. I would have thought that, in a Bill such as this which is seeking to make changes in an organisation which has a large public following, some public appointees might have been considered. After all is said and done, the Art Gallery would fail in its purpose completely if it were not for the existence of art societies.

I regret that when the provision relating to the appointment of five members was considered, some thought was not given to having some representation from the Perth Society of Artists, and the Gallery Society because, as I have already said, if there were no artists there would be no Art Gallery; or, alternatively, we would have to spend money purchasing pictures from elsewhere. Furthermore, if the interest of local artists is not sustained, the Gallery will not have the following that it has at the moment, and the following that it should have.

I question a board of five, because there is a clause in the Bill which provides that when the chairman and a vice chairman are absent from a meeting, three members will constitute a quorum. This will mean that any three members sitting as the board shall decide what will happen in regard to any matter relating to the Art Gallery.

In my opinion that does not constitute sufficient control over an organisation of a public character such as the Art Gallery. I suggest that two more members should be appointed, making the total seven and giving the Perth Society of Artists, and the Gallery Society each an opportunity to nominate a representative. In other words, even if two members of the board were absent, there would still be a quorum of five persons.

I would also like some clarification of clause 18(2) (b) which appears on page 8 of the Bill. That paragraph gives the board the right to sell or exchange any work of art, exhibit or personal property under the care or control of the board.

The Hon. A. F. Griffith: It appears on page 6; not page 8.

The Hon. J. G. HISLOP: That is quite correct. If we examine that clause still further it will be found that no person exhibiting any works belonging to him shall offer them for sale. However, if we look at clause 26 which appears on page 11 of the Bill we will find that it reads—

No person shall sell, offer for sale or expose for sale or permit or suffer to be sold, offered or exposed for sale, in the Art Gallery any work of art that belongs to him and is being exhibited in the Art Gallery.

How will the Art Gallery administer clause 18(2) (b), because it means that it cannot exhibit a man's work, but can sell it? Some clarification is needed there, because one must realise that in most art galleries the director will assist a person to find out how he can purchase a print, or a work of art by a certain painter.

I am not at all certain that there is even authority in this Bill for the board to make prints of its possessions and sell them, because they may be governed by the words, "Sell any work of art." Is a print of what the board possesses a work of art? This clause will have to be clarified, and I was looking for time to study these clauses carefully because they conflict with each other.

Those are the two principal features of the Bill I want to investigate. In view of what has transpired I will contain myself and merely point out that I intend, if it is at all possible, to place amendments on the notice paper which will seek to increase the size of the board; clarify the rights of the board in regard to the sale and exhibition of pictures; and protect any exhibitor whose works may be sold by the Art Gallery after they have been on exhibition. With the intention of moving those amendments in Committee, I support the second reading.

THE HON. W. F. WILLESEE (North) [9.24]: Having supported the previous Bill, I rise to support this one also as it is a measure complementary to the

Museum Bill. One would naturally expect similar legislation to follow as both the Museum and the Art Gallery have operated under the one administration for so long. This measure also seeks to repeal the Museum and Art Gallery of Western Australia Act, 1911-1955, which, of course, will have to be repealed if this legislation is to become law.

The Bill seeks to provide that the Art Gallery will look after its own affairs and its own finance. In view of the intimation expressed, and the comments made, by Dr. Hislop, apparently we will have a further opportunity to comment on this measure in Committee. Therefore I do not intend to deal with it fully at this stage, except to say that the clause referred to by Dr. Hislop was obviously put there for some good reason, especially in view of the fact that the Minister said that it was at the express wish of the trustee. It is worth commenting that the whole conception of the Art Gallery was something in the nature of "a building for the display of paintings and objects of art."

That limited conception of the Art Gallery today has gone, and the modern demand is that art galleries shall stimulate interest in industrial design. Our Art Gallery should be typical of what has been developed abroad, in the main. Canada is quoted as having a special industrial design division of its Art Gallery. So let us hope that something similar will occur in Western Australia, even in a small way, because surely that type of development is a worth-while objective. With those few remarks, I support the Bill.

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines—in reply) [9.26]: I am not averse to Bills being dealt with in the manner that these two have been dealt with; namely, that members should address themselves to the second reading of the Bill and that the Committee stage should be adjourned to another sitting, because it gives the Ministers in this House an opportunity to go to their colleagues in another place and ascertain from them any information concerning the legislation they have to put through this House.

Therefore, when questions have been raised—as they have been raised this evening—the adjournment affords the Minister an opportunity to obtain any information required by members and to supply it to them during the Committee stage. I thank Dr. Hislop and Mr. Willesee for their remarks in supporting the second reading of the Bill, and I assure them that they will have ample opportunity to place any amendments, whether valid or invalid, on the notice paper; and they will be dealt with at the appropriate time.

Question put and passed.

Bill read a second time.

JUSTICES ACT AMENDMENT BILL*Second Reading*

Debate resumed from the previous day.

THE HON. E. M. HEENAN (North-East) [19.29]: I obtained the adjournment of this short Bill in order to make myself conversant with its provisions, but on looking into it there is little more that I need add to the outline that has already been given by the Minister. Its main provision seeks to amend section 167 of the Justices Act which sets out the scale of imprisonment for non-payment of fines. That scale, since the year 1919, has provided for a period of imprisonment of three days for each £1 of the fine. As members will appreciate, monetary values have changed considerably over the past 40 years.

It is now proposed to amend the scale of imprisonment to one day per £1 of the fine. As members know, imprisonment applies when fines are inflicted and default is made in payment of the fine. A warrant is issued, and if the person fined does not pay up, he is imprisoned. Up to date it has been three day's imprisonment for each £1 of fine. If this amendment is carried it will be one day's imprisonment for each £1 of the fine.

This principle was enacted a couple of years ago in an amendment to the Traffic Act; so anyone who is fined under the provisions of the Traffic Act at present has, in default to serve one day's imprisonment for each £1 of fine. This amendment will bring the provisions of the Justices Act into line with the principle embodied in the Traffic Act a couple of years ago.

It is also proposed to delete the section in the Traffic Act which deals with default, and to leave it in the Justices Act, which appears to be its proper place. I think this small Bill is well justified, and I support the second reading.

Question put and passed.

Bill read a second time.

In Committee

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

Clauses 1 to 5 put and passed.

Schedule—Section 5:

The Hon. J. G. HISLOP: Is not this one of the types of Bills whereby two Acts are amended in one measure; and to which we have objected? Does this mean that this schedule will be transferred from the Traffic Act to the Justices Act? We should bring in a Bill to amend each of these Acts. I have protested about this before, as has Mr. Wise.

The Hon. A. F. GRIFFITH: All it means is that this will be repealed in the Traffic Act, and will appear in the Justices Act where it should be.

Schedule put and passed.

Title put and passed.

Bill reported without amendment and the report adopted.

Sitting suspended from 9.36 to 10.5 p.m.

FIRE BRIGADES ACT AMENDMENT BILL*Second Reading*

Debate resumed from the previous day.

THE HON. G. E. JEFFERY (Suburban) [10.5]: The introduction of the Bill reminded me of the comments of the housewife when she presented her husband with the account for a new hat: "The Bill is only a little one." I do not intend to spend a great deal of time on it. I have no quarrel with most of the provisions, but there are a couple which require further clarification. I am, however, concerned with the things that the Bill is not going to do, rather than with the things that it is going to do.

Measures somewhat similar to this were introduced into the Chamber in 1953; 1954; and 1956. But one provision which those measures included, but which we do not find in this—and one which I would like to see—is that which would allow the employees of the Fire Brigades Board a representative on the board. It is a tragedy that this provision is not included; and I wish to register a protest at this stage at its omission.

I find it difficult to reconcile the pioneering speeches of the Premier with his actions since his Government has taken office. I feel that much good would come from the appointment to the board of a representative of the men. The officials of the Fire Brigades Employees' Union have said that they should have a representative on the board, but they do not necessarily mean that the representative should be a member of the union. Their thought is that the representative of the men should be in a position to express their views; and not be just a nominal representative, as has been suggested.

When the Bill goes on the statute book, I suggest the Government should give further consideration to the question of having a representative of the employees on the Fire Brigades Board. I know of two boards in this State on which there are representatives of the workers; and I understand that in each instance an excellent job is done, and that these representatives add their contributions to the work of the boards.

The boards to which I refer are the State Electricity Commission, and the Fremantle Harbour Trust. The workers' representatives to these authorities make not only a contribution to the work of the boards, but also to the industrial harmony that the State enjoys.

To allow this representation would be no innovation. In the States of New South Wales and Victoria, the Governments allow the workers to have representatives on the boards. I hope the present Government will listen to my plea, and that on some occasion in the not-too-distant future, it will do something about remedying what, to my mind, is an injustice.

The Bill is largely a machinery measure; it will bring about some innovations, but many of its clauses will merely tidy up situations that are anomalous today. The first amendment is to be found in the clause that amends section 5. This amendment will allow the Fire Brigades Board to set up new fire districts, and to abolish fire districts which, in actual fact, no longer exist. The Minister mentioned Wiluna. Most people realise that the Wiluna fire district ceased to exist years ago. I have no quarrel with this provision. It will allow the Fire Brigades Board to set up new districts which may comprise segments of two adjoining local authorities, or of two or more fire districts within the area of one local governing body. I see no reason to quarrel with that.

A further clause seeks to amend section 8. This is purely a machinery provision; it is to overcome what may be termed a "storm in a teacup" that occurred some time ago. It has been said that on one occasion there was a dispute about the election of representatives to the board. I agree with the Minister that the amendment is quite sound. It will allow the Minister to refer any such question to a stipendiary magistrate, and his decision will be final.

One clause that, to my mind, is ironical—as members of the Legislative Council, it probably applies to all of us—is the one dealing with the remuneration of board members. The Minister, when introducing the Bill, said that the proposals contained in it had been requested by the Fire Brigades Board. All I can say is that, in respect to this particular amendment, they must have been very brave or very brash.

They cannot have heard of *The West Australian*; or having heard of it, they thumbed their noses to it, because they decided they are worthy of an increase in salary. I agree with them entirely. I think the last rise, in 1949, for the sittings of the board brought them up to £850. This was the amount they were allowed to expend in fees. The amendment seeks to raise this amount to £1,300. If we make a comparison of the basic wage at the time the figure of £850 was fixed, and the basic wage today, we will agree that the increase is well merited. The board has an excellent record of service. The trend today is such that, perhaps, we should insert a subclause to provide, "By courtesy of *The West Australian*." If the winds are favourable, we can have the rise; but if they are not, we cannot.

I would be in some doubt if I were a member of the Fire Brigades Board; and, despite the fact that I knew I was worth the money, I would be frightened of the reception the Press would give to the increase. Anyway, this provision has my blessing. The fees of the individual members of the board should be increased. Any man of merit will tell his master what he thinks he is worth; and I think these men are worth what is proposed here.

A new section 25A is sought to be added to the legislation. Under this provision the Fire Brigades Board may order the owner or occupier of premises to provide certain firefighting appliances. I agree that in these days, because of the devastation that fire can cause in cities, this provision should be included. The board in the past has operated under its regulations, but because in a court case some doubt was engendered in the mind of the magistrate, a most unsatisfactory position arose. This provision will seek to overcome the trouble. I have no quarrel with the clause. By its inclusion in the legislation, there will be no argument as to the legality of the board's actions in this regard.

There is a proposed amendment to section 46 (2) dealing with the powers of the board to borrow money. In the parent Act there is a limitation of 6½ per cent. The Fire Brigades Board is grouped with the local governing authorities. At this stage I have no quarrel with the proposed amendment for the purpose of raising loans. The borrowings of the Fire Brigades Board are, of course, subject to Treasury approval.

A further amendment seeks to repeal and re-enact the second schedule which provides for the setting up of fire districts. This is purely a machinery clause; and again I see no reason why we should argue with it. It will tidy up a situation that should not exist.

All in all, I think we should agree with the Bill. When the Minister replies to the debate, I suggest he should throw further light on the provision which empowers the Fire Brigades Board to charge the owners of uninsurable properties with the cost of any action that the fire brigade might be called upon to perform.

To my mind, these people pay, in their municipal or road board rates, some part of the cost of the fire brigades. I am not too sure, at this stage, whether this is a fair imposition. It can be argued, of course, that the insurance companies pay a large share of the cost of maintaining the fire brigades. But I suggest that theirs is a pecuniary motive; it is in their own interests to pay a premium to assist with the efficiency, equipment, and maintenance of the fire brigades, because if the fire brigade is efficient, the insurance companies will get a return on their outlay. I would like the Minister to give us an

example of how this would work out in practice; probably by applying the proposals in the Bill to some previous accident.

The Hon. A. F. Griffith: I think you used the word "uninsurable" when you meant "uninsured."

The Hon. G. E. JEFFERY: I should have said "uninsured property." I admit quite a large amount of damage is done—I think the Minister gave us figures of some 800 or 900 rubbish or bush fires last year.

The Hon. A. F. Griffith: Take the case of a man with a nice house, and the vacant lot next door has grass three feet high. Imagine how he would feel—

The PRESIDENT: Order! The Minister should not interject.

The Hon. G. E. JEFFERY: I said I was not quite sure on the point, and I think the Minister when replying to the debate could give us an example so that we would have a better picture of the situation, in regard to that point, than we have from his introduction of the Bill.

I intend to support the measure but, at the same time, I ask the Government to proceed at the earliest possible moment to have a representative of the union appointed to the board. It is amazing that the board, which consists of 10 members: the president and one other being nominated by the Governor; three representatives from the insurance companies; one from the Perth City Council; one representing the metropolitan fire districts; one representing the Goldfields fire districts; one representing country districts; and the tenth representing the volunteer fire brigades, should not have a representative of the permanent firemen.

I know most of the members of the board personally; I know the sterling work they do and the sterling characters they are.

But the fact is that the volunteer firemen have a representative on the board, and the permanent firemen have not. The records show that a large percentage of permanent firemen have graduated through the volunteer ranks and have ultimately joined the permanent staff. Therefore it seems strange that whilst they are volunteers they have a representative on the board but as soon as they become professional firemen they lose that representation.

I think they have much to offer. I have read some of the instructions issued in the past to the firemen, and I have seen some of the things that have occurred where there has been a breach between the board and its employees. To my mind the firemen are as valuable to the community as the police, because they both render most necessary services and both have excellent records industrially. So I suggest to the Government that it proceed to grant them recognition on the board.

As I said previously, the union was not concerned about having a fireman on the board but would be quite prepared to submit a list of names to the Government so that the Government could select one from the panel. I support the second reading.

On motion by the Hon. J. Murray, debate adjourned.

MOTOR VEHICLE (THIRD PARTY INSURANCE) ACT AND TRAFFIC ACT AMENDMENTS BILL

Second Reading

Debate resumed from the previous day.

THE HON. E. M. HEENAN (North-East) [10.18]: This is another short Bill which does not call for much elucidation. It concerns the Motor Vehicle (Third Party Insurance) Act and the Traffic Act. As we all know, section 4 of the first Act makes it obligatory for persons in charge of motor vehicles to insure against third party risks. The penalty under that Act for a first offence is £100 and for a subsequent offence, £200. Anyone who has a motor vehicle on the road today, and who is not insured against third party risks, is committing a grave breach of his duty.

The Traffic Act has a somewhat similar provision. It reads—

If any vehicle for which the owner is not the holder of the requisite vehicle license under this Act is used on any road, the owner of the vehicle and every person so using the same or causing or permitting such use thereof shall be guilty of an offence against this Act.

It goes on to mention that the maximum penalty is £20. This small Bill proposes to increase the penalty under the Traffic Act to £100 for the first offence and £200 for the second offence, thus bringing it into line with the provision in the Motor Vehicle (Third Party Insurance) Act. We will then have the position that the two Acts will provide similar penalties for a person who does not take out the requisite license.

This Bill also provides that if such a person has been convicted under one Act for an offence which has been committed simultaneously, he cannot be convicted a second time under the other Act, which seems quite reasonable. It is hard to justify a state of affairs where a prosecution is taken under the Motor Vehicle (Third Party Insurance) Act and a man is fined, and then subsequently charged and fined for the same offence under the Traffic Act. But as the law stands that could occur, and this little measure is designed to render such a state of affairs impossible.

It does not mean that the person will escape his liability; it simply means that he will be charged, and possibly convicted, under one or the other Act; but he will not be convicted twice for practically the same offence. I think the Bill is quite satisfactory, and 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.

**CHILD WELFARE ACT AMENDMENT
BILL**

Second Reading

Debate resumed from the previous day.

THE HON. J. M. THOMSON (South) [10.26]: A Bill designed for the protection, control, maintenance and reform of negligent and destitute children is a measure that no doubt appeals to many honourable members and many members of the public as well.

The Bill is designed to improve the lot of these young people, and by the legislation the director and the department will assume a far greater responsibility in regard to the care of those who are committed to its charge than they have hitherto assumed; and I have no doubt that the public will watch the results of this change with great interest. If the change is to succeed—and succeed it must—it is essential that public confidence be established from the outset. I imagine that the department is most anxious that public confidence should be established; and it is equally essential that the public should be tolerant and not be rash and condemn this proposed set-up if disappointments occur from time to time in regard to the control of these young people.

There will always be the child who is difficult to control. The provisions in the Bill are designed to help such a child to improve its behaviour and to enable it to re-establish its self-respect.

I imagine that psychology will play a very important role in the discipline and training of the child. Psychology would be used to a greater extent to assist those who have been committed to institutions by the Children's Court.

It is evident from the Bill that the provisions are designed to create initiative in the child so that it may adjust itself to an orderly and regulated life, and thus be enabled to regain its self-respect and to take its rightful place in society. I consider that the proposed amendment to section 9 of the parent Act, under which the Minister delegates the power to transfer wards from one institution to another

in accordance with the child's behaviour, is designed to assist the child. I consider it to be a worth-while amendment.

Now the children are to be committed to the care of the Child Welfare Department which, in turn, will direct where the offender shall be placed. I think that is an excellent provision. I strongly support the view of the director and the Child Welfare Department that the powers of the Children's Court should be relaxed in regard to the committal of offenders to institutions. Those in charge of the boys and girls will by the good behaviour of the offenders be actuated to relax the direction of the court.

The efforts made by young offenders to re-establish themselves will give added encouragement to those who are in charge of them. These young people will tend to strike at the person who is tough and who is totally indifferent to their plight. They may have bitter experiences, but the fact remains that provision is contained in the Bill for the department to direct where these young people are to be placed.

When the Minister introduced the Bill, he referred to the therapeutic activities that are now in operation. I notice in the Bill that it is the intention of the department to extend that very important treatment. I hope the Minister will enlighten us, when he replies, as to the extent to which the department intends to go. This treatment is very important to planning the lives of these young people.

Other amendments in the Bill refer to the payment of maintenance. It is only right that the department should be able to proceed against the appropriate person for maintenance of a child, without any unnecessary delay. That is a very worthy amendment to the Act.

On the question of maintenance of children whose parents are being divorced, the department should have the right to apply to the Children's Court for an order for maintenance prior to the commencement of the divorce proceedings. Under the Act, a period of three months, after the dissolution of the marriage, has to elapse before an application can be made.

I am in agreement with the other provisions relating to the maintenance of illegitimate and legitimate children. Some people seem to think they can shelve their responsibility for the upkeep of their children by placing them under the care of the Child Welfare Department. It is a very grave reflection upon the personal honesty of such parents, and shows a total disregard for their responsibilities to their children. It is amazing to find that when the department takes charge of some children, the parents are not interested. There is no reason why the parents should not visit their children who are committed to institutions, and take them out occasionally. This Bill is a very worth-while piece of legislation, and it has my support.

THE HON. L. A. LOGAN (Midland—Minister for Child Welfare—in reply) [9.39]: I appreciate the interest taken by members in this Bill. Mrs. Hutchison went to some length in discussing the measure, and she made a few comments on the provisions. She was somewhat concerned about the right to protect a child at law. I want to explain that when a child is taken before the Children's Court, the welfare officer is always present. He has a background knowledge of the child and its family, and he is present to look after the interests of the child and to inform the magistrate as to the exact family position. From that aspect we can see that the rights of the child are protected.

Mrs. Hutchison mentioned something about a committee as a go-between; and Dr. Hislop also mentioned a committee. I will deal with this matter later. Every year, as these children reach school-leaving age, they are interviewed in the institution in a very informal manner. They are given an I.Q. test in an endeavour to find out exactly what they are best suited to do. Therefore the departmental officers are in a position to advise them and find employment for them. They are doing that all the time, and it is part and parcel of their job.

Members will realise that welfare officers take a lot of boys under their wings—if I might use that term—in order to watch their progress after they have been sentenced by the court. As a matter of fact, many of these welfare officers work quite a few nights in the week interviewing families where boys are out on parole, or where the boys are placed under their direction.

Mr. Thomson mentioned therapeutic treatment. I cannot enlarge on the matter, because I do not know to what extent it is operating. All I can say is that it is intended to increase that treatment. I can mention that the number of wards being placed in departmental institutions has been greatly reduced. Instead of their being sent to Parkerville Home, the Home of the Good Shepherd, or church institutions, they are being put into private homes with foster parents.

The Hon. J. M. Thomson: A good idea.

The Hon. L. A. LOGAN: To a certain extent it is hard on the church institutions, which are losing so much revenue through not being paid for wards. However, it is much better for the children to be placed in private homes so that they can enjoy family life. The department is doing a good job in that respect.

Both Mr. Lavery and Mrs. Hutchison mentioned Caversham. I think Mr. Lavery will probably appreciate that it is essential we should train staff for Caversham, particularly when it is pointed out that we went through about 400 applications, which were whittled down to 30. These

30 applicants are now studying in their own time to fit themselves for the job. If members knew the amount of money that some of these families and children are costing the State, they would be staggered.

I spend quite a bit of time every day approving "write-offs" for many advances to families in strife because the husbands have left them. We get a procuration order against the husband, but the next thing we know is that he cannot be found; he has simply disappeared.

The Hon. E. M. Davies: Do they make much of an attempt to find him?

The Hon. L. A. LOGAN: That is something I am concerned about.

The Hon. E. M. Davies: So am I.

The Hon. L. A. LOGAN: I am concerned because so many files come back to me stating that it is not possible to find persons, and it will cost a good deal more to continue looking for them. I would say that the police records of the number of missing persons in Western Australia must be out of date, because the number of files which pass through my office dealing with missing persons must be double that of the police.

The Hon. J. G. Hislop: They will not make any attempt if the father goes interstate.

The Hon. L. A. LOGAN: There is reciprocity between the States in this regard where a person can be caught in one State or another. It is common for these people to still be within the State, but they do not leave a forwarding address. I also think that our Police Force might be a bit lax in this respect. A lot of these people are in straitened circumstances; and if they were found, it would not be possible to get much out of them. The department does a lot of work looking after families which are left destitute by deserting husbands. If members could read the history on some of the files, they would learn how the other half lives. What some people can get away with is amazing.

Mrs. Hutchison spoke about the varying judgments of magistrates, and what she had to say is quite true. I do not like criticising magistrates for their judgments; but when we read the results of court proceedings in the newspapers, and find a big disparity in the judgments which are delivered, it is very hard to follow. The other day, a country magistrate had two boys before him. One was charged with taking a vehicle and was given six months' imprisonment; while the other youngster, who only went for a joyride, was committed to an institution for 18 months with no release. The boy who stole the car is now free and running around the country; but the boy who went for the joyride is in an institution, and will be there for 12 months.

The Hon. F. R. H. Lavery: Could you do anything about it?

The Hon. L. A. LOGAN: It has been put to me as a case for consideration; and I have said that if the boy behaves himself and shows some responsibility, I will consider the matter further.

The Hon. F. R. H. Lavery: Hear, hear!

The Hon. L. A. LOGAN: In another judgment the other day, a boy was sentenced to an institution for nine months, with no release for one month. I cannot reconcile that a magistrate can find a boy is guilty to such an extent that he should be sent to an institution for nine months; and in the same breath say, "No release for one month."

The Hon. R. Thompson: The other time is counted as parole, isn't it?

The Hon. L. A. LOGAN: He can be put on parole without that. The Child Welfare Department does not want the magistrate to cease making a recommendation. The department will take notice of his recommendation; but at the moment it is binding, and no departure can be made from it.

In regard to the issues raised by Dr. Hislop, I know he is endeavouring to create a feeling of security amongst the people themselves. I am afraid it is rather impracticable. I have looked up the reason for the inclusion of the definition of "parents"; and if members care

to look at the Act, they will find that the word "parent" is used throughout, but there is no definition of the word. It is used when parents may be punished; when the parents may be consulted; or when the Minister considers committal. Therefore, it was necessary to have an interpretation of it. The word "director" is already in the principal Act, but it is in the wrong place. All the Bill is doing is to put it in its right place.

In connection with the amendment dealing with the parent of an illegitimate child, we cannot call the father the parent by any stretch of the imagination; because the father has no responsibility in regard to the child, except for paying maintenance; and that is why the word is inserted in that section of the Act dealing with maintenance.

Dealing with the big question of visits to institutions, there are 20 in Western Australia which are used by the Child Welfare Department. Of these, 19 are private institutions. The only actual Government institution is the Child Welfare Reception Home in Walcott Street, Mt. Lawley. Stoneville is almost one, but not quite, because the Church of England is there working in conjunction with the welfare officers who partly control and run Stoneville. I will give the figures of the State wards, migrants and private children in each of these institutions. They are as follows:—

CHILDREN IN SUBSIDISED (PRIVATE) INSTITUTIONS AS AT 30TH JUNE, 1959

Institution	State Wards		Migrant Children (a)		Private Children				Total
	M	F	M	F	M	F	M	F	
<i>Anglican—</i>									
Parkerville Children's Home Parkerville	55	44	....	....	20	21	75	65	140
Swanleigh Middle Swan	5	3	29	33	83	41	117	77	194
Anglican Farm School, Stoneville	59	....	....	....	....	....	59	....	59
Total	119	47	29	33	103	62	251	142	393
<i>Methodist—</i>									
Methodist Children's Home, Victoria Park .....	....	5	....	....	17	24	17	29	46
Tom Allen Memorial Home, Werribee	11	....	....	....	13	....	24	....	24
Total	11	5	....	....	30	24	41	29	70
<i>Presbyterian—</i>									
Benmore Children's Home, Caversham	2	1	....	....	2	5	4	6	10
Total	2	1	....	....	2	5	4	6	10

CHILDREN IN SUBSIDISED (PRIVATE) INSTITUTIONS AS AT 30TH JUNE, 1959—continued

Institution	State Wards		Migrant Children (a)		Private Children				Total
	M	F	M	F	M	F	M	F	
<i>Roman Catholic—</i>									
Castledare Junior Orphanage									
Queen's Park	25	....	19	....	37	....	81	....	81
Clontarf Boys' Orphanage, Victoria Park	33	....	105	....	43	....	181	....	181
Home of Good Shepherd, Leederville .....	....	21	....	....	....	50	....	71	71
St. Joseph's Orphanage, Wembley .....	....	22	....	16	38	48	38	86	124
St. Vincent's Foundling Home, Wembley	12	7	1	....	30	34	43	41	84
St. Mary's Agricultural Farm School, Tardun	3	....	56	....	11	....	70	....	70
St. Joseph's Trade and Farm School, Bindoon .....	....	....	44	....	17	....	61	....	61
Nazareth House, Geraldton .....	....	3	....	17	....	44	....	64	64
Total	73	53	225	33	176	176	474	262	736
<i>Salvation Army—</i>									
Boys' Home, Nedlands	34	....	....	....	40	....	74	....	74
Girls' Home, Cottesloe .....	....	19	....	....	....	49	....	68	68
Total	34	19	....	....	40	49	74	68	142
<i>Undenominational—</i>									
Sister Kate's Children's Home									
Queen's Park	4	8	....	....	21	21	25	29	54
Alexandra Home, Highgate, now known as Ngala, South Perth .....	....	....	....	....	9	8	9	8	17
Total	4	8	....	....	30	29	34	37	71
Grand Total	243	133	254	66	381	345	878	544	1,422

GOVERNMENT INSTITUTION

Child Welfare Reception Home	16	12	3	19	12	31
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(a) In addition two other homes cater for migrant and special cases of State Wards. They are : Fairbridge Farm School, Pinjarra—139 migrants (114 males and 35 females), Shiloh College, Broome Hill—10 wards.

Therefore, all those institutions are actually private institutions. We as a Government would not have any right to set up a committee to go into those private places and do what Dr. Hislop desires. I think it is unreasonable for us to ask for that right; and some of the managers of those institutions would take pretty strong exception if we tried to enforce that upon them.

Actually, there is provision already in the Act under section 8 for the Minister to appoint, from time to time, as many fit and proper persons as he thinks necessary to be visitors to public institutions. If I feel that something is wrong, I have the right to appoint people to act as a visiting committee.

The Hon. F. R. H. Lavery: Have any been appointed before?

The Hon. L. A. LOGAN: I cannot say; not in my time. But there is an inspector of institutions whose job it is to go around at least once a year and make sure that the institutions are kept up to date.

Section 18 enables a special magistrate or any member of the Children's Court authorised in that behalf by the Governor to have the right at any time to visit and inspect any institution. In that section the magistrate is empowered to visit the institution; and sometimes special unannounced visits are made to some of them. Section 7 gives power to the Governor to appoint, amongst other officers, inspectors to carry out the purposes of this Act. That is the one we have set up.

Section 63 states that the department shall have general supervision of all wards detained in any institutions. Therefore the

wards are actually under supervision of the department, and pretty well every month the acting director of Child Welfare goes to Stoneville to inspect. I also know he makes periodic visits to the Home of the Good Shepherd and other institutions.

Regulation 31, under the Act, authorises officers of the department to inspect any institution. It provides that all matters connected with the industrial training of the inmates; the general management and discipline; and admissions, discharges, etc., should be dealt with by him and all books and journals should be open for his inspection.

It must be borne in mind that, in this State, all institutions apart from the Child Welfare Reception Home at Mt. Lawley are private concerns, operated in the main by various churches. The voluntary organisations—church groups—are at present subject to inspections, etc., as already listed, and could object to further surveillance by independent boards of visitors on the ground that the bulk of inmates are private admissions, who are not in any way the legal concern of this or any other department. There are actually 414 departmental wards in 20 institutions, plus 469 migrant children, and 729 private cases.

The Hon. J. G. Hislop: Are all those institutions responsible to the Health Department?

The Hon. L. A. LOGAN: I should imagine that any institution must be covered by health regulations.

The Hon. J. G. Hislop: I should imagine they would not be if they were church organisations.

The Hon. L. A. LOGAN: I do not know that being a church organisation would put them outside the Health Act. It would be a new one on me if it did. I hope Dr. Hislop will appreciate the difficulties that would be involved in forcing the officers to go to private institutions. I think there is ample provision in the Act now to enable the Minister to make sure that these institutions are doing the right thing.

The Hon. J. G. Hislop: All these provisions were discussed in the Hicks Report.

The Hon. L. A. LOGAN: I have read that report only once, but some of those provisions are already in the Act, and there are one or two which are at present being studied. I have endeavoured to answer the points raised during the debate; and I am sure Dr. Hislop will appreciate the difficulty of implementing his ideas in full. I appreciate the interest he has taken in the matter and his endeavours to ensure that the public are satisfied that everything possible is being done for the children concerned.

Question put and passed.

Bill read a second time.

In Committee

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

Clause 1 put and passed.

Clause 2—Section 4 amended:

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

Page 2—Insert a new paragraph to stand as paragraph (a) as follows:—

(a) inserting before the interpretation "board out" the following interpretation:—

"Board of Visitors" or "Board" means a board of visitors constituted under this Act.

I thank the Minister for his explanation, but repeat that it is a matter of grave public concern; and any inspections made of these places will be welcomed by many people. These institutions must be maintained at accepted standards and must be subject to inspections such as I have outlined. They look after a total of roughly 1,600 children; and there is tremendous responsibility involved, as roughly half of the children are under the care of the department.

The Hon. L. A. Logan: Half of them are private cases.

The Hon. J. G. HISLOP: That leaves about 800 under the care of the department. I do not mind my amendments not being accepted, so long as the Minister recognises the need for the public to have confidence that the children are being looked after as they should be.

If the Minister has power under the Act to appoint people such as the three women he named and the magistrate, to inspect these places, they should be allowed to inspect under the terms which I have set out; because it is necessary that the diet and health of these children should be satisfactory, and that they should have freedom from boredom and unnecessary institutional control. Again I stress the necessity for visits, such as I have suggested, to these institutions.

The Hon. L. A. LOGAN: The departmental officers make sure that these homes maintain a standard fit for the children. A report with which I have dealt in the last week assures me that the inspectors are doing their job; and there is always the threat that if the people concerned do not do what they are instructed to do, they will get no more wards.

The Hon. J. G. Hislop: The inspections should be rigid.

The Hon. L. A. LOGAN: I am convinced that the inspectors are doing their job. I have visited some of these institutions

already, and intend to visit them all when time permits; and I assure Dr. Hislop that proper standards will be maintained.

The Hon. F. R. H. LAVERY: The Minister's reply to Dr. Hislop's remarks satisfies me in many respects, and I am glad to know that the department carries out the necessary inspections. But I cannot believe that sufficient inspections are made. The Minister said that inspections are made at least once in every 12 months, but a great deal of damage can be done in that time. The Hicks Report proves that it is necessary for these inspections to be made. As regards the new building at Caversham, which is similar to the Fremantle Gaol, where there is a board of visitors, I hope my forebodings will not eventuate.

The Hon. L. A. Logan: I will set one up.

The Hon. F. R. H. LAVERY: I am pleased to accept that.

The Hon. J. M. THOMSON: I am not very impressed with the committee suggested by Dr. Hislop, and I think that possibly the Minister's reply has satisfied the honourable member in that regard. The Minister said that an officer visits these institutions once a year.

The Hon. L. A. Logan: That is to test the child for his I.Q.

The Hon. J. M. THOMSON: I would like to see inspections made by an officer appointed within the department; he could carry out more than one inspection a year; and not only to test the child's I.Q.

The Hon. L. A. Logan: There is an institutional officer appointed for that purpose, and he can visit as many times as he likes.

The Hon. J. M. THOMSON: I think that allays most of our fears.

The Hon. J. G. HISLOP: There are just one or two more points I would like cleared up and I may then be completely satisfied. Are any of the inspectors who have power to go round these institutions female? Because I am convinced that a male can go into an institution and never see a speck of dirt. He will never think of looking under a bed to see whether a place is kept clean; and those aspects are just as important as many of the others which have been mentioned. I can remember visiting an institution prior to the war. There were many boys in the institution but not a single female on the staff. That type of institution has improved tremendously with the appointment of some females to the staff.

Growing boys need female care much more than they need male supervision, and I would like to see a woman inspector going around these institutions, because it is important to have females doing that type of work.

The Hon. W. F. Willesee: You would want a daily contact in that case.

The Hon. J. G. HISLOP: In how many of these institutions is there a matron, a deputy matron or a nurse on the staff? My second complaint is that I believe some of the organisations are outside the Health Department; particularly the church organisations. I have seen one or two where the beds are so close together that the institution could not possibly conform to the health regulations. We cannot make a normal citizen out of a child unless the child is living under normal conditions. I hope the Minister will make sure that there is ample tuition and supervision by females in these institutions; and if that is done I will be quite happy.

The Hon. L. A. LOGAN: I said that section 7 gave the Governor power to appoint officers. At the moment there are five inspectresses in the Child Welfare Department and their main job is to go out, when a woman asks for assistance, and inspect the house to see what the conditions are like.

The Hon. G. Bennetts: Does that apply in the country areas?

The Hon. L. A. LOGAN: No, there are no inspectresses in the country. There are three women probationary officers, 10 male probationary officers, and five district officers who are in the country centres. I have made arrangements for a sixth district officer to be appointed. Those officers are under the supervision of a senior probationary officer. In addition we have a male and a female psychologist.

Mr. Thomson spoke about clinical psychology. There are 193 new cases being counselled; there are 91 under continuous counsel; and 168 children being interviewed. They are living with relatives and foster parents, and the interviews with each child vary from one to 25; and with parents, from one to 12. The position in regard to the Health Act will have to be checked. I realise that some of the larger institutions may not conform to the health regulations, but I visited one institution and the dormitory was beautifully kept.

Dr. Hislop also mentioned the appointment of a matron. We have nothing to do with the staff of these places; and I do not see how we could take the authority from the institutions. They usually have a married couple in charge, so that the female side is taken care of. I am glad Dr. Hislop mentioned these things because it gives me an idea of what to look for when I visit the institutions; and I shall pass on his comments to the officers concerned.

Amendment put and negatived.

Clause put and passed.

Clauses 3 to 16 and Title put and passed.

Bill reported without amendment and the report adopted.

MUNICIPAL CORPORATIONS ACT AMENDMENT BILL

Personal Explanation

THE HON. G. C. MacKINNON (South-West) [11.23]: Could I seek your permission, Mr. President, to make a personal explanation?

The PRESIDENT: Yes, you may proceed.

The Hon. G. C. MacKINNON: I have been the subject of headlines in the country edition of *The West Australian* for alleging graft in local government, and for stating that there is a great deal of corruption in local government. The inference drawn from the article is that there is corruption in local government in this State. At the time the House was discussing the position of local government during the debate on the Municipal Corporations Act Amendment Bill, and what I said was as follows:—

I would like to stress the fact that, despite the fact that every local authority Act in Australia has this type of clause in it, there is far more talk, rumour, and proof of graft and corruption in local authorities than in any other form of government.

I wish to reiterate what I said during the Committee stage of the Bill; and that is that I believe local government in this State to be particularly clean. I still believe that many members are, quite innocently, leaving themselves open to accusations being made under this section of the Act. I mentioned, and I quote again—

... that every local authority Act in Australia has this type of clause in it, there is far more talk, rumour, and proof of graft and corruption in local authorities than in any other form of government.

I was referring to cases such as the widely-publicised situation in Bankstown, New South Wales; and I sincerely apologise to local authorities in this State if I did not make this sufficiently clear.

The PRESIDENT: Did you want to take any further action?

The Hon. G. C. MacKINNON: No; I do not know whether I can take any further action.

ADJOURNMENT—SPECIAL

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines): I move—

That the House at its rising adjourn till 2.30 p.m. tomorrow.

Question put and passed.

House adjourned at 11.25 p.m.

Legislative Assembly

Wednesday, the 19th August, 1959.

CONTENTS

	Page
QUESTIONS ON NOTICE :	
Ord River scheme, details	1093
Pensioners, fortnightly statutory declarations	1094
Artificial rain-making, report by Dr. S. R. Savur	1095
State Engineering Works, dismissals and notices of dismissals	1095
Midland Junction Workshops, calculation of overheads	1095
Improvement of metropolitan beaches, financial assistance	1095
Metters Ltd., staff reductions, and place of origin of manufactures	1095
Street lighting, action by State Electricity Commission	1096
Midland Junction railway station, date of construction and roofing of platform	1096
Great Southern Railway, reduction of passenger services	1096
Work force, numbers employed and unemployed	1096
Milk quality, experiments at the Wokalup Research Station	1096
Unemployed, number, and total dismissed by the Government	1097
Colombo Plan, contribution of wheat	1097
QUESTIONS WITHOUT NOTICE :	
Colombo Plan, contribution of wheat	1097
Marble Bar Post Office, erection of new building	1097
Unemployed—	
Number, and total dismissed by the Government	1097
Reason for discrepancy in figures	1098
MOTIONS :	
KA railway wagons, tabling of papers on construction	1098
Crosswalks, disallowance of Regulation No. 231	1108
BILLS :	
Government Railways Act Amendment, 3r.	1098
Judges' Salaries and Pensions Act Amendment, 3r.	1098
State Electricity Commission Act Amendment, returned	1108
Foot and Mouth Disease Eradication Fund, returned	1108

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

QUESTIONS ON NOTICE ORD RIVER SCHEME

Details

1. **Mr. NORTON** asked the Minister for the North-West:
 - (1) What type of soil is in the area of the Ord River scheme?