Legislative Assembly

Wednesday, the 12th August, 1959

CONTENTS

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

ROYAL COMMISSIONERS' POWERS ACT AMENDMENT BILL

Assent

Message from the Governor received and read notifying assent to the Bill.

QUESTIONS ON NOTICE

RELIANCE MANUFACTURING COMPANY

Tabling of File re Financial Support

1. Mr. HAWKE asked the Premier:

In connection with the alleged withholding of financial support by the previous Government from the Reliance Manufacturing Company, will he place upon the Table of the House, or make available to me for my perusal, the departmental file which deals with this allegation?

Mr. BRAND replied:

If the Leader of the Opposition so desires, I will make available to him for his personal perusal a copy of Folios 12 and 13 of Treasury file 77/59. The Minister for Industrial Development would be only too pleased to discuss the matter with the Leader of the Opposition. For reasons previously stated, it is not considered desirable to table the file.

GASCOYNE RESEARCH STATION

Appointment of Agricultural Adviser and Tropical Adviser

2. Mr. NORTON asked the Minister for Agriculture:

(1) Has an agricultural adviser been appointed to the Gascoyne Research Station to replace Mr. R. Rees?

(2) If so, on what grading?

(3) What are his qualifications and experience?

(4) Where was he employed before joining the Western Australian Agricultural Department?

(5) Is it the intention of his department to appoint a tropical adviser to the Gascoyne Research Station?

Mr. NALDER replied:

(1) Yes.

(2) Agricultural Adviser, Grade 3.

(3) Mr. Vogel holds the French University degree of "Ingenieur d'Agriculture" and had short-term experience in tropical agriculture in Egypt.

(4) For a period after his arrival in Australia and prior to joining the Department of Agriculture, he was employed as a laboratory chemist by Taubmans in Melbourne.

(5) Mr. Vogel's duties relate to tropical agriculture, and he is working with officers with experience in this field. Consideration will be given to creating a position of tropical adviser when a suitable officer has been trained or can be recruited.

NORTH-WEST BROCHURE

Tabling of Copy

3. Mr. NORTON asked the Minister for the North-West:

(1) Who compiled the brochure relating to the North-West, which was supplied to the Federal parliamentarians who made a tour of the North-West last week?

(2) Will he lay a copy of the brochure on the Table of the House?

Mr. COURT replied:

(1) It is presumed the honourable member is referring to copies of the submission made to the Commonwealth Government in respect of the original £2,500,000 grant and the later submission in respect of the Ord River diversion dam proposal. If so, the answer is: The Public Works Department.

(2) Yes.

The brochure was tabled.

RURAL AND INDUSTRIES BANK

Television Hire-Purchase Section

4. Mr. BRADY asked the Minister for Lands:

In view of the large volume of sales of television sets on hire-purchase terms anticipated in the next three years in Western Australia, will the Government set up a section of the Rural and Industries Bank to handle television hire-purchase business, to enable the profits from same to be made available for primary producers' requirements?

Mr. BOVELL replied:

The Rural and Industries Bank Act does not empower the bank to engage in hire-purchase business as such, and no amendment to the Act is contemplated. However, the bank's personal loan department will consider on the merits of each separate submission, any proposals received.

REFRIGERATED RAILWAY VANS

Use on Country Lines

5. Mr. BURT asked the Minister for Railways:

(1) Are refrigerated railway vans used on country lines in the agricultural and South-West areas of the State?

(2) If so, for how long have these been in operation?

(3) In view of the long distance involved and the extreme climatic conditions of the area, will consideration be given to the inclusion of one of these vans on the Perth-Meekatharra weekly passenger train during the period from October to April inclusive?

Mr. COURT replied:

(1) Yes. On main-line services, as required.

(2) Ice-cooled insulated vans have been in service for many years. In addition, eight new type "W.A." insulated ice-cooled vans have been placed in service since August, 1958. Three "W.V.D." refrigerated vans have been in service since April, 1957, and six refrigerated containers progressively since the issue of the first unit in December, 1958.

(3) A new type "W.A." ice-cooled van is already provided for the Northern area on Mondays and Fridays, Perth to Mullewa; and on Wednesdays, Perth to Meekatharra. It is considered that this service meets requirements on this line. Existing refrigerated vans do not permit transfers to the Perth-Meekatharra line, and no additional construction of such vans is currently contemplated.

MINING INDUSTRY

Pro Rata Long-Service Leave

6. Mr. EVANS asked the Minister for Labour:

Would an employee for a mining company, in continuous employment from September, 1949, until the 23rd February, 1959, and who subsequent to this date, was confined in Hollywood Hospital for six weeks and then advised for health reasons to leave the mining industry, be entitled to any

long-service leave *pro rata*, under the Arbitration Court Long Service Leave Award to the mining industry?

Mr. PERKINS replied:

On the information supplied, the employee concerned has had less than 10 years' continuous service. Under the award referred to, *pro-rata* long-service leave is not payable in any circumstances unless a minimum of 10 years' continuous service has been completed.

BUILDING INDUSTRY

Apprentices Trained in Government Departments

7. Mr. TONKIN asked the Minister for Works:

How many apprentices in the various branches of the building trades have been trained in Government Departments during the three years ended the 30th June, 1959?

Mr. WILD replied:

Bricklayers 60;
Plumbers 170;
Carpenters 380;
Painting 156;
Plastering 56.

COLLIE DISTRICT HOSPITAL

Building for X-ray Machine

8. Mr. MAY asked the Minister for Health:

(1) When is it anticipated the new X-ray building will be completed at the Collie District Hospital?

(2) When completed, is it intended to install a new X-ray machine?

(3) Under what conditions, if any, will the new machine be installed?

Mr. ROSS HUTCHINSON replied:

(1) Approximately in one month's time.

(2) Yes.

(3) The local people have indicated that they are contributing the cost of the unit.

COAL

Supplies to Electricity and Railways Commissions

9. Mr. MAY asked the Minister representing the Minister for Mines:

What tonnage of coal has been supplied to the State Electricity and Railways Commissions, by each of the three coal companies producing at Collie since the inception of the present contracts to the 30th June, 1959?

Mr. ROSS HUTCHINSON replied:

	Railways	State Electricity Commission
	Tons	Tons
Amalgamated	381,304	679,179
Western	105,523	155,104
Griffin	7,474	60,773
	494,301	895,056

TRADE MISSION

Government Assistance

10. Mr. BRADY asked the Premier:

(1) Have any representations been received by the Government for assistance to arrange a trade mission to the Near East or South-East Asian countries?

(2) Will he state what assistance is being given and the nature of the mission?

Mr. BRAND replied:

(1) and (2) A proposal for a trade ship was discussed with the Government. No financial assistance was sought.

KOONGAMIA AREA

Provision of Homes

11. Mr. BRADY asked the Minister representing the Minister for Housing:

(1) Is it proposed to erect any further homes in the Koongamia area in the current year?

(2) If so, will he state the type of home to be erected?

(3) Will the homes be available for rental or for purchase?

Mr. ROSS HUTCHINSON replied:

(1) Yes. Five homes.

(2) Timber-framed of brick veneer.

(3) Rental.

STATE HOUSING COMMISSION

Brick and Timber-framed Homes

12A. Mr. O'CONNOR asked the Minister representing the Minister for Housing:

In view of the State Housing Commission's 11th annual report showing the difference between construction costs of a 10-square brick home, and a 10-square timber-framed home to be only £30, and taking into consideration the higher maintenance costs and shorter life of timber-framed houses, has he given consideration to building a greater percentage of rental homes from brick?

Mr. ROSS HUTCHINSON replied:

The squarage rate shown in the annual report is for a 10-square group brick house erected in the

metropolitan area. No brick rental homes were erected by the commission in country areas in 1958. The squarage rate shown for the 10-square timber-framed group house is the average rate for timber-framed houses erected by the commission throughout the State.

The squarage rate for the timber-framed house on a State-wide basis includes higher-cost timber-framed houses in country areas. Consideration has been given to increasing the percentage of brick homes. Tenders are now being called to ascertain the comparative costs.

Sale of Land

12B. Mr. O'CONNOR asked the Minister representing the Minister for Housing:

Following a recent report in *The West Australian*, headed "S.H.C. opens land for sale," will he advise whether this refers only to land owned at present by the State Housing Commission, or whether it is intended to purchase land in the future for resale on this basis?

Mr. ROSS HUTCHINSON replied:

The report referred to sales of land in existing commission subdivisions.

RAILWAY WAGONS

Tenders and Estimated Cost of Construction

13. Mr. TONKIN asked the Minister for Railways:

Will he table the papers dealing with the estimates for the construction of KA wagons and the calling of tenders for the construction of 200 such wagons?

Mr. COURT replied:

It is considered undesirable to table papers of this nature; especially while a contract is current.

QUESTIONS WITHOUT NOTICE

STATE SAW MILLS

Dismissal of Joiners

1. Mr. HEAL asked the Minister for Industrial Development:

Is it a fact that nine joiners were given notices of dismissal at the State Saw Mills on Monday of this week?

Mr. COURT replied:

That is correct.

Mr. Hawke: "We will fire no-one!"

THE *MARIE*

Cost of Search

2. Mr. NIMMO asked the Minister for Police:

Will he inform the House the cost of the search, off Port Hedland, for the boat called the *Marie*?

Mr. PERKINS replied:

Members will recollect that the history of this episode seems to indicate that it was a hoax. The Police Department has been trying to get further details, and to trace the persons responsible for the hoax, but so far without success.

In direct reply to the member for Wembley Beaches, the actual payments authorised to the Mac-Robertson Miller Airlines Limited for the use of aircraft was £992; and to the Flying Doctor Service, £280. In addition, there has been a great deal of expenditure by Government departments. It is difficult to say what the total cost was to the State.

I might add that an approach was made to the Commonwealth Government, as that Government is responsible for navigation. The attitude taken by the Commonwealth, however, was that had the vessel been one that was capable of trading out of State waters—either interstate or overseas—the position might have been different. The Commonwealth Government adopted the attitude that the State ought to be responsible for the cost of the search for a small vessel in coastal waters.

COLLIE DISTRICT HOSPITAL

Responsibility for Cost of X-ray Machine

3. Mr. MAY asked the Minister for Health:

Does the Minister's reply to part (3) of question No. 8 on today's notice paper mean that the local people will have to bear the total cost of the new X-ray plant at Collie?

Mr. ROSS HUTCHINSON replied:

As far as I know, the people of Collie have indicated to the Department of Health that they are prepared to contribute the full cost of this equipment. As a matter of fact the construction of the buildings to house the equipment was undertaken by the Department because, virtually, of the

promise that was made. However, as yet no official request has been received from the committee at Collie that indicated support in the past, to say that it would like to be relieved of the burden. So my answer to the honourable member is as given to him previously.

Perhaps I might indicate that if the Department receives a request which shows that the people find it impossible to contribute the whole sum, consideration will be given to relieving them of their promise. But until then, I cannot go any further.

Cost of X-ray Machine

4. Mr. MAY asked the Minister for Health:

(1) Has the Minister read the file in connection with this matter?

(2) Has he any idea of what the cost of the X-ray plant will be?

Mr. ROSS HUTCHINSON replied:

I have discussed the matter with departmental officers, and I am led to believe that the cost of the equipment is between £6,000 and £7,000.

Information on File

5. Mr. MAY asked the Minister for Health:

The Minister has not answered my other question. I asked him had he read the file in connection with this matter.

Mr. ROSS HUTCHINSON replied:

I have not consulted the file as closely as I would have liked to. I have given my answers to the honourable member in an endeavour to help him; and they have been given following discussions I have had with my departmental officers. At this stage, I promise to read the file and to study it closely; and if the member for Collie desires any further information, he has only to make a request, and I will supply him with it.

NATIVES FROM THE NORTH

Report by Mr. Anderson

6. Mr. GRAYDEN asked the Minister for Native Welfare:

(1) Has Mr. Anderson, of the Native Welfare Department, returned from his visit to Kalgoorlie?

(2) If so, has he submitted a report on the natives who were recently located north of the Trans.-line?

Mr. PERKINS replied:

I am afraid I do not know whether Mr. Anderson has returned; certainly I have not yet received a report from him. I will probably be discussing the matter with the Commissioner of Native Welfare tomorrow.

GOVERNMENT RAILWAYS ACT AMENDMENT BILL

First Reading

Bill introduced by Mr. Court (Minister for Railways), and read a first time.

KOOLYANOBBING IRON ORE

Correction of Press Report

MR. BRAND (Greenough—Premier) [4.42]: I wish to make a personal explanation. In this morning's Press I was reported as saying that the Government had applied to the Federal Government for a license to export iron ore. If members will recall—and as a reference to *Hansard* will indicate—I said that the Government had not made an application for an export license.

STATE ELECTRICITY COMMISSION ACT AMENDMENT BILL

Third Reading

MR. WATTS (Stirling—Minister for Electricity) [4.50] in moving the third reading said: I wish to advise the member for West Perth that the description in the Bill regarding the year 1956 is correct. If he will look at the Liquid Petroleum Gas Act in the 1956 statutes, at page 240, he will find evidence of that fact. I move—

That the Bill be now read a third time.

Question put and passed.

Bill read a third time and transmitted to the Council.

FOOT AND MOUTH DISEASE ERADICATION FUND BILL

Third Reading

Bill read a third time and transmitted to the Council.

BILLS (3)—REPORT

1. Museum.
2. Art Gallery.
3. Parliament House Site Permanent Reserve (A↑1162) Act Amendment.

Adopted.

CROSSWALKS

Disallowance of Regulation No. 231

MR. GRAHAM (East Perth) [4.54]: I move—

> That new Regulation No. 231 made under the Traffic Act, 1919-1958, as published in the *Government Gazette*, on the 23rd June, 1959, and laid upon the Table of the House on the 1st July, 1959, be and is hereby disallowed.

It will be seen that it has taken approximately six weeks for the stage to be reached where it is possible to debate a matter regarded by many to be one of some urgency and importance. I desire to preface my remarks by assuring the Minister and the House that it is not my intention severely to criticise or condemn the Government, but to state very definitely that in my opinion a mistake has been made. I do not think it will be any loss of face on the part of the Government if this House decides that it is in the best interests of the public to revert to the earlier regulation.

Mr. Perkins: If anyone made a mistake it was you, because it was done with your authorisation.

Mr. GRAHAM: I was hoping that this could be debated on the high level that such a question warrants. This is not a matter of one person trying to score off another, or of one party endeavouring to obtain an advantage over another. As I see it, this is a matter of life and death to human beings. Surely, even if it be on rare occasions, we can give serious consideration to such a matter without these side issues being introduced! In my honest opinion there would be no loss of face on the part of the Government if the majority of members agreed with me in this submission.

Before proceeding, I think I should explain the situation, because the Minister has made a statement that I, when Minister for Transport, approved of this regulation. It was not until he stated that, and asserted it since, that I had any idea the Minister believed in the "infallibility of Graham!" The situation is that the circumstances are entirely different from those which the Minister, quite pardonably perhaps, has been led to believe existed.

I well remember going into the office when I became a Minister six years ago. I was pleased to note that the table was completely clean—that is to say, no matters had been placed aside by the outgoing Minister for my attention. I thought that that was a worthy precedent and one which I would endeavour to follow as far as possible. If the Minister refers to the file—if my memory serves me rightly, which I think it does—he will find that the submission from the Police Department was made to me approximately one month before the elections. If he remembers—as he probably does not—I was absent from my office for several weeks because of public business, and then on account of illness. Following that, we were beset with an election campaign.

Naturally there had been an accumulation of work; and many of the things that normally would have been attended to were left. After the election—indeed, on the first working day, the Monday—there were a whole lot of papers in my basket, including the file dealing with this particular matter. I wondered what course I should follow in connection with it. The submission from the Police Department was to the effect that the department desired a regulation to follow that in vogue in New South Wales. I marked the paper "approved." The Minister could quite justifiably assume—I suppose he could come to no other conclusion—that I had finally approved of the proposition.

But instead of putting the file into the "too hard" basket to await the new Minister, I decided upon that course of action, knowing full well that the papers containing the minute to come forward to Executive Council would have to receive the approval of the new Minister, or he could disapprove of it if he wished. Furthermore, it would have to receive the approval of the Premier, through whom all papers pass prior to submission to the Executive Council. That, as briefly as I can state it, is the position in connection with this. I am sorry if the Minister drew the wrong conclusion from it. I am saying that in order to clear the air; and, having said it, I think we can now proceed to deal with this proposition on its merits. At this stage I wish to say that I have not been influenced by the attitude of the Press. Members will appreciate surely that I had—I think I can say quite honestly—more than my fair share of criticism for decisions made in respect of transport and traffic matters.

It is the judgment of the Minister, after he has listened to his advisers, which should prevail; and no Minister should be stampeded merely because the Press, for a period, cares to embark upon a campaign of hostility. In exactly the same way, I am not influenced because, of recent times, there has not been the semblance of a campaign in connection with this matter. I want to say, too, that because in the State of New South Wales there is a regulation, not exactly the same, but almost exactly the same, as ours, it does not necessarily make our new Regulation No. 231 correct.

There is no gainsaying the fact that under the new regulation there are doubts and uncertainties in the minds of both motorists and pedestrians. The pedestrian has no recourse, in the great majority of cases, other than to run for cover, because

usually pedestrians do not collide with motor vehicles, but motor vehicles collide with pedestrians. I have had prepared, by some of the staff of Parliament, pieces of paper containing the old regulation and the new one which will make reference easier if any members would care to have them. They would be able to follow them a little more closely, instead of having to obtain large volumes to refer to first one and then the other.

Firstly, I wish to clear up a misapprehension. There is a feeling abroad, even in the minds of members of Parliament, that under the previous regulation, if a pedestrian had his foot on the crosswalk it was an offence for a motorist to proceed. That is a complete fallacy. I shall read every word of this regulation appropriate to this point, so that members will see what I mean. The regulation reads as follows:—

> The driver of every vehicle shall yield the right of way to any pedestrian crossing the roadway within any marked or defined pedestrian crossing.

It will be seen from that that there is nothing ambiguous about it. The pedestrian has, without any "ifs" or "buts," an absolute right over a motorist at a marked crosswalk; and it is an obligation on the motorist to give way to a pedestrian who is on that crosswalk. But under the new regulation we find the following:—

> Where a pedestrian walking on a pedestrian crossing, and the vehicle approaching or travelling on that crossing, are, if they continue on their respective courses, likely to collide on that crossing, or to cause a dangerous situation, the driver of the vehicle shall reduce the speed of, or stop, the vehicle so as to enable the pedestrian to continue on his course without interruption.

Surely it is apparent immediately that the regulation now means that it is a matter of opinion; of guesswork; of judgment, which might be faulty, on the part of the motorist, if he thinks—and I underline the word "thinks"—he can proceed without colliding with the pedestrian! If he can do so, all is well; but if his judgment is in error, the law says that he, the motorist, is guilty. Unfortunately, however, the pedestrian by that time is either in the morgue or in hospital.

This, as I said at the outset, is a matter of human lives, and injury to human beings, and it should not be left to the judgment of the motorist. It should be clearly laid down in the statute; or, in this case, in the regulation. We must have some account of the fact that many pedestrians are, in many cases—and with very good reason—somewhat timid in their approach and manner of crossing a roadway, whether it be marked or unmarked.

The pedestrian could change his speed by commencing to run across; he could stop in his tracks; he could become panic-stricken and turn around and reverse his direction of progress. The motorist, proceeding at 25 or 30 miles an hour—in other words, travelling safely and within the speed limit—and in reasonable anticipation that the pedestrian, young or old, male or female, adult or child, would continue the journey at an approximate speed, would temper his actions accordingly; but because of an error of judgment or because of the unfortunate result based on the reactions of the pedestrian—who has panicked or who, due to lack of judgment, has varied his rate of progress on the crossing—the motorist no doubt finds himself guilty under the new regulation.

The pedestrian, however, is the one who has suffered injury or loss of life. Reference to the original regulation will demonstrate clearly that the motorist was under an obligation to stop; that the pedestrian had the absolute right of way; and no element of luck or judgment crept into it. I go so far as to say that the present regulation merely legalises what was unlawfully the practice of motorists previously—those motorists who had very little regard for the right of the pedestrian; and Heaven knows they are few enough! In other words, there has been a tendency to succumb to the pressure of the motorists who resent an obstruction to their normal progress. I can understand that attitude, as a motorist. But I keep emphasising that this is a matter concerning the safety and welfare of the citizens of this community. Those most likely to be endangered are the very old, or the very young; and surely they are entitled to the utmost consideration that can be given them!

Mr. J. Hegney: Is there any uniformity of regulation in Australia in connection with this?

Mr. GRAHAM: As indicated, New South Wales has a regulation almost word for word in line with the new regulation that was promulgated some six weeks ago in Western Australia. Apart from the onus of guilt on the motorist, there might just as well be no marked pedestrian crosswalks at all; because, what is the difference?

When a pedestrian is crossing the street where there are no markings whatever, the motorist is free to proceed on his way as long as he does not deliberately run down the pedestrian. If the pedestrian is unduly careless, I suppose there is an element of fault; and, accordingly, guilt on his part. All the crosswalk does is firstly to give some sense of security to the pedestrian, greater than that which applies elsewhere. But the new regulation permits the motorist to proceed as elsewhere.

Mr. Perkins: That is not correct; he cannot proceed as elsewhere.

Mr. GRAHAM: I have already read the new regulation to the House, but at this stage I would like to read it again. It is as follows:—

> Where a pedestrian walking on a pedestrian crossing, and a vehicle approaching or travelling on that crossing are, if they continue on their respective courses, likely to collide on that crossing, or to cause a dangerous situation, the driver of the vehicle shall reduce the speed of, or stop, the vehicle so as to enable the pedestrian to continue on his course without interruption.

I am as certain as I stand here that if we deleted the words "pedestrian crossing" where they appear in this regulation, and put in the word "road", the position would be exactly as it is under our Traffic Act and regulations generally. But it does not make any difference to the accident, the only difference being that there is a greater degree of culpability on the part of the motorist, where the pedestrian is on a marked pedestrian crossing.

There has been a great deal of talk about the necessity for pedestrian crossing lights; for better street lighting; for floodlighting on crosswalks; and so on. Surely it is elementary that those things should be attended to first; and, having made the crosswalks more obvious to the motorist both by day and by night, we can then give consideration to a relaxation of the restriction on the motorist! But while these pedestrian crosswalks are in many cases scarcely discernible in the daytime, and almost impossible to see in the hours of darkness, I think we have a duty to provide the maximum protection for the frail human frame which is up against a ton or more of steel and metal, hurtling in its direction at a speed ranging usually between 25 and 35 miles an hour.

Mr. Perkins: If the motorist cannot see the crosswalk, it is not better for the pedestrian; according to your argument, he gets killed either way.

Mr. GRAHAM: I suggest that before taking away from the pedestrian some of the rights he now enjoys, it would be a far better thing to make the markings, the lightings, and the warnings at the approaches to pedestrian crossings more prominent than they are. We should do this instead of removing some of the protection that the pedestrian now enjoys. Having done so, we can then think about giving effect to some of these devices.

I doubt whether this regulation was amended with the object of achieving something, or arising out of a certain set of circumstances. What could they be? In the heart of the city where pedestrians are proceeding in their leisurely way—and some of them deliberately dawdle—it is a matter of consequence when streams of traffic are held up, congestion is caused, and vehicles are banked up at intersections, and so on. Why not therefore install—and this will not require any number in excess of a dozen in the city— pedestrian crossing lights, either operated by the pedestrians or synchronised with the lights at the street intersections?

I well remember my colleague, the Deputy Leader of the Opposition, when he was Minister for Works, agreeing for a period of five years to make an allocation—an additional sum of £10,000—to enable everything possible to be done to establish our street-lighting system. I am now referring to vehicular traffic lights, but I also include pedestrian lights. After the initial period, only maintenance would be required, with an additional odd set of lights to be installed year by year. We should get the basic job done.

Shortly after that, for reasons which I could not comprehend, the Main Roads Department considered we were perhaps proceeding a little rapidly with the installation of traffic lights, and that it might be desirable to wait a while and watch in process those installations already established. That might be all right in respect of traffic lights. But surely the in-between traffic lights—for example, in Hay Street between Barrack Street and William Street, where there are two pedestrian marked crossings—could be installed. Some of this money could be used for installing the pedestrian lights at existing crossings.

Mr. Burt: If that is done, will you insist on pedestrians crossing at only those two places?

Mr. GRAHAM: Consideration could be given to that aspect; or alternatively, it could be made an offence for a person to cross beyond a certain distance of those traffic lights. The object is to establish those lights in the heart of the city where there are no pedestrian lights at the present marked crossings. On those, and also on the "Walk" and "Do not walk" crossing in Barrack Street—and the one which will shortly be installed in William Street—the pedestrians have the absolute right of way whilst the lights are in their favour.

On any other portion of the road the vehicles have the absolute right of way. If that provision were imposed, the overwhelming majority of pedestrians would, in their own interests, choose to cross a street at the marked pedestrian crossings which, if the steps I have outlined were taken, would also be fitted with automatic lights.

So I say that if this new regulation has been devised to meet what I believe to be a very real problem in the heart of the city, the answer is not to amend the regulation but to get on with the job of

installing the pedestrian lights. Out of the city, in the suburbs, and in country centres, the position is by and large entirely different. The delay of a few seconds, or even up to a minute, is of no great consequence; and the banking up of vehicles does not have the congesting effect that it has in the heart of the city.

We must remember that the speed of vehicles is greater outside the congested heart of the city than it is within, for very obvious reasons. Notwithstanding that the speed limit is 35 miles per hour uniform throughout the metropolitan area, I very much doubt whether many persons have travelled up Hay Street, for instance, at 35 miles an hour. It is impossible to do that. But when we look at some of the highways along which a speed of 35 miles an hour—and perhaps a little in excess—is the accepted speed, surely we must make absolutely certain that the frail body of the pedestrian is protected against vehicles coming at him at such a speed!

I repeat that many of the people who cross the roads, and they are the ones I am principally concerned with, are aged folk, children, nervous womenfolk, mothers taking their children across by their hand, and similar types. There are so many factors which can influence a person who tends to be terrified by vehicles hurtling in all directions at considerable speed. He is wondering whether this vehicle is going to stop, and that vehicle is going to proceed. If on a journey between Perth and Fremantle this means a delay of a minute or two in travelling time, that is a price we should pay out of respect for those persons who, on foot, have to cross over the roadways.

If my analysis be correct, in the heart of the city the congestion which is caused by dawdling pedestrians can be met by the installation of traffic lights; and money has been made available for that purpose. In the outer suburban areas and in country towns, because of the greater speed of vehicles, it is necessary in my opinion to give the greatest possible protection to the person who is proceeding on foot.

Unfortunately, there are some pedestrians who dawdle, and who like to "nark" the motorist by deliberately holding back. Surely they can be dealt with and charged with obstructing the traffic! Let us have a few prosecutions for obstructing the traffic on the proper basis, as intended by Parliament. As far as I can recollect, the only persons who have been charged with obstructing the traffic were those who handed out slips of paper in return for some coins, usually in back lanes and vacant allotments, where there was no traffic to be obstructed.

I notice that the Minister for Police is a little fearful with regard to this change; because when it was brought into being, instructions were given for these officers to be posted at some of the pedestrian crossings, and for the traffic police to be alerted, in that they were to keep their eyes open as to the behaviour of motorists and pedestrians at the crossings throughout the metropolitan area.

I emphasise the point that there is nothing party political about this motion. To establish his position unequivocally on this matter, shortly before I rose to my feet on this occasion, at least one member on this side of the House indicated that he intended to vote against the motion. I hope that all members will treat it on its merits. I would be very surprised if the Minister for Police would lose a moment's sleep if the decision were to go against him.

I give him, and indeed this House, my assurance that I am motivated purely and simply out of a consideration for the unprotected pedestrian; and if there is an element of doubt that the new regulation is perhaps all right—although it may not be—then I say it is our bounden duty to give the benefit of the doubt to the person who is least protected, the person who suffers the greatest damage; that is, the pedestrian.

I notice that the National Safety Council has more or less pledged itself to support the proposition contained in the new regulation. The Minister no doubt draws some comfort from that. I would remind him that when an alteration to a certain bus route passing Coolbinia school received the blessing of the National Safety Council on the ground of safety, he used his judgment, after conferring with others and making an inspection, and decided that the route was unsafe, even though that council thought it was safe. The bus route was unaltered.

Mr. Perkins: I would not take the slightest risk with regard to pedestrians, whether they be children or adults. I would rather alter the regulation than incur such a risk.

Mr. GRAHAM: I am pleased to hear that from the Minister. After all, safety should be the determining factor in this motion to disallow the new regulation. I notice that the National Safety Council is not particularly confident; because after stating that the former pedestrian crossing regulation was unrealistic, and that the new regulation would retain the essential priority of pedestrians—provided the motorist's judgment is not in error in any way—it is prepared to allow a commonsense practical application of the regulation. In its *News Circular*, the National Safety Council states as follows:—

> The National Safety Council advocates that conviction for a breach of the pedestrian crossing regulation should bring with it the heaviest penalties possible against the offender.

In other words, the position should be tightened a little to make this a more serious offence for motorists, and so provide a deterrent. If that be the answer to the problem, that step should be taken.

The *News Circular* goes on as follows:—

> The Council has consistently asked for the stricter supervision of pedestrian and vehicular traffic in relation to crosswalks and last year advocated what has become known as a "blitz" in this regard.

The council is therefore advocating a stricter supervision. What is the reason? It needs somebody in authority to deter the motorist who has a shot at the pedestrian and endeavours to bluff him. The pedestrian has no idea of the effectiveness of the brakes of the vehicle or the capability of the person at the wheel; therefore he must rush for cover, even if it means starting in the opposite direction. If he speeded in the other direction he would probably collide with the vehicle. I repeat that the motorist would be wrong at law, but the pedestrian would be the victim, ending up in the hospital or the cemetery.

Mr. Burt: That applied before.

Mr. GRAHAM: Except that previously the regulation gave the absolute priority to the pedestrian. It was clear-cut and definite. But now the regulation states it is all right if, in the opinion or judgment of the motorist, he is able to get through without maiming the pedestrian.

Mr. Burt: That priority would not help the motorist.

Mr. GRAHAM: My complaint is that the new regulation says to the motorist, in effect, "You can have a dash across, based on your guesswork, but you will be responsible if you hit the pedestrian." If he does, he will be fined a sum not exceeding £20. The other person will be pushing up daisies. Under the original regulation, the motorist could not depend upon his judgment and have a crack at it. That is virtually the basis of my complaint.

The next paragraph of the National Safety Council's article is as follows:—

> The Council has maintained over a long period that crosswalks were unpoliced, unlighted and unintelligibly used by pedestrians and motorists alike and called for remedial measures.

From that we can see that the National Safety Council feels that there should be more policemen on the job, and that there should be more lights to protect the pedestrian. That, of course, would particularly apply at night time. Again I say, "Let us put those things into operation first; and if they do give a greater warning to motorists and a greater protection to the pedestrian, then at that stage give consideration to some relaxation of the responsibilities of the motorist." The final paragraph of this article reads—

> It was from this crosswalk agitation that it was decided, among other improvements, to implement the Council's proposals for improved and uniform lighting of highways in the metropolitan area.

Work is proceeding in connection with them; but, of course, we have not, as yet, got nearly far enough. I think I would be correct in saying that none of the standard lighting appears in country centres; and as I stated earlier, as a general rule the speed of motor vehicles would be greater in country towns and the suburbs than in the heart of the city.

I notice that I am continuing to be in good company because I read in the *Commerce-Industrial and Mining Review*, July, 1959—there is a conservative journal if ever there was one!—the following:—

> Danger on Crosswalks.—The vexed question of conduct on and in the vicinity of crosswalks is under discussion. New regulations recently made are under fire. Locally "the spotlight is turned on pedestrian X-walks and the jurisdiction by Local Governing Bodies." Pedestrian members of the public will insist on some measures of protection at intersections, and will claim some rights on X-walks, if only to ensure some confidence in making a crossing. Some motorists are very definitely intimidatory in their approach to the crossing zone.

Perhaps we can make another point from that. Even if it be admitted that the great majority of motorists have a good sense of judgment, and that they have a sense of responsibility for the unprotected pedestrian, there is—as everyone will admit—a percentage of motorists, however small, who are concerned only with their procedure to their destination, irrespective of anyone else—motorist and pedestrian alike. If it is a motor with which a collision occurrs, it may mean some damage to a mudguard; but a similar conflict with a pedestrian could mean a human being maimed for life. Because the pedestrian is so defenceless, surely it is necessary—even if it means some slight inconvenience to the motorist—to give him the absolute maximum of protection.

I know that the ideal would be to have pedestrian crossings perhaps along the lines of the Kwinana freeway, where there is no possibility of a conflict. But even there, of course, the system is not very satisfactory from the point of view of the aged, or persons suffering some physical disability. But if we can imagine the tops of the cantilever verandahs in Hay Street as footpaths, and the first floor shops for vehicles and for entrances to deliver goods, we would then probably have the ideal set-up. In other words, pedestrians and vehicles would travel at different levels.

But we have not that ideal set-up. Neither have we protection for pedestrians, properly lighted streets, sufficient permanently marked crosswalks, nor motorists who exercise care, patience, and

consideration for others. If we can weigh the old regulation in the balance with the new; and even if it be agreed—and I do not agree—that the new regulation does not do a great deal of damage, even though it does remove some of the pedestrians' rights, surely we should give the benefit of the doubt to the unprotected person.

I repeat that the new regulation is no protection to him whatever. All it does is place the responsibility—in other words the "payability" of the fine—unmistakably on the side of the motorist. But that does not give much satisfaction to the person who has been injured. I reiterate that, as this matter involves human lives and injury to human beings, it cannot be decided on on a party-political basis; and to those members who may not have previously been in the Chamber, I say that at least one member—unless he has since changed his mind—is going to vote against this motion. I have not canvassed anyone in regard to this matter. There may be 20 who sit on this side of the House who are opposed to it. All members are entitled to make their decision in accordance with their own honest opinion and judgment after giving consideration to it.

As I see it, as a citizen, as a private member of Parliament, and as one who had over a number of years to assume responsibility of traffic matters—during which time, as members are aware, very many changes were made—I honestly feel that on this occasion a mistake has been made. The proper course, without any humiliations of the Government whatever or of the Ministers or departmental officers, is to vote for the repeal of the new regulation No. 231. It is our bounden duty to do so.

On motion by Mr. Perkins (Minister for Transport), debate adjourned.

DISCHARGE OF NOTICE OF MOTION

Traffic Regulation No. 231

On motion by Mr. Graham, the notice of motion to suspend Standing Orders to deal with the motion standing in his name on the notice paper, regarding the disallowance of new Regulation No. 231, made under the Traffic Act, was discharged from the notice paper.

FREMANTLE HARBOUR

Extension and Railway Bridge Construction

MR. OLDFIELD (Mt. Lawley) [5.39]: I move—

> That this House reaffirms the motion moved on the 8th September, 1954, by the then Member for Fremantle, the Hon. J. B. Sleeman—
>
> > That this House requests the Government to go on with the outward to south extension scheme instead of the upriver scheme for the Fremantle Harbour and also that this House does not agree to the building of a short-life wooden structure railway bridge downstream and adjacent to the present traffic bridge as per Messrs. Brisbane and Dumas report
>
> and subsequently passed on the 13th October, 1954, with the support of Dame Florence Cardell-Oliver, and Messrs. Ackland, Bovell, Cornell, Court, Heal, Hearman, J. Hegney, Jamieson, Lapham, Lawrence, Mann, I. Manning, McCulloch, Nimmo, Owen, Perkins, Sleeman, Yates, and Oldfield.

I would suggest that members refresh their memories in regard to our Fremantle Harbour by studying the 1948 Tydeman report. Mr. Tydeman was appointed to report on Fremantle Harbour, and was subsequently made Manager of the Fremantle Harbour Trust, a position he still holds.

In the report it is stated that it would cost some £7,000,000-odd to provide seven berths upstream from the existing railway bridge, and that the cost of resumption at that time would be something like £700,000. I suppose that that figure could easily be doubled or trebled today on existing values.

I am afraid that if the bridge is constructed at the proposed new site—that is, adjacent to and south of the existing traffic bridge—in order that further upstream development of the harbour may be carried out, we will find ourselves in 10 to 20 years in a position from which we will not be able to extricate ourselves without great capital expense.

In other words, money which is to be spent now on upriver development would, I feel, be far better spent on seaward development, the basis for the future expansion of our harbour. There is no disputing the fact that upriver development would be the cheaper, and is necessary to meet the urgent and immediate needs. It would be much easier for the Government to find money for upriver development rather than seaward development. However, it is only postponing the evil day; because once we complete the present proposed scheme, no further upriver development will be possible without the removal of not only the proposed new bridge, but also the existing traffic bridge.

Ships are getting bigger and longer, and require deeper draught. With this modern trend, our existing number of berths would decrease. It is only natural that if the existing lengths of ships—say, 400 ft. to 500 ft.—are to be increased to 750 ft., instead of our having six berths, there will be only four. As the sizes of ships increase, greater difficulty will be experienced in negotiating an entrance than at present. Also, the harbour will have to be dredged to take the deeper-draught ships.

Mr. Lawrence: It has been dredged for years.

Mr. OLDFIELD: It will have to be dredged much deeper.

Fremantle Harbour is continually being dredged; but, if the present trend continues, instead of having only one dredge, in all probability two or three will be necessary. The harbour is only of sufficient width—from Victoria Quay to North Wharf—to enable a ship of up to 650 feet in length to turn in the turning circle. Vessels of greater length will be unable to turn in the harbour, and therefore will not be able to use it.

Another danger of continuing the upriver development of Fremantle Harbour, instead of providing for seaward extension, is that No. 1 berth at North Wharf is utilised for the discharge of inflammable cargo. We have heard, on many occasions, of the chaos which would result if a ship caught fire at that berth; or if there were an explosion, or some similar catastrophe. In such an event the harbour would be blocked until the wreckage could be cleared away.

In wartime it would be necessary only for an enemy to mine the channel, in order to render Fremantle Harbour almost unusable. If ships entering or leaving the harbour were attacked and sunk by enemy bombers at the entrance, the harbour would be rendered unusable. One ship sunk at the entrance would block it completely.

Mr. Roberts: Would that not apply equally to almost every port in the world?

Mr. OLDFIELD: By no means. It is not applicable to either Sydney or Melbourne. It might be applicable to Port Adelaide, but there they have also the Outer Harbour.

Mr. Roberts: If a ship were sunk at the Heads it would make a mess of Sydney Harbour.

Mr. OLDFIELD: A number of ships would have to be sunk in Sydney Heads in order to block the harbour there, because the channel is so wide and deep that shipping could probably still pass over the wreckage. I will agree that if a ship were sunk in Bunbury Harbour, there would be no harbour left. I am also fearful that, each time we make a further step towards upriver development, it renders more remote the day when we will commence the seaward development of Fremantle Harbour.

For 11 years, since 1948, successive Governments have failed to proceed on the recommendations of Colonel Tydeman in regard to seaward development, on the plea of shortage of funds. We know that all Governments at all times are short of funds; but had we started in 1948 or 1950, and spent money progressively on the seaward development of Fremantle Harbour, by allocating a certain sum annually and using it on the construction of breakwaters, those breakwaters would have been completed by now. Had that been done we could have offered to stevedoring and shipping companies the opportunity for them to build their own wharves and transit sheds. We could have provided the harbour; and they could have provided the wharfage and sheds, operating them as is done in many ports elsewhere in the world.

Had we followed that course, we could have had our seaward harbour development almost completed; and would not now have to face a decision on the question. Since Colonel Tydeman's 1948 report, we have seen the establishment in this State of the B.P. Refinery at Kwinana, which necessitated the dredging of the Success and Parmelia Banks, in order to open up Cockburn Sound. In 1948 there was no thought of dredging a channel through those banks. But, now that that work has been completed, we are not utilising the channel to the extent to which it should be utilised.

I feel that possibly the money that is going to be spent to develop our North-West; and on the extension of Fremantle Harbour, might more profitably be spent at this stage on the development of our outports. The creation of decent outports would assist in the carrying out of the policy of decentralisation. If our outports were developed sufficiently to take modern ships of from 20,000 to 30,000 tons—

Mr. Bickerton: Would that include the North-West ports?

Mr. OLDFIELD: Yes, if they were worthy of it; and where it was physically possible.

Mr. Bickerton: There is nothing physically impossible in the North-West.

Mr. OLDFIELD: No, except a few reefs that might be hard to blow out. Proper development of our outports would, possibly, tend to take away from Fremantle much of the trade which it now enjoys; and that might be to the advantage and profit of the State generally. Another aspect of the proposed new railway bridge at Fremantle highlights the danger of proceeding with upriver development as against seaward development; because, in the event of war, a bombing attack on the bridges at Fremantle would be disastrous. A wooden-structure bridge would be easily destroyed by a bombing attack; and, if that occurred, half the harbour would be rendered useless, as we could not get the rail traffic through to Victoria Quay. That would mean that we would lose the use of a great part of the harbour.

A further advantage of the seaward development of Fremantle Harbour, as envisaged in Colonel Tydeman's report, would be that the future harbour would consist of the pier type of development, land-backed, and not the wharves as we

now know them. There would be piers or jetties protruding out from the land; and ships could sail straight in to the wharf or pier to which they were destined to go, instead of having to be warped alongside the wharves, as is now necessary at Fremantle.

It is much easier to dock vessels in that way than by the process at present necessary at Fremantle, involving the use of tugs. Only a fortnight or so ago, at Victoria Quay, an overseas liner had its sailing time delayed for about 12 hours because the tugs were unable to get it away from the wharf, owing to a heavy blow. As ships become bigger and their superstructures rise higher from the waterline, they will offer more surface for the wind to grip; and we will require more and bigger tugs to handle them, particularly in heavy weather.

It is possibly unfortunate that we have embarked on programmes of a stopgap nature in so many directions. Only recently we have debated the question of the Parliament House reserve and the temporary structures erected on it over the years—structures that are evidently to remain for all time, or until it is necessary for them to be removed in order that the traffic may proceed more easily. If we continue that line of thought in regard to harbour development, we will finish up with a number of patchwork harbours, created without any planning for the future, and with no thought of the size of future shipping. I repeat that if we follow that course, in 20 years' time we will have a Fremantle harbour suitable only for coastal shipping, because overseas vessels will be of such dimensions that they will not be able to negotiate it.

When that stage is reached, we will have to find huge sums of money to create a new harbour to seaward. I suggest to all members—and especially the newer members of this House, who have not been aware of this problem in the past and so have had no chance of studying the reports that been made on the question, or the speeches made by the then member for Fremantle four or five years ago—that they should study those speeches, together with the reports submitted by the engineers consulted from time to time. In that way they will be able to satisfy their own minds as to what is best to be done in regard to harbour development in this State.

I am well aware—I think other members are also—that if this motion is agreed to it will not be binding on the Government, but will be purely an expression of opinion to let the Government know that Parliament is not in favour of the upriver development of Fremantle harbour. Five years ago Parliament expressed its opinion, to the then Government, to the effect that it was not in favour of upriver development, but that Government was prepared to proceed with development upriver.

Four years later the Minister concerned, on going overseas, realised that his earlier views on the matter had been wrong; and he was big enough to change his mind and admit that his earlier views had been mistaken. In turn, the then Government decided to abandon the proposals for upriver development and to proceed, instead, with seaward development. I think that fact constitutes a pretty strong argument in regard to the question of whether we should continue with seaward development or not.

In voting on this motion, members will have to answer only to their own consciences. Those who vote against upriver extension will be able to say, in 10 or 15 years' time, that they were opposed to it; and that, had they had their way, the development would have been seaward. I commend the motion to the House, trusting that it will be debated and voted on according to its merits, and not on party-political lines.

On motion by Mr. Wild (Minister for Works), debate adjourned.

BUILDING INDUSTRY

Inquiry by Select Committee

MR. TONKIN (Melville) [6.0]: I move—

That a Select Committee be appointed to inquire into, and report upon—

(1) The drift of skilled labour from the building industry; the decrease in apprenticeships; the extent to which these movements are being accentuated by the Government's policy on day labour, and are likely to lead to a serious dearth of skilled tradesmen.

(2) The effect of sub-contracting on industrial standards and conditions.

In submitting this motion to the House I propose to endeavour to show that the building industry in Western Australia is in an extremely serious position, and it should be of grave concern to the Government of the State. It presents a problem requiring immediate attention, and the application of remedial measures to stop the alarming drift that is taking place, and to ensure that the capacity of the building industry will be such that it will be able to provide a sufficient work force to undertake the task which inevitably it must face.

In short, the healthy condition of the building industry is a matter of vital importance to the people generally. Any great reduction in the available labour force in the industry must be a matter of the greatest concern to the people and the Government. Without any fear of successful contradiction, I make the statement

that the present state of the building industry is bordering on the chaotic; and I do not blame the Government for that. I state it as a fact, and as something which has occurred because of developments which have been taking place over a number of years.

I recall that, during the war period and shortly afterwards, it became necessary to establish a special training scheme—called the Reconstruction Training Scheme—in order to make up for the shortage of tradesmen which then existed. We were obliged to permit the entry, into the building industry, of unqualified persons who had not served any apprenticeship. Those men were accepted into the industry as B class builders in order that we would have a work force to complete the volume of work that had to be performed.

The unions—and they are to be commended for their attitude—did not insist on the requirements which ordinarily they would have insisted on in regard to the training of artisans. They realised that an emergency existed calling for special measures to be taken and therefore they did not oppose the admittance to the industry of men who qualified under the special short training scheme.

However, such steps are only justified as wartime measures to deal with conditions brought about by war. When similar conditions arise in peacetime, the unions are entitled to argue that such a position should be met in sufficient time to prevent the need for the taking of unsatisfactory measures—which can only be called emergency measures—in this State.

There are many reasons for the alarming drift that has occurred in the building industry. I remember that we had difficulty in the teaching profession when things were left to chance; when we considered that there would be sufficient candidates offering each year to enter the training college, and that they would meet the demand for teachers to cope with the increasing number of children that were being admitted into the schools.

We found in Western Australia, as they did in every other State, that it was not sufficient to leave things to chance and to hope for the best, because other forces were coming into play; other factors were entering into competition with the Education Department in its desire to attract more and more students, with the result that adequate numbers were not forthcoming to provide the recruitment necessary for the proper staffing of our schools.

I well remember that some States were so hard pressed, and in such extremities, that they seriously contemplated bringing boatloads of teachers from Great Britain, which country was already in difficulty because of a shortage of teachers. We overcame the problem in Western Australia by making special efforts to go out after teachers and instituting a bursary system—a system which called for the appointment of a special officer whose job it was to visit the secondary schools to enlist the support of students and to place before them the attractions and advantages of the teaching profession, with the intention of ensuring that there would be an adequate supply of teachers. That system has been an outstanding success. So much so, that other States have written to Western Australia to ascertain what measures were adopted here which enabled us to achieve results which were not achieved elsewhere.

I mention that illustration to show that it is not sufficient to allow things to right themselves; that in certain circumstances special and deliberate action is called for, and is essential if a situation is to be properly safeguarded. I propose to endeavour to prove that we have to take steps, similar to those taken by the Education Department to attract teachers, to stop the drift of tradesmen from the building industry; otherwise we will find that we will have houses to build and large buildings to construct but we will not have sufficient tradesmen to carry out the work—and I would point out that carpenters and bricklayers cannot be trained overnight.

If an examination is made of the figures I have here, it will show that there is already an alarming situation in the building industry, and one which should cause those who are taking any interest in the matter very grave concern. I am informed that the figures which have been supplied to me are completely authentic; and from them I find that in five years in Western Australia there has been a falling-off of employment in the building trades of no fewer than 1,662 persons, of whom 932 were carpenters. A little reflection will reveal what a serious drift has occurred. What makes the situation even worse is that the intake of apprentices to replace these tradesmen is also declining.

The number of apprentices registered in the building industry in 12 months dropped from 762 to 683, and I am informed that the number will drop almost 50 per cent. when the present fourth and fifth-year students complete their indentures. By a strange coincidence, there appears an article in this evening's newspaper which, in part, deals with this very problem, but from another angle. The article points to the difficulty which will confront those teenagers who are leaving school to obtain employment. Hitherto, many of them found opportunities to obtain jobs as apprentices. However, the figures supplied to me by the Minister this afternoon show that the Public Works Department played a very important part in this connection.

For example, I asked the Minister how many apprentices in the various branches of the building trade have been trained in Government departments in the three years ended the 30th June, 1959, and the answers given to me by the Minister show that the figures were: Bricklayers, 60; plumbers, 170; carpenters, 380; painters, 156; and plasterers, 56. That adds up to a fairly large total in a period when the number of apprentices has rapidly fallen.

On this situation, I will now quote what this evening's newspaper has reported. The article I have mentioned is as follows:—

> In the past five years the number of school-leaving children seeking jobs through the CES has more than doubled and the number under 21 seeking jobs through the service has risen 54 per cent.
>
> This is taken as an indication that youth has found it harder to secure its own employment.
>
> Most do seek their own jobs.
>
> The CES handled only 3,828 of the 11,200 who left school last year. What happened to the others is not known, except the general fact that a high proportion change jobs in their first working year.
>
> In the same five years, the number of apprentices has fluctuated and declined until they are now 205 fewer than in 1954.
>
> There are 789 fewer than in 1955—when the number reached a peak of 6,391 for the five years.
>
> And this has happened in a period when the number of children leaving school has risen by 15 per cent.
>
> The reduction of the Public Works Department labour force—a recognised field of apprenticeship employment—will further contribute to this decline. Some private employers are reluctant to undertake apprenticeship agreements because the five-year period demands business confidence they do not always feel.

That Press statement emphasises the point I am trying to make; that is, we should be providing more avenues for employment for these young men. But, instead of that, the avenues are becoming fewer. A responsibility rests upon someone to take the necessary steps to ensure that the apprentices for industry will be coming forward in sufficient numbers to replace and augment the already existing numbers of tradesmen in the labour force; otherwise we are going to bring about a situation similar to that which occurred during the war period, when we found ourselves short of skilled labour to undertake the necessary building work.

I submit that a grave situation which has been developing for some years in this State has been accentuated by the Government implementing its policy for the disbandment of the day-labour force of the Public Works Department. The Government is entitled to put its policy into effect if it is satisfied, in its own mind, that the results will not prove to be harmful to the State as a whole.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. TONKIN: Before tea I stated that the Government's policy with regard to the disbanding of the day-labour force was accentuating the serious position which had occurred in the building industry, inasmuch as it was closing up avenues which previously existed for the appointment of apprentices. A glance at the figures which the Minister supplied this afternoon will show that the closing up of these openings will very substantially affect the position if the Government continues with this policy and reduces its staff to a mere skeleton.

The Government will not be in a position to take on new apprentices; there will be no point in its doing so. After it has finished training those who are already under articles, opportunities which previously existed will no longer be there. It cannot successfully be argued that private employment will provide a like number, so that, on balance, there will be no alteration in the situation; because our experience has already shown that fewer and fewer apprentices have been taken on by private industry in recent years. By the very nature of things, with so many of them tendering, no one builder is in a position to say with certainty how much work he will have for the 12-months-long period; so there is a great reluctance, and has been on the part of those builders, to take apprentices on.

I am sure that we will not find, in private employment, sufficient opportunities for apprentices to make up for the loss of those numbers which will result from the Government's policy which is now being put into operation. A further aspect of the matter is that although a number of men being retrenched will find opportunities for employment, sooner or later, in private employ, quite a number of them will not, especially the older men. They will go right out of the industry altogether, and the work force will be depleted to that extent.

I have some detailed figures here showing, more clearly than I have already indicated, the actual position with regard to apprentices in different categories. These figures are really alarming. At the 30th June, 1955, there were 1,111 apprentices to carpentry and joinery. By the 30th June, 1959, that figure had fallen to 683.

So there is a loss of more than 400 in that branch of the building trade alone in a period of four years. That is approximately a falling away of 100 apprentices

in a year so far as carpenters and joiners are concerned. The position regarding painters has remained static, there being 191 apprentices to that trade in 1955, and 196 in 1959. The position is somewhat the same with regard to plumbing, there being 314 apprentices in 1955 and 306 in 1959. With regard to bricklayers—and this is a very important section of the building trade—the figure was 112 apprentices registered at the 30th June, 1955, while at the 30th June, 1956, the figure had fallen to 71. There is a loss of 41 apprentices on a total of 112 in a period of four years.

With regard to plasterers, the position is static inasmuch as there were 67 apprentices in 1955 and 68 in 1959. So if we take the two sections, carpenters and joiners, and bricklayers, we see such a very substantial falling-off in the number of apprentices as to cause grave concern to anybody who is showing interest at all in the capacity of the building industry to carry out the work which it will be expected to do.

We cannot introduce mechanisation to take the place of carpenters and bricklayers. Therefore, unless we continue to train these skilled men, inevitably we must find ourselves in a serious position. I think it is essential we should have an immediate inquiry into this position and interrogate the master builders and the unions concerned to get their views on these trends and their suggestions for the remedies which ought to be applied. It is a most vital matter, which should be tackled right away.

A further portion of my motion is in respect of sub-contracting. It is a method of building which has grown up comparatively recently; and which, in my view, is a very bad development. Whilst I do not know of my own knowledge that the master builders do not like sub-contracting, I am advised that many of them are strongly opposed to it. The unfortunate part about this is that if a man applies for a job with a private employer, and the private employer is not prepared to engage him on a daily basis but will only engage him if he sub-contracts, if the worker refuses to accept engagement on that condition, the Social Services Department will not give him any further payment.

So he is obliged, under threat of losing his means of existence, to undertake work in a way which he does not wish to do, and which will quite often result in his being underpaid for the effort that he puts forward. This is a very serious threat to industrial standards and conditions; and some opportune remarks regarding this have already been made by the Arbitration Court, which is prepared, if legislative authority is given to it, to take steps to deal with the situation. With the attempts on the part of builders to gain contracts against their competitors, there is a tendency to put in prices which will necessitate those builders letting out, at insufficient rates, the majority of their work on sub-contracts.

It is in that way they are bringing down wages and conditions of employment—something which we, in this period, should not approve. The time has long gone by when people believed that men should work for a mere pittance and that we should not have regard to the necessity of paying a living wage. There are very few people in the community today, I hope, who would stand for the old practice where we were not concerned whether the wage being paid was a living wage or not.

However, with the growth of sub-contracting, because of competition a situation has been reached under which men are required to work far longer than the ordinary spread of hours in order to earn the basic wage. That position, itself, has been responsible for a large drift away from the building industry by men who will no longer seek employment in it because they are not prepared to accept those conditions. I feel that the time has arrived when we should investigate this situation. Let us get the viewpoint of the men in the industry from both sides—the employers and the employees.

Let us try to ascertain the reasons for this alarming reduction in the work force in the building industry. Let us endeavour to ascertain the real nature of this sub-contracting, and the effect it is having on the work force of the building industry, and on the work which is being performed. If we do that, we can make such recommendations as are desirable to effect a remedy.

In my view, it is just as important to take the necessary steps to ensure that the work force in the building industry will be adequate as it is to take such steps with regard to the teaching profession, the defence forces, or any other profession. We just cannot continue to allow things to drift in the mistaken belief that the law of supply and demand will ultimately right the position. We have to familiarise ourselves with the forces which are playing one against the other in order to discover the reason for certain unmistakable trends which are obvious today. Nobody can stand up and successfully argue against the figures which I have submitted to the House this evening to prove that men have left this industry in their hundreds.

What makes the position worse is that recruitment into the industry has fallen off to such an extent that there is no possibility, unless remedial measures are applied, of overtaking the leeway. The purpose of the Select Committee would be to investigate and discover the reasons for this state of affairs, in the hope that the remedy can be applied in good time to prevent the economy of the State from suffering.

I suggest to members opposite that this is not a question which should be viewed in a party light, because I am informed that some of the master builders themselves are concerned about the possibility of a dearth of skilled labour; and are also concerned about the serious effects on work, generally, of sub-contracting. If we set up the Select Committee, which will be representative of both sides of the House, we will be able to interrogate the people who are in the best position to know what is going on; and so we might be able to present to the House our views on the information that has been elicited, and to suggest to the Government any remedies which should be applied—if it is possible to deal with the situation.

I refuse to believe that we, in this State, are not capable of remedying the situation that has developed, once we have ascertained the reasons for the trouble. There is no doubt that an examination of the figures will prove that we are in real trouble with regard to the building industry. Nobody can look with equanimity, or any degree of satisfaction, on the way the work force is dwindling under our eyes; and no action is being taken to arrest the drift.

The motion provides means by which steps can be taken—in good time I hope—to create a trend in the opposite direction so that we will be able to build up in Western Australia a work force which will be capable of undertaking the work to be done. It is more important in this State, than in other States, that we have an adequate work force, because our population is smaller than the populations in the other States of Australia. Also, we are expecting that our development will be accelerated in the early future years, and the rate of the acceleration will be continued by our ability to carry out the work which will be entailed in the development.

With the requisite work force, we will be quite able to cope with the demands which we expect, and hope, will arise. So this is a question which I seriously submit to the House for consideration; and I trust that members will agree that the Select Committee should be appointed for the purpose I have outlined.

On motion by Mr. Wild (Minister for Works), debate adjourned.

JUSTICES ACT AMENDMENT BILL

Second Reading

Debate resumed from the 6th August.

MR. EVANS (Kalgoorlie) [7.50]: The Bill, as explained by the Minister, contains four amendments. The first seeks to repeal a section which appears in the Traffic Act; but which, by its very nature, belongs to the Justices Act. This is section 69A of the Traffic Act, and its provisions are governed by section 167 (1) of the Justices Act, which is the section to be amended by the Bill. Therefore I raise no objection to the repeal of the section.

The other provisions in the Bill seek to amend sections 157, 158, and 167 of the Justices Act. Certain words are sought to be added to section 157, which provides—

> In any case in which a warrant of execution may be issued under the provisions hereinbefore contained, if at the time and place appointed for the return of the warrant the officer who has the execution of the same returns that he could find no goods or chattels, or no sufficient goods or chattels, whereupon he could levy the sum therein mentioned, together with the costs of or occasioned by levying the same, the justice before whom the same is returned may issue his warrant of commitment of the person against whom the warrant of execution is issued to gaol, there to be imprisoned with or without hard labour for a period determined according to the scale in section one hundred and sixty-seven, subject to any reduction ordered under that section, unless the sum adjudged to be paid and all costs and charges of the execution, and also, if the justice thinks fit so to order, the costs and charges of taking and conveying such person to gaol (the amount thereof being ascertained and stated in the warrant of commitment) are sooner paid.

The present section covers the situation, because a justice who finds that a person cannot meet the fine imposed on him can order, in default, the issue of an execution order. The person upon whom the responsibility falls to carry out this order—usually the bailiff—may find that there are insufficient goods or chattels—in some cases there are none—to meet the commitment order. The section provides that, in that event, the magistrate can order gaol for the unfortunate person.

My objection is to the section, which is not to be repealed but amended. In my opinion, the amendment will not make the situation any better; because if a person is not in a position to pay the fine, he will still have to suffer not only the humiliation of being fined, but also the loss of his chattels to meet the demand of the order; and in the event of his not having sufficient goods and chattels to meet the order, he will be punished further by being sent to gaol.

This punishment is not inflicted on him because he did not have sufficient money, but because he did not have enough goods and chattels to meet the demand. However, this section is already in the Act; and I cannot blame the present Government for it, as it has been in the statute for some time. But I am not happy about permitting further charges to be made on the unfortunate person, because it will mean that he will be sent to gaol when

the words proposed in the amendment take effect. The cost of the issue and execution of the warrant will be added to the existing charges; and this, in my opinion, is tantamount to adding insult to injury. I intend to oppose the addition of these words.

Section 158 is the next section that the Bill seeks to amend. The section deals with the situation which arises when the magistrate hearing the case decides to do away with the issue of the execution order and impose a fine; and, in default, imprisonment. He says to the man, "You either pay the fine, or go to gaol." In this event, there are certain charges to be added when the fine is imposed; and if the person cannot pay the fine, he must go to gaol. To be brief, I also intend to oppose this amendment.

The final amendment deals with section 167; and I commend the Attorney-General for bringing it forward. It is definitely not out of its time; it is one which should have long ago been included in the law, because it brings to bear a modern realisation on a situation that is often found to arise in our law courts. Under section 157, a person who is required to serve a gaol sentence, because he has been unable to pay a fine or a debt, has to serve his sentence at the rate of one day for every 6s. 8d. that is owing.

The amendment has a more commonsense approach to the situation than has the existing law, when we realise that money has lost much of its value. In other words, the intention of the amendment is to make the term of imprisonment one day for each £1 that is owing. This means that a person, instead of serving three days for each £1 of debt, will serve only one day. I am heartily in agreement with this amendment.

For the interest of the Attorney-General, I wish to quote from *Elements of English Law* by W. M. Geldart. This author is a Master of Arts; a Barrister at Law of Lincoln's Inn; Fellow of All Souls' College; and Vinerian Professor of English Law at Oxford. He differentiates between civil law and criminal law. He says—

> The difference between civil law and criminal law turns on the difference between two different objects which the law seeks to pursue—redress or punishment. The object of civil law is the redress of wrongs by compelling compensation or restitution: The wrongdoer is not punished, he only suffers so much harm as is necessary to make good the wrong he has done. The person who has suffered gets a definite benefit from the law, or at least he avoids a loss.

Those words relate to civil law; and, as such, they relate to a person who owes a certain amount of money, who is taken to court, and who is bound to pay the same. However, when a person has suffered humiliation, and also the loss of goods and chattels that he may have owned, because they have been confiscated, it is of no benefit to the person who has been wronged for the wrongdoer to be sent to goal as well. Therefore, once more I raise an objection not only to the amendment, but also to the section as it appears in the Act at present.

Because I am greatly bound by the last amendment—I am very much in favour of it—it is my intention to support the second reading; but I reserve the right to oppose the other two amendments in the Bill. I support the second reading.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. Roberts) in the Chair; Mr. Watts (Attorney-General) in charge of the Bill.

Clause 1 put and passed.

Clause 2—Section 157 amended:

Mr. EVANS: In accordance with my remarks on the second reading, I oppose this clause in the Bill because, as I said, it is adding insult to injury. I do not wish to labour the point; but the addition of the words in this clause will mean that where a person's goods and chattels have been confiscated, and he is not in a position to meet the payment of the order of execution issued by the magistrate, he will have to serve a sentence of imprisonment based on section 167 as amended.

In that case, not only will the wrongdoer be punished by the confiscation of his goods and chattels, but he will also be further punished if he has not sufficient money to meet the payment of the order. The amendment in the Bill will not help the person who has been wronged; and therefore I cannot see any reason why this amendment should be made to the Act. I oppose the clause.

Mr. WATTS: I do not think there is any need for the honourable member to be greatly concerned about this point; because, broadly speaking, it is only an attempt to ensure that the position which is supposed to have existed all along is actually made perfectly clear. In the present circumstances there have been cases where defendants have questioned the authority to enforce the payment of warrant fees, and those fees have had to be written off. The member for Eyre will know perfectly well that that occurred during his term in the Crown Law Department. Doubts have arisen in the minds of the law officers as to whether, if an attempt is made to enforce the payment of warrant fees, it is strictly within the law. They have asked that all doubts be removed.

At present, the situation is that the person who is to be imprisoned—if he is to be imprisoned because he ultimately does not pay—has included against him the cost of the warrant. In the absence of the clarification sought by the amendment in the Bill, it is possible for an action to be brought for wrongful imprisonment. However, the practice is in operation now, and doubtless will continue if the amendment in the Bill does not pass. It is only a question of clarifying the situation to ensure that the right of the Crown to recover its dues is made clear. We do not want to be wiping off fees, because that is revenue lost. This amendment will hurt no-one, despite the views of my friend from Kalgoorlie.

Clause put and passed.

Clauses 3 to 5, Schedule, and Title put and passed.

Bill reported without amendment and the report adopted.

TRAFFIC ACT AMENDMENT BILL

Second Reading

Debate resumed from the 6th August.

MR. GRAHAM (East Perth) [8.10]: There is only one portion of this Bill upon which I desire to make some comment, as a great part of it is correcting drafting errors; and practically all of the balance deals with several comparatively elementary matters, such as giving the Commissioner of Police power to lay down safety regulations to others in addition to pillion riding, and the driving of vehicles on places other than roads—for instance, as the Minister pointed out, where people are involved in cycle-races, exhibitions, reliability trials, and so on.

As the Minister mentioned, when introducing the Bill, several fatalities have unfortunately occurred because of the omission to attend to certain safety requirements in respect of which the police had and still have no power or authority.

There is a further provision that the operators of public passenger transport shall be given the authority to remove objectionable persons from their vehicles. I think the reason for that is quite understandable.

I ask the Minister to have a look at the second last line of clause 5 of the Bill. As the legislation stands at present, it is not possible for a vehicle, including the load, on a public road to exceed 8 ft. in width unless some special authority is given. The amendment in the Bill seeks to rectify an omission, because at present the Act does not allow for signalling devices or rear-vision mirrors which protrude some little distance from a vehicle.

Where a vehicle is 8 ft. wide—in the case of an omnibus for example—and it has a signalling device protruding 6 in., it would not be conforming with the Act as it stands. The wording in the clause refers to rear-vision mirrors or signalling devices, and it could happen that a vehicle is equipped with both. I am wondering whether there might be some little weakness in the drafting; and I think the Minister might have the position investigated, although I am not losing any sleep in connection with it.

The portion of the Bill upon which I desire to say a few words is that wherein it refers to the towing of agricultural implements along a road by vehicles that are already licensed. The amendment will have the effect of allowing farmers to tow those agricultural implements without having to obtain licenses for them. I think members will agree that that is quite a reasonable approach in respect of agricultural machinery; because I cannot imagine farmers, as a general rule, hauling harvesters or binders many hundreds of miles along a road, or taking them on holiday trips and that sort of thing!

But I do not know how this will affect the Transport Act. Because they are not vehicles, they do not require to be licensed. It could be that in certain districts, because of the requirements of the Transport Act, farmers would have to take the machinery by rail from one place to another; but if this amendment is to override the Transport Act, it will be an escape, and will allow any agriculturalist who so wishes to do what he likes in that regard.

It might allow him to circumvent the Transport Co-ordination Act, perhaps contrary to the desires of the Government. That is a point that may be worthy of inquiry, because I am certain it is not the intention of the Government—if what I think may be right is correct—that this should provide a loophole to another statute.

I have already privately discussed with the Minister for Transport some additions which I desire to make to the second clause of the Bill. As already indicated, this measure will allow agricultural implements to be towed without the necessity for a license being obtained in respect of them. But there are other types of vehicles which are towed from place to place, very infrequently; and it seems absurd that the owners of them should be called upon to take out a license. Quite coincidently, within the last several days, a businessman approached me because of his problems. All members no doubt have seen those little wayside stalls, or caravans, from which are dispensed hamburgers and other things to those in need of some refreshment.

But in the case of this particular individual, he would have his caravan established at a certain point—say, on a football oval during the football season—and all he seeks to do is to move that caravan,

which is used as a pie-stall, to a cricket oval. As the law stands at present, it is necessary for him to take out a license. It has been hauled from necessity—not as a vehicle upon the road, but merely moved from point A to point B for the purpose of carrying on business—and I think it would be fair and reasonable that some provision should be made for a case such as that.

Unfortunately, the drafted amendment which I have, in my own language, may not stand up to the challenge of the Privy Council—such is the wording of it! But I have asked the Minister to be good enough to defer further consideration after the second reading, until tomorrow, because tomorrow morning the Crown Law Department will have the draft amendment ready for me. With those few comments I have pleasure in supporting the second reading.

MR. PERKINS (Roe—Minister for Transport—in reply) [8.19]: I would like to thank the member for East Perth for his constructive approach to the Bill. I did not expect the measure to be controversial; but I think I can very well accept the suggestions the honourable member has made that, after the second reading is carried, we should report progress at a point at which he wishes to insert his amendment.

I would also like to have the honourable member's amendment checked to see that it does not go further than he contemplates; and to ensure that it is in conformity with the Bill. I undertake to have checked the one or two other points raised by the member for East Perth. I will do this before we again proceed with the Bill. Although I think the drafting is quite adequate, no harm will be done in making assurance double sure, because all of us who have been in Parliament for some time know that on many occasions it is necessary to bring down amending Bills in order to correct inadequate draftsmanship.

Question put and passed.

Bill read a second time.

In Committee.

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

Clause 1 put and passed.

Clause 2—Section 5 amended:

Mr. GRAHAM: Unfortunately this is the clause where I seek to add words. Perhaps the Minister will be good enough to report progress. I will undertake to get to him, as early as possible tomorrow morning, a copy of my amendment, so that he can have the wording checked. It should reach him no later than 11 o'clock.

Progress reported.

FIRE BRIGADES ACT AMENDMENT BILL

Second Reading

Debate resumed from the 6th August.

MR. MOIR (Boulder) [8.24]: This measure is on all fours with about three Bills which were introduced by the previous Government. It proposes to do certain things to the Act with a view to clearing up certain provisions that are not quite clear; and it further proposes to give the board power to constitute districts, and to abolish districts. That has been found to be very necessary, because a difficulty has arisen in country areas where, owing to the loss of population, the size of the town has diminished to such an extent that it no longer requires a fire brigade.

There is no objection to most of the proposals contained in the Bill. I am very disappointed, however—and I am sure a lot of members share my disappointment—that the Government has not seen fit to give representation on the board to employees of the fire brigade. The board manages the affairs of the fire brigades throughout the State, and it is constituted of 10 members. Two members are appointed by the Governor, one of whom is the president of the board. Three members are elected by the insurance companies carrying on business within the State; one member is elected by the Council of the City of Perth; one is elected by the municipal and road districts mentioned in Part II; one by the municipalities and road districts mentioned in Part III; and one by the municipalities and road districts mentioned in Part IV. In addition, one member is elected by the registered volunteer fire brigades.

As the Government is agreeable that the volunteer fire brigades shall be represented on this board, I cannot for the life of me understand why it did not see fit to introduce a provision giving representation on the board to the employees of the fire brigades; nor can I understand why the members on the Government side opposed this so strongly when they were in opposition. There are various reasons why these people should be represented on the board. There is nothing new in this; because in both New South Wales and Victoria the fire brigade employees have their representatives on the respective boards of those States.

The SPEAKER: Order! Is the honourable member going to relate the constitution of the board to the Bill? To my knowledge the Bill does not say anything about the constitution of the board.

Mr. MOIR: I would point out, Sir, that when he was introducing the Bill, you allowed the Minister to mention the very matter to which I am referring now. If he was in order in mentioning this matter, I take it that I would also be in order.

The SPEAKER: A passing reference, yes; but the honourable member has been on it for some minutes now.

Mr. MOIR: I would also draw your attention to the fact, Sir, that this Bill deals with the remuneration of the board. It is proposed to increase the present sum, and to distribute it among members of the board, I think, therefore, I am quite in order in mentioning the composition of the board and I hope I have your permission to proceed along those lines.

The SPEAKER: I would like it to be only a passing reference; I do not think the honourable member can make a complete speech on it.

Mr. MOIR: The employees are represented on boards constituted under other statutory authorities, such as the State Electricity Commission, and the Fremantle Harbour Trust. They are mostly superannuation boards.

It can be said that such employee representation on the board would be helpful to the members in carrying out the functions of the board. It has been pointed out that employee representation on the board would bring before the board the experiences of the men. It is not necessary that an employee be appointed as the employees' representative; he could be a person unconnected with the Fire Brigade Board; but as a representative of the employees, he would put forward their views and advice.

It is a fact that only one proto mask is held at the fire brigade headquarters in Murray Street, and another at a station in Fremantle. There was an instance when a brigade was called out and the firemen were required to enter a burning building to drag some people inside to safety. It was found that the proto mask was not carried by the fire engine, and the firemen had to send someone back to the station for it. There was a loss of time. That case occurred a little over 12 months ago at the factory of Spartan Paints in Victoria Park. A person was severely burnt in that fire; and, I understand, with fatal consequences.

Matters similar to that could be brought to the notice of the board by the employees' representative. I ask the Minister to give serious consideration to that request. I know that I cannot amend the Bill before us with a view to inserting such a provision; but if the Government sees fit, it could introduce another Bill for that purpose. As I am under certain restrictions, I say to the Minister that I am prepared to discuss that matter with him; and I can advance numerous reasons why employee representation on the board would benefit the board and the community in general.

There is a further provision in the Bill to which the Minister should give some thought. It is the proposal to delete from the parent Act the words "at a rate not to exceed 6½ per centum per year." That is to be the rate of interest to be paid by the board on loans raised by it. I notice from the Minister's speech during the second reading that he stated the Governor will have control of that rate.

On reading the Act, I cannot agree that the Governor has the control. Section 46 of the Act states—

> The Board may, with the consent of of the Governor, from time to time borrow such moneys as may be deemed necessary to enable the Board to carry out and perform the powers, authorities, and the duties vested in or conferred or imposed on the Board by this Act . . .

That is all the reference to the rate of interest. After obtaining the consent of the Governor to raise a loan, the board can proceed, but there is no provision which says that the board has to obtain the consent of the Governor as to the rate of interest. For that reason I would like to see inserted in the relevant clause the words "approved by the Governor". At the Committee stage I shall endeavour to have that amendment inserted. I hope the Minister will agree. If he were to examine the relevant clause, he would see that my amendment seeks to tidy up the provision.

I consider the proposal in regard to charges on uninsured premises and land to be necessary. It will make the position clear. The existing provision in the Act was found to be inapplicable as a result of a case taken before the court, when it was determined that the case in question was not covered. The provision in the Bill will rectify that position. It is both necessary and desirable.

I feel so strongly on the matter of employee representation on the board that I am prepared to oppose this Bill, although I have stated clearly that the other provisions in it are acceptable. It is high time that employee representation was agreed to. I cannot understand the reason for any opposition to this suggestion.

I have perused the debate on similar Bills which were introduced in this House on previous occasions. No reason was advanced by the then Opposition against the proposal for employee representation on the board, except that the Opposition did not like the provision. One has to put forward good reasons for opposing a provision such as this. Good reasons must be advanced to deprive of representation a body of men with high standing in the community.

In view of the fact that volunteer firemen have representation on the board; that most permanent firemen have graduated from the ranks of volunteer firemen; and that the permanent firemen are a responsible body of men and will use their

representation in a responsible manner, the Fire Brigades Board will be greatly assisted in its work if my proposal is agreed to.

Those are all my comments on the Bill. I trust the Minister will give second thoughts to the matter I have raised and will consider the arguments I have put forward.

MR. ROSS HUTCHINSON (Cottesloe—Chief Secretary—in reply) [8.40]: In the course of my introductory speech on this measure, I did make very brief and passing reference to the fact that it differed from similar Bills previously introduced in this House in only one respect; that is, a certain clause has been left out of the Bill before us. I made that point clear to point out the difference between the provision in this and previous measures.

I listened with interest to the remarks of the member for Boulder. He made one or two suggestions on the subject of fire prevention, and stated that he would like to discuss certain aspects with me at a later stage. I will be only too pleased to give consideration to any viewpoint he wishes to bring forward. I shall make myself available to him at any time, should he wish to discuss any matter on fire prevention or any proposals which might be of value to the public in regard to fire prevention.

The honourable member mentioned certain matters which, of necessity, should be discussed in Committee, because this Bill is virtually a Committee Bill; although I see very little necessity for a lengthy debate in Committee, because the Bill and its provisions have been thrashed out on a number of occasions.

The only point at issue refers to the absent clause, to which the honourable member has made reference. As that provision is not in the Bill, it is not, as you, Mr. Speaker, so rightly pointed out, in order for members to debate it.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. Roberts) in the Chair; Mr. Ross Hutchinson (Chief Secretary), in charge of the Bill.

Clauses 1 to 7 put and passed.

Clause 8—Section 46 amended:

Mr. MOIR: This is the section which I suggested would be improved by the insertion of the words, "approved by the Governor." I believe it is necessary to tidy the matter up and make sure that the approval of the Governor is obtained to the rate of interest entered into by the board. I am not suggesting, however, that the board would act in any irresponsible manner. I seek your guidance, Mr. Chairman. I want to move the following:—

> After the words "at a rate" in line 3 of subsection (2) of section 46 of the principal Act, insert the words "approved by the Governor."

The CHAIRMAN: The member for Boulder could move to insert after the word "four" in line 17 of clause 8 of the Bill the words "approved by the Governor."

Mr. MOIR: I will move accordingly. I move an amendment—

> Page 5, line 17—After the word "four" insert the words "approved by the Governor."

Mr. ROSS HUTCHINSON: In the first place, I oppose this amendment because there is no necessity for it; and in the second place, I think it is a clumsy one and does not read properly. Forgetting for a moment my first opposition, and considering the second, if one reads subsection (2) of section 46, including the proposed amendment, it is as follows:—

> (2) The Board shall have power, with the like consent, to issue debentures under the seal of the Board for the amount so borrowed, with interest thereon approved by the Governor.

Mr. Moir: No. "At a rate approved by the Governor."

Mr. ROSS HUTCHINSON: But that was not the honourable member's amendment. Therefore, I feel it is very clumsy and should be "at a rate approved by the Governor."

The CHAIRMAN: I can see the point raised by the Chief Secretary when the section in the principal Act is read. To overcome this present difficulty, if the member for Boulder were to strike out the words "at a rate" in the clause, he could then go on with the amendment that he has just moved.

Mr. MOIR: I was guided by you before. I wished to do something else, and I feel that I have fallen foul of the Chief Secretary. I feel I have so upset him that he will not agree to my amendment.

The CHAIRMAN: I suggest to the honourable member that he should have made the necessary inquiries from the Chief Parliamentary Draftsman before submitting his amendment. I have given him a suggestion to rectify the matter and it is up to him whether or not he takes the appropriate action.

Mr. MOIR: It is such a simple amendment that I did not think it was necessary to consult with the Parliamentary

Draftsman. After all, it is only an insertion of four words. With the amendment which I proposed, subsection (2) of section 46 would read—

> The Board shall have power, with the like consent, to issue debentures under the seal of the Board for the amount so borrowed, with interest thereon at a rate approved by the Governor.

The CHAIRMAN: I have suggested now that the honourable member move for the deletion of the words "at a rate" from the Bill which would give him the desired result.

Mr. MOIR: That is already the proposal of the Bill—to delete the words "at a rate not to exceed six and a half per centum per annum."

The CHAIRMAN: I have suggested to the member for Boulder that to overcome the difficulty in which he now finds himself, he should move to strike out the word "at" in line 15 of the Bill and the words "a rate" in line 16 of the Bill and then move to add the words originally proposed. He has first to move for the deletion of these three words from the Bill.

Mr. CORNELL: Has the member for Boulder sought leave to withdraw his original amendment?

The CHAIRMAN: He will no doubt do that. It is up to him.

Mr. MOIR: I think, for a quiet life, on your suggestion I will act accordingly. I seek leave to withdraw my amendment.

Amendment, by leave, withdrawn.

Mr. MOIR: I move an amendment—

> Page 5, lines 15 and 16—Delete the words "at a rate."

Mr. ROSS HUTCHINSON: At the outset, I said that I opposed this amendment because of two reasons. The first I gave was that I thought it unnecessary and the second that I believed it to be clumsy. I asked that the Committee might forget for the time my first objection so that I might concentrate on the second. At this stage I would like to ask the Committee to forget the second and concentrate on the first.

Mr. Moir: I can see you are upset.

Mr. ROSS HUTCHINSON: I am still not completely happy with the wording of the proposed amendment. It is no less clumsy than the original one, and is still unnecessary. The member for Boulder has indicated his approval of the amendment sought in the Bill dealing with the rate of interest and his only objection is whether or not there is sufficient safeguard.

Mr. Watts: Does he not want to make it a rate to be approved by the Governor?

Mr. ROSS HUTCHINSON: He wants to ensure that a safeguard is created. I feel that there is no possible loophole in this particular section, because, firstly in regard to loans raised by local authorities and fire brigade boards, which I group together, there is a general observance of Loan Council rates of interest.

Secondly, there is the supervision of the Governor or, as the Committee knows, careful Treasury supervision of the rates of interest on the raising of semi-Governmental loans. I think the honourable member will agree that section 46 provides sufficient safeguards.

Mr. MOIR: In 1956 both this Chamber and another place agreed to the inclusion of the same words in an amendment to the principal Act. If this amendment were agreed to it would not be irksome to the board to have to obtain the approval of the Governor for the rate of interest which it was prepared to allow on the debentures.

Amendment (to strike out words) put and a division taken with the following result:—

Ayes—20.	
Mr. Bickerton	Mr. Lawrence
Mr. Brady	Mr. Moir
Mr. Evans	Mr. Norton
Mr. Fletcher	Mr. Nulsen
Mr. Graham	Mr. Rhatigan
Mr. Hall	Mr. Rowberry
Mr. Heal	Mr. Sewell
Mr. J. Hegney	Mr. Toms
Mr. Jamieson	Mr. Tonkin
Mr. Kelly	Mr. May
	(Teller.)
Noes—22.	
Mr. Bovell	Mr. Mann
Mr. Brand	Mr. W. A. Manning
Mr. Burt	Sir Ross McLarty
Mr. Cornell	Mr. Nalder
Mr. Court	Mr. O'Connor
Mr. Craig	Mr. O'Neil
Mr. Crommelin	Mr. Owen
Mr. Guthrie	Mr. Perkins
Dr. Henn	Mr. Watts
Mr. Hutchinson	Mr. Wild
Mr. Lewis	Mr. I. W. Manning
	(Teller.)

Pairs.	
Ayes.	Noes.
Mr. Hawke	Mr. Nimmo
Mr. Andrew	Mr. Oldfield
Mr. W. Hegney	Mr. Grayden

Majority against—2.

Amendment thus negatived.

Clause put and passed.

Clause 9—Section 65 amended:

Mr. HALL: What would be the position in cases of hardship inflicted on pensioners or other people with low incomes, who had no means of having their properties cleaned up, if there were no way of having the fine reduced when the brigade had attended such a property?

Mr. ROSS HUTCHINSON: If the fire brigade attended a fire on property owned by a pensioner; and it was uninsured

and brigade charges were levied, with resultant hardship, reference could be made to the Minister; and I would give the matter every consideration.

Mr. BRADY: Is it not a fact that when a ratepayer pays rates to a municipality a fire brigade rate is included? Would it not then be the responsibility of the municipality or the Fire Brigades Board to give the ratepayer protection without the payment of any further fee?

Clause put and passed.

Clause 10 and Title put and passed.

Bill reported without amendment and the report adopted.

House adjourned at 9.14 p.m.

Legislative Council

Thursday, the 13th August, 1959

CONTENTS

The PRESIDENT took the Chair at 2.30 p.m., and read prayers.

QUESTION ON NOTICE

WAR SERVICE LAND SETTLEMENT

Sale of Nelson Location 12053

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

   Referring to the question asked by me on Wednesday, the 22nd July, 1959, relating to war service land settlement, will the Minister now supply answers to No. (2) and No. (4) of such question?

The Hon. L. A. LOGAN replied:

The answers to the questions referred to by the honourable member are—

(2) No. An inspection of that district has not been made.

(4) Yes, for one week.

The file was tabled.

2. *This question was postponed.*

LEAVE OF ABSENCE

On motion by the Hon. A. L. Loton, leave of absence for six consecutive sittings granted to the Hon. H. L. Roche (South) on the ground of ill-health.

BILLS (8)—FIRST READING

1, Motor Vehicle (Third Party Insurance) Act and Traffic Act Amendments.

2, Municipal Corporations Act Amendment.

3, Road Districts Act Amendment.

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

4, Museum.

5, Art Gallery.

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

6, Parliament House Site Permanent Reserve (A ↑ 1162) Act Amendment.

Received from the Assembly; and, on motion by the Hon. L. A. Logan (Minister for Local Government), read a first time.

7, Justices Act Amendment.

8, Fire Brigades Act Amendment.

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

TRANSFER OF LAND ACT AMENDMENT BILL

Third Reading

Read a third time and transmitted to the Assembly.

STATE ELECTRICITY COMMISSION ACT AMENDMENT BILL

Second Reading

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [2.43] in moving the second reading said: Members will recollect that in 1948, the electricity and gas works owned by the City of Perth