

Legislative Assembly

Tuesday, the 5th May, 1970

The SPEAKER (Mr. Guthrie) took the Chair at 4.30 p.m., and read prayers.

CONDOLENCE

The Late Mr. James Hegney and the Late Mr. Jack Hall.

THE SPEAKER (Mr. Guthrie) [4.31 p.m.]: It is my sad duty to inform the House of the death this morning of two former members of this House in the persons of the former member for Belmont and a former Speaker, Mr. James Hegney, and the former member for Albany, Mr. Jack Hall. I would ask all members if they would be so good as to rise in their places for a moment's silence.

Members stood in silence as a mark of respect.

BILLS (17): ASSENT

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

1. Police Act Amendment Bill.
2. Anzac Day Act Amendment Bill.
3. Public Education Endowment Act Amendment Bill.
4. Education Act Amendment Bill, 1970.
5. Coal Mine Workers (Pensions) Act Amendment Bill.
6. Interpretation Act Amendment Bill.
7. Metropolitan Region Town Planning Scheme Act Amendment Bill, 1970.
8. Local Courts Act Amendment Bill.
9. Nurses Act Amendment Bill.
10. Statute Law Revision Bill.
11. Metropolitan Water Supply, Sewerage, and Drainage Act Amendment Bill.
12. Wills Bill.
13. Bank Holidays Bill.
14. District Court of Western Australia Act Amendment Bill.
15. Building Societies Act Amendment Bill.
16. Local Government Act Amendment Bill, 1970.
17. Kewdale Lands Development Act Amendment Bill.

TERMINATION OF PREGNANCY LAWS

Liberalisation: Petition

MR. McPHARLIN (Mt. Marshall) [4.34 p.m.]: I have a petition addressed as follows:—

To the Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia, in Parliament assembled.

We, the undersigned, citizens of Western Australia do herewith pray that Her Majesty's Government of Western Australia will liberalise the termination of pregnancy laws along the lines proposed by Dr. Hislop.

Your Petitioners therefore humbly pray that your Honourable House will give immediate consideration to this request, and your petitioners, as in duty bound, will ever pray.

This is to certify that the above petition conforms with the rules of the House.

There are 3,483 signatures and I have signed the petition.

The SPEAKER: I direct that the petition be brought to the Table of the House.

QUESTIONS (10): ON NOTICE

1. NARROWS INTERCHANGE

Caissons: Safety Precautions

Mr. FLETCHER, to the Minister for Labour:

- (1) As what is known as a "pent-house" is rigged above miners engaged in shaft sinking operations as a precaution against falling objects, are such installations in use in the caissons on the Narrows interchange where men are working in excess of 100 feet below ground?
- (2) If not, will he endeavour to prevail on the contractors to provide forthwith the suggested safety provision?
- (3) Further, if not already provided for, will he see that the law or regulations are suitably amended and policed to make it incumbent on employers to provide the protection mentioned in (1) for all employees working below ground level?

Mr. O'NEIL replied:

- (1) No.
- (2) Provision of a "penthouse" in this situation is considered not practicable because of the job requirements.
- (3) No; because of the impracticability in certain situations. If the situation was appropriate, legislation exists to require conditions necessary to ensure safety.

2.

EDUCATION

Albany Senior High School

Mr. MITCHELL, to the Minister for Education:

- (1) Is he aware that the playgrounds at the Albany Senior High School are in very bad condition?

- (2) What number of pupils are at present enrolled at the school?
- (3) Is it not departmental policy to provide adequate playgrounds for high schools?
- (4) Could he give some assurance that prompt action will be taken to remedy a most unsatisfactory position?

Mr. LEWIS replied:

- (1) The school site on the slopes of Mt. Clarence presents special problems. Because of the limited area of level ground, the surface has become considerably worn in places.
- (2) 1,221.
- (3) It is the policy to provide these to the maximum level possible, having regard to the limitations of the site.
- (4) The Public Works Department has been requested to report on ground improvements required in the vicinity of the main school building. Improvements to the school oval have been delayed owing to difficulty in obtaining an adequate water supply.

3. AGED PEOPLE

Home Care Service

Mr. TONKIN, to the Minister representing the Minister for Health:

- (1) Has the Government of Western Australia given notice to the Commonwealth that it intends to seek each of the kinds of financial assistance for which provision is made in the States Grants (Home Care) Act, 1969?
- (2) If "Yes" when was such notice given?
- (3) Has any request been made to the Commonwealth to approve a scheme conducted, or to be conducted by the State, a local Government body or community welfare organisation for the provision of a home care service wholly or mainly for aged persons in respect of which the Government proposes to incur expenditure?
- (4) If "Yes" will he give particulars concerning such scheme or schemes?
- (5) What is the amount of State funds which it is expected will be expended this financial year in connection with projects under the States Grants (Home Care) Act?

Mr. ROSS HUTCHINSON replied:

- (1) Yes.
- (2) The 10th November, 1969.

- (3) and (4) Two claims are under consideration. These relate to premises under construction. They are the Senior Citizens Centre, Cloverdale, and the Senior Citizens Centre, Albany.
- (5) Capital expenditure—\$20,000.
Maintenance expenditure—\$27,600.

4.

ROADS

Safety Ramps

Mr. RUSHTON, to the Minister for Works:

- (1) What is the Main Roads Department's policy and intention for the provision of safety ramps on main roads with relatively lengthy steep gradients?
- (2) Have plans been made for the installation of a safety ramp on the Albany Highway, Bedforddale Hill, Armadale?
- (3) If "Yes" when will the work be commenced?
- (4) If "No" will consideration to this safety measure be given now, having regard for the volume of traffic, including many heavy vehicles, joining abruptly into a busy junction of Albany and Bunbury Highways?

Mr. ROSS HUTCHINSON replied:

- (1) The Main Roads Department does not have a firm policy, but has been investigating the provision of safety ramps for some time. There are many problems related to the provision of such facilities. Inquiries are being made in the United Kingdom regarding the construction of deceleration beds of gravel or crushed rock as an alternative to safety ramps and a decision cannot be made until this further information has been evaluated.
- (2) No.
- (3) Answered by (2).
- (4) Yes.

5.

ABATTOIRS

Bushmead

Mr. BRADY, to the Minister for Agriculture:

- (1) What number of sheep, lambs and cattle have been treated at the Bushmead Abattoir for each of the years 1959-60 to 1969-70?
- (2) What was the amount of expenditure on the abattoir for each of the same years?

Mr. LEWIS (for Mr. Nalder) replied:
(1) and (2)

Year	Slaughtering			Capital Expend- iture \$
	Sheep	Lambs	Cattle (including Calves)	
1959-60	550,320	366,704	83,869	334,003
1960-61	573,414	355,220	64,664	167,033
1961-62	414,034	433,163	75,827	215,244
1962-63	540,836	377,754	107,872	239,952
1963-64	354,005	359,710	126,273	309,858
1964-65	293,250	322,940	111,742	185,668
1965-66	483,777	354,308	92,134	236,001
1966-67	425,564	357,645	84,592	577,911
1967-68	554,404	381,844	80,637	519,202
1968-69	650,145	433,852	81,547	835,120
1969-70	745,005	277,167	70,644	not yet available

(9 months in-
cluding
March, 1970)

6. ABATTOIRS

Katanning

Mr. BRADY, to the Minister for Agriculture:

Has the proposed new abattoir at Katanning made the requisite application for permission to set up the enterprise in accordance with the various Acts covering the working of abattoirs in Western Australia?

Mr. LEWIS (for Mr. Nalder) replied:

A license will be required to operate the abattoir and an application for this purpose will be made in due course. There is no impediment to this license being granted.

7. PINE PLANTING

Purchase of Farms

Mr. KITNEY, to the Premier:

(1) On what basis does the Forests Department make its valuations when acquiring farms for the purpose of pine planting?

(2) How do these values compare when assessing the value of properties in the same locality for probate purposes?

Sir DAVID BRAND replied:

(1) Current market values in the locality at the time of purchase.

(2) As the sale prices are negotiated between the vendors and the Forests Department, the sale value would be used in conjunction with other sales evidence in establishing the level of market values of comparable properties for probate purposes.

8. MINING

Temporary Reserves

Mr. GRAYDEN, to the Minister representing the Minister for Mines:

How much land is held by temporary reserve under section 276 of

the Mining Act by the following companies—

- (a) Western Mining Corporation;
- (b) Central Norseman Gold Corporation;
- (c) Pickands Mather & Co.;
- (d) Leonora Gold Development Pty. Ltd.?
- (e) New Consolidated Goldfields (Aust.) Ltd.;
- (f) United States Metals Refining Co.;
- (g) Thiess Bros. Pty. Ltd.;
- (h) Delhi Australia Ltd.;
- (i) Southern Exploration Ltd.;
- (j) C.R.A. Exploration Pty. Ltd.;
- (k) Bauxite Exploration Pty. Ltd.;
- (l) Australian Selection Pty. Ltd.?

Mr. BOVELL replied:

- (a) 2,908 square miles.
- (b) 10 square miles.
- (c) 3,706 square miles.
- (d) 29 square miles.
- (e) 157 square miles.
- (f) Nil. Company's interest transferred to Amax Bauxite Exploration (its subsidiary) which holds 1,519 square miles under agreement Act.
- (g) Nil.
- (h) Nil but Delhi Australian Petroleum holds 140 square miles.
- (i) Nil.
- (j) 1,384 square miles including 788 square miles for diamonds and uranium.
- (k) 905 square miles.
- (l) 419 square miles.

9.

PROBATE

Valuations: Farming Areas

Mr. GAYFER, to the Treasurer:

- (1) What number of wheat and sheep farms have been valued for probate in the last six months?
- (2) In which shires were these properties based?
- (3) What was the farm land probate value per cleared acre?
- (4) What was the unimproved capital value of each of these properties?

Sir DAVID BRAND replied:

- (1) Since the 1st January, 1970, 30 such properties have been valued, involving land in 22 different shires.
- (2) Beverley, Bruce Rock, Corrigin, Cranbrook, Cunderdin, Greenough, Gnowangerup, Goomalling, Kellerberrin, Kununoppin-Trayning,

Merredin, Moora, Mukinbudin, Mullewa, Narembreen, Narrogin, Northam, Nungarin, Wagin, Westonia, Wongan-Ballidu, York.

- (3) Values adopted ranged from \$18 to \$40 per cleared acre.
- (4) Valuations for probate purposes are made on an improved basis, and, as the process does not involve the calculation of a separate unimproved capital value, this information is not available.

10.

EDUCATION

Sex Education Courses

Mr. BATEMAN, to the Minister for Education:

- (1) When will sex education courses be introduced to primary schools?
- (2) Has a committee been appointed to plan this course?
- (3) If "Yes" who are the members of this committee and how often have they met?
- (4) What provision is being made in high schools to provide young people who will leave school this year with adequate sex information and an opportunity to discuss moral and social issues?
- (5) What is being done in regard to a primary school textbook on health education?
- (6) Is it a fact that a textbook is being prepared by a group with State employees providing pictures and other material?
- (7) Does this group plan to sell the textbook to parents?
- (8) Is it a fact that the development of the primary health syllabus is being held up until this book is finished?

Mr. LEWIS replied:

- (1) On a "pilot course" basis in 1971.
- (2) Yes.
- (3) The committee consists of a district superintendent of education, a primary headmaster, a teachers' college lecturer, a high school principal mistress, a junior primary headmistress, a Teachers Union representative and a curriculum branch officer. Expert advice is also available to the committee from persons who have agreed to act as consultants. Considerable research has been carried out and the committee will meet for the first time to consider this on the 27th May, 1970.
- (4) No additional provision to what is already in the health education and social studies curricula is being made in high schools in 1970.

(5) No departmental textbook is being prepared to cover the new primary school health education syllabus.

(6) The Education Department has not been informed that such a book is being prepared.

(7) Answered by (6).

(8) No. The primary health syllabus committee has been meeting weekly for some months in an attempt to complete the syllabus by the end of first term. However, some work at upper primary level remains to be completed.

LIQUOR BILL

In Committee

Resumed from the 30th April. The Chairman of Committees (Mr. W. A. Manning) in the Chair; Mr. Court (Minister for Industrial Development) in charge of the Bill.

Progress was reported after clause 14 had been agreed to.

Clause 15: Appeals in certain cases—

The CHAIRMAN: I draw the attention of members to the fact that all the proposed amendments have been lifted from today's notice paper and, together with many new amendments, have been placed on a separate addendum. Members should, therefore, follow the addendum rather than the notice paper so that we will all be in accord.

Mr. GRAHAM: This clause relates to appeals and subclause (2), in which I am interested, reads—

An appeal does not lie to the Supreme Court from a direction, determination or order of the Court unless the appeal involves a question of law.

I would agree to that, generally, except that, when we turn to clause 114 on page 92, it will be seen that the court has a considerable power in that it can decide and order that a license be not renewed, and at the conclusion of its currency, shall lapse. In other words, the court has the power to delicense premises.

Without representation from any source, it occurred to me that when a course of such magnitude is taken, which could have a dire effect on the licensee or the owner of the premises, there should be a right of appeal to someone, as provision is made for an approach to be made to the Supreme Court on points of law. In a matter such as this, it occurred to me that the parties concerned should have a right of appeal instead of the court's decision being final. For that reason, I move an amendment—

Page 14, line 13.—Insert after the word "law" the words "or where the Court discontinues an hotel licence under the provisions of section 114 of this Act."

Mr. COURT: I hope the Committee will not accept these words, because if it does, we would be departing from a basic concept of subclause (2). The right of appeal has been written into the legislation and refers specifically to matters of law, and this is how it should be. However, if we set up a licensing court to deal with the actual administration of the Act it is, in my opinion, desirable to let it have that power and exercise it on the understanding, of course, that Parliament would not stand idly by if it showed any great favouritism; although I am not suggesting it would.

Normally, we would consider that the court would have a practical working knowledge of the hotel and general catering trade and would be very closely in touch with what was expected, not only by Parliament, but also by society, generally, so far as standards are concerned. The court will be charged with an important responsibility and will virtually assess the needs of the community. Personally, I believe—and I have conferred with my colleague, the Minister for Justice, who is more closely in touch with the legislation than I am, and he agrees with me—it is desirable to allow matters of fact, on the question of license determination, to be left with the court.

It is conceded that there must be a right of appeal in respect of matters of law, and this is an area in which there can be legal argument. It may be that the members of the Licensing Court are not as competent to argue all the finer points of law as is the Supreme Court. There is no attempt to stop this type of appeal; on the contrary, provision is made for such appeals on points of law.

I commend to the Committee that it would be prudent, in the interests of a practical approach to the licensing law and its administration, for the Bill to remain in its present form, so as to allow these rights of appeal in respect of questions of law. This would cover the clause to which the Deputy Leader of the Opposition referred if, in fact, there had been an error in law; and there could be an error in law in the granting or cancellation, as the case may be, of a license. In that case there would be the same right of appeal as is granted in respect of any other matter.

I hope the Committee will adhere to the principle in the Bill; namely, to confer a right of appeal on questions of law and to allow the Licensing Court to deal with matters of the kind mentioned by the honourable member—and these I consider to be matters of administration of this very important piece of social legislation.

Mr. GRAHAM: I do not intend to continue contesting this matter. However, I am not impressed by what the Minister has stated. Division 3 of part V of the

Bill which deals with the rationalisation of hotel licenses embodies clauses 112 to 114 inclusive, and these permit the court to take action, but in doing so it has to satisfy nobody but itself. This will enable the court to determine that in a township or an area where, for instance, there are two hotels, one of them shall cease to be licensed premises. It could be that hundreds of thousands of dollars had been expended in the construction of those licensed premises. Indeed, they might have been erected comparatively recently, but owing to certain circumstances arising in the district or town, the conditions could have become entirely different.

The amendment is so important and its impact can be so serious that it does deserve a second look. I agree with the Minister that in ordinary matters relating to the jurisdiction of the court, in assessing applications and dealing with other questions, generally, it should be unfettered. However, when it comes to a question such as the one before us—and in this respect the decision might be a majority decision of two of the three members of the court—the entire investment of a person, a syndicate, or a company could be jeopardised, and it could disappear overnight. I think this is sufficient warrant for a right of appeal to be provided in these circumstances.

In respect of the hundred and one comparatively trivial matters I am prepared to leave the decision to the court; but when the whole of an investment could disappear overnight a right of appeal should, in the interests of the parties concerned, be granted. I hope the Committee will agree to my proposal.

Mr. COURT: The honourable member has made out a stronger case for me than the one I made out myself. The whole burden of my argument was that in the practical matters of administering this particular law—as to whether there are too many hotels, whether more are justified, or whether better standards should be achieved—the decision should be left to the Licensing Court. I hope this will be the basic approach of Parliament to this type of legislation.

The very point on which the honourable member has touched could be vital to the trade and to the local community. I believe that unless there is an argument on a question of law it is best to leave the practical considerations to the Licensing Court. I hope the Committee will go along with this idea, because the very point mentioned by the honourable member is one of the practical points of administering the licensing law, in the interests of the community and in order to achieve the desired standards as to quality and quantity.

Amendment put and negatived.

Mr. DUNN: I move an amendment—

Page 14—Delete subclause (3).

This subclause restricts the provision entirely to the owner of the premises. Many cases could arise in which the aggrieved person was, in effect, the licensee or some similar person. It could happen that the owner of the premises might find that with the effluxion of time he has a wonderful business which has been built up through the efforts of the licensee. It seems to me to be wrong in principle that such a licensee should be excluded from the right to appeal to the Supreme Court on questions of law when his livelihood is jeopardised.

No problem will arise by deleting this subclause, because people who make frivolous appeals to the Supreme Court may have the costs awarded against them. Provision should be made to enable a person who is not the owner of the premises to be regarded as an objector when he has been aggrieved by the action of the Licensing Court; and he should have the right of appeal on questions of law.

By retaining subclause (3) we are saying that the only person who can appeal to a properly constituted court is the owner of the premises concerned. It could be that the owner lives in Europe; and he might not be vitally interested in the matter. However, the licensee could be very interested in it. In my view the licensee should be granted the right to appeal, if it is accepted by the court that he is an aggrieved party. I would ask the Committee to support my amendment.

Mr. COURT: I have had this amendment studied. In view of the fact that the Committee has accepted the principle that there will only be appeals on questions of law, what the honourable member seeks to achieve is not seriously objected to. I feel it my duty to point out to the Committee, before it makes a decision, that what it will be doing is to ask the Attorney-General or the Minister for Justice to watch very closely the experiences under the law. One of the objectives of this law is to stop a grantee from being deprived of the benefit of his license by influences more powerful than himself indulging in litigation in order to attempt to hold the grantee out of his license. Clumsy though it may appear, this provision was inserted with that objective.

If the amendment is accepted—and I do not raise any objection now that we have accepted the right of appeal on principles of law—then it must be accepted by the Committee that the Minister for Justice will need to watch the experiences under this legislation. It might even mean his having to come to Parliament with a further amendment at a later date.

This will have to be watched closely to make sure that people who, in the ordinary course of the administration of the Act, have been granted a license are not delayed in getting any benefit from that license because of litigation from parties who would not normally be considered as having a sufficient right to appeal. With that reservation I have no objection to what the honourable member seeks to achieve.

Mr. DUNN: I appreciate the Minister's remarks, and I can see full well the point he makes. However, since the persons concerned will be involved in matters of a high financial degree, I do not envisage this question of law being used in regard to the granting of licenses so much as in regard to decisions of the court concerning people who have a license but who have no means of raising objection to prove that they are an aggrieved party. I want to uphold the right of appeal for everybody.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 16 to 23 put and passed.

Clause 24: Hotel license—

Mr. MITCHELL: There is an amendment standing in my name to clause 24.

Point of Order

Mr. COURT: May I seek your guidance, Mr. Chairman, as to how best to handle this particular situation? Clause 24 is very involved and the amendments appearing on the notice paper are in conflict, one with another. I can see a situation arising whereby if we deal with the amendments as they are set out we could, in some respects, deny the Committee at large the opportunity to debate the whole question of whether there should be, in fact, any metropolitan opening at all.

I seek your guidance, Mr. Chairman, whether it would be practicable for general debate to take place before any member moves an amendment. I am not suggesting that anyone be denied his right of priority according to the notice paper.

Chairman's Ruling

The CHAIRMAN: I have made a thorough study of the situation which applies to this clause and which also applies to a number of clauses. Standing Order 186 reads as follows:—

No amendment shall be proposed in any part of a Question after a later part has been amended,—

That is quite in order, and I do not propose to go back after a later part of the clause has been amended. The Standing Order continues—

—or has been proposed to be amended, unless the proposed amendment has been, by leave of the House, withdrawn.

A number of the amendments apply to the whole clause, or to whole paragraphs, and if the relevant Standing Order were enforced it would mean that many members would miss their opportunity to move amendments. Unless there is a dissentient voice I propose to allow amendments to be moved to a paragraph which has survived an amendment. I think this will be fair to everybody. The only alternative is to force each member to move his amendments between amendments moved by other members.

I have been through the amendments and marked my copy of the Bill and in my opinion this ruling is essential to allow members the opportunity they desire. If there is no dissentient voice, I propose to follow the course I have outlined. As there is no dissentient voice the Minister may, if he so desires, move for the deletion of a paragraph in clause 24.

Committee Resumed

Mr. COURT: Thank you for your guidance in the matter, Mr. Chairman. I was hoping that we could have some general indication from the Committee regarding the question of whether trading in the metropolitan area on a Sunday should be permitted. The honourable member who resumed his seat has, of course, indicated his desire to bring about uniformity between country and city trading.

I emphasise that the Government is not putting forward any views on the matter; the views are those of the individual members and I speak accordingly. It would be of value if we could have some reaction from members regarding this clause.

My own view is that the idea of Sunday trading, in the metropolitan area, has a lot against it. I have heard it pleaded that in continental countries and other countries there is virtually no limitation on trading hours. Perhaps we will get to that stage one day, but I believe there is no necessity for the opening of hotels—and I speak as an individual—on a Sunday.

The CHAIRMAN: You can achieve that objective by moving for the deletion of the clause.

Mr. COURT: I am not moving for the deletion of the clause. This clause is where the question of trading hours begins. Many amendments will fall into place once a decision has been reached on this point. If it is the general opinion of the Committee that metropolitan trading on a Sunday should be permitted, then it will come down to the question of making a decision regarding the hours.

I foreshadow that if it is the wish of the Committee that there be Sunday trading, then there will need to be some uniformity between the country and the metropolitan trading hours. I would like to get some reaction from the Committee on what I

consider to be a crucial and general problem. We can then move on to some of the amendments.

The CHAIRMAN: That is up to the members of the Committee; the clause is open for discussion.

Mr. GAYFER: I support the Minister's comments. However, if it is the Committee's wish that Sunday trading be observed in the city, then I am only agreeable if the hours are uniform. As I have said previously, if liquor is available in the country, then it should be available, possibly, throughout the State on the same terms.

It is amazing that only the other evening we were talking about uniformity of laws throughout the Commonwealth and the world regarding the age at which people should be allowed to drink.

Mr. T. D. Evans: Yes, and you did not agree with that either.

Mr. GAYFER: Now we are talking about making drinking hours uniform throughout Western Australia.

Mr. T. D. Evans: You are; some of us are not.

Mr. GAYFER: In my opinion, without the member for Kalgoorlie getting too annoyed about it, the drinking session in the morning and in the afternoon has always been acceptable in the country districts. I am not particularly keen to see the hour of commencement brought back to 4 o'clock, and I do not think that would suit many people in the country. Most of the sport in the country districts is such that everybody participates. Usually, the sport stops at about 4.15 p.m. If the commencement of the drinking session is to be 4 o'clock, then the sport will stop at 3.15 p.m.

I maintain that uniformity would be better than allowing trading for the entire afternoon in the city. The report of the committee mentions the swell enjoyed by people who at present travel from the city to the country for the mad hour. Possibly, we might get the reverse.

Mr. Graham: Reciprocity.

Mr. GAYFER: If there were uniformity, all premises would close at the same time and that would not happen.

Mr. T. D. Evans: Don't you believe in free enterprise?

Mr. GAYFER: Yes, I do believe in free enterprise. My amendment will attempt to reduce the three bottle limit down to two bottles. If the city premises are allowed to trade for two sessions on a Sunday, they should be allowed to sell two bottles the same as the premises in the country. In other words, there should be uniformity.

At this stage I have a fairly open mind, but possibly I am not altogether in favour of Sunday trading in the city. On the other hand, I have to admit that if some people are able to obtain drink on a Sunday, then I do not see why drink should not be available to everyone.

Mr. T. D. Evans: The honourable member mentioned three bottles; there is nothing in the Bill about three bottles.

Mr. GAYFER: There is reference to two reputed quarts.

Mr. T. D. Evans: It is two bottles.

Mr. Graham: Not three bottles.

Mr. GAYFER: We will have a look at customs and excise duties at a later stage. As I have said, I am more or less in favour of two sessions, but not to commence before 4.30 p.m. If the sessions commence at 4 o'clock they will interfere with a lot of sport in the country areas. I do not think it is necessary for premises to be open at 4 p.m. on a Sunday. I have made that comment on the basis of my considerable experience with country clubs—golf and otherwise. I am speaking on a general principle.

Mr. Graham: What time do you think they should open?

Mr. GAYFER: I believe they should open from 4.30 to 6.30 p.m. There should be 15 minutes to clean up and no extension of this time, because I consider staff members are entitled to go home on a Sunday night, the same as anybody else.

Mr. JAMIESON: This debate seems to be following a peculiar course and, at a later stage, many members who intended to debate the issue of Sunday trading will realise that they have missed the boat.

I would like to make my attitude quite clear. I am in agreement with the member for Avon to some extent in that I believe that if a rule applies to one it should apply to all. Also, I believe the principle of Sunday trading has been established in our community for many years. We must not dither because metropolitan hotels are not open under the existing legislation. Any number of clubs in the metropolitan area supply liquor and, consequently, there is trading on a Sunday. A principle has been established, whether or not metropolitan hotels are open.

Probably hotelkeepers think the present situation represents a travesty of justice. On the other hand, some church people think it is the most sensible approach. The fact is that the Legislature has sanctioned Sunday trading for many years, and we can legitimately discard arguments against Sunday trading on that basis.

The question remains: How much trading shall be allowed on a Sunday? Everybody is entitled to his own point of view

on the question. The member for Avon expressed his viewpoint when he said that it might affect sporting clubs. His argument could be reversed, of course, to the effect that hotels could be open all day and this would not affect sporting clubs, because obviously sporting clubs are not affected by Saturday trading. People play ends of bowls and then go in for a drink. Created sessions or limited availability is what—

Mr. Graham: Creates a problem.

Mr. JAMIESON: —creates a problem, yes.

Mr. Gayfer: The bowling clubs which I mentioned are removed from the district and do not have licenses.

Mr. JAMIESON: This could be another problem. I was referring to bowling clubs with a license. The Committee must bear in mind that a later clause in the measure provides for bowling clubs to trade in liquor as non-licensed premises on the payment of a fee of \$5 each year.

Mr. Gayfer: Many of the bowling clubs will not take this up.

Mr. JAMIESON: It would be a very small percentage.

Mr. Gayfer: People will still go to a district club, because they will not pit one against the other.

Mr. JAMIESON: It will be their own choice. Perhaps a choice will be made to consolidate sporting club activities and, if trading is allowed for extended hours, it would not affect the playing on the 19th hole or the 21st end. In consequence, people could have a drink when they wanted one. If this proposition were accepted it would open up Sunday trading on a full-scale basis. We might as well remove the word "Sunday" from the measure and leave the whole matter wide open at the normal trading hours. I do not know whether this would be desirable.

I want to see a degree of uniformity right throughout the State. To my mind the position is absurd. As our community grows other cities may be created like the cities on the goldfields. These will be entitled to sessions on a Sunday but the metropolitan area will not. How silly can a situation become? We are all citizens of Western Australia and, as I say, Sunday trading has already been established.

I shall express my opinion, which is probably as good as any other person's on this subject. If Sunday trading is established in the metropolitan area, I believe there will be a drop off in the trading of clubs, to some extent at least, which will be absorbed by the hotels. To my mind this will be the only noticeable difference. This will not worry the church-goer to any great extent because those who attend and support churches are usually

temperate people who would go to church regardless of whether a hotel was open or closed.

I cannot see any point in bringing in a compulsory unionist principle, one might say, to the effect, "We shall not open hotels; go to church instead." This is the kind of routine which is used in the Army, where a person has to chop the wood if he does not go to church. The individual should be free to make up his own mind on these matters. For this reason, we should fix hours which are reasonably uniform.

There may be some necessity for northern areas and elsewhere to vary trading hours to some extent. I know that hotels in the goldfields are open until 11 p.m. at the moment. A slight variation of hours would be tolerable but, in the main, they should be kept fairly uniform throughout the State.

Point of Order

Mr. MITCHELL: On a point of order, Mr. Chairman, is the Committee discussing any particular amendment or is it discussing the general effect of the clause?

The CHAIRMAN: The honourable member is at liberty to discuss the whole clause. I notice that he has amendments to the clause and, when the amendments are moved, it will probably stop debate on the general effect. That is up to the honourable member, because I cannot dictate what he shall do.

Committee Resumed

Mr. MITCHELL: I suppose we must decide, on the clause as a whole, whether or not we want trading in the metropolitan area on a Sunday. It seems rather ludicrous that trading in the country has been accepted for years and that clubs in the metropolitan area have been able to trade for four hours, but we are prepared to say, "We do not want any trading in hotels in the metropolitan area on a Sunday."

The principle of Sunday trading has been established. When speaking to the second reading the other evening I mentioned that had I been a member of this Chamber when the proposition to establish that principle was put forward, I would have opposed it. However, that is by the by, because the principle has been established.

To some extent the Committee appears to have acted rather strangely. It has made some play on the difference in hours, but has immediately gone on to suggest that the difference be accentuated by altering the hours in the metropolitan area. The effect I hope to achieve is to make trading hours standard throughout the State.

Up to now clubs have traded for four hours on a Sunday and I propose that they continue on this basis, but that four hours trading apply throughout the State. In this way I think we could truthfully say to people who oppose any extension of Sunday trading that we have not actually extended the trading, but have only widened it in some respects to make it uniform throughout the State. If the Committee were to vote on the clause to decide whether there would be a difference in trading hours, it would be wrong to impose some limitations on the city when part of the city already enjoys certain privileges.

Mr. McPHARLIN: I wish to make some comments on this matter. Over the last week or two I have made a point of discussing this clause—which deals with an extension of trading hours—with various hotelkeepers in my own electorate. They are concerned over the proposal to extend the trading hours and they have commented to the effect that they would prefer to see uniformity in trading hours and the lunchtime session done away with altogether.

They gave their reasons for this viewpoint and said that the lunchtime session requires staff, who are paid at triple time. In addition, it means starting up the plant and, in many cases, it is simply not a paying proposition. It also ties the proprietor and his wife to the hotel for that part of the day and it is impossible for them to get away. They cannot sit down to a peaceful meal and, altogether, it interrupts their day. If Sunday trading is allowed in hotels in the metropolitan area, they would prefer it to be uniform with trading in the country.

Generally speaking, they go along with the idea of a session in the evening but would prefer to see the lunchtime session cut out altogether. They feel that if trading is to be allowed between 5 and 7 p.m. or 4.30 and 6.30 p.m. it would give them a chance to enjoy some sport, to enjoy their lunch with their families, and to have a rest.

They also said that they would prefer to see trading hours for clubs brought into line with any amendments to hotel trading hours.

Mr. Gayfer: The hotels don't have to open if they don't want to.

Mr. McPHARLIN: Fair enough. I am voicing the comments of gentlemen who have been in the business for a long time. I know clubs have enjoyed certain variations in trading hours over the years and, doubtless, this could be arranged again. I agree with previous speakers who have said that Sunday trading should be on a uniform basis throughout the State.

Mr. T. D. EVANS: I understand that the amendment before the Chair, as moved by the Minister, is to delete paragraph (c) of subclause (1).

The CHAIRMAN: There is no amendment at all.

Mr. T. D. EVANS: Am I right in my understanding that the Minister mentioned his intention to delete this paragraph at a later stage and invited debate on the subject.

The CHAIRMAN: We are discussing clause 24.

Mr. T. D. EVANS: If that is so, I indicate that I intend to support paragraph (c) of subclause (1) in its entirety and as it is printed in the Bill. I may be out of keeping with the general tenor of the debate at the moment, but I am determined to exercise my right as a member of the Chamber to express my view. The committee of inquiry has proposed this amendment and it is worthy of very serious consideration. The intention is to extend Sunday trading to the metropolitan area during the hours set out in the Bill.

Since the Licensing Act was overhauled to include 10 p.m. closing, we have seen the spectacle of clubs in the metropolitan area which are licensed pursuant to the Act being permitted to cater for the drinking needs of club members. Members of the general public who have not chosen to join clubs—or who have not been accepted by clubs—have been deprived of the opportunity of enjoying a drink on a Sunday. This is deplorable; it is an indictment not only of the Parliament but of society in general.

Despite the views that have been expressed this evening, there should be uniformity in this regard between the metropolitan area and country areas. The metropolitan area houses the capital city of Western Australia—a capital city which is the mecca today for people who come from, and go to, all parts of the world.

Mr. Fletcher: That is wrong; Fremantle is.

Mr. T. D. EVANS: I do not wish to be parochial: I am saying that Perth is today possibly one of the meccas of the world. People are being attracted here from all centres of the world, and they arrive by various means at all hours of the day and night and on all days of the week. I feel that the people who come here from other countries where the drinking laws are more sophisticated should not be deprived of the opportunity to enjoy a drink during the daylight hours on Sundays.

The proposition put forward by the committee cannot seriously be said to interfere with the rights of those people who wish to attend church services. Surely, even if the Bill proposed that hotels should open from 7 a.m., those who wished to attend church services could still do so. The hours proposed here are between 11 a.m.—surely most church services are over by then—and 6.30 p.m., when the evening services probably have not begun.

When we turn to the provisions relating to the country we notice that the committee has looked at this matter possibly in a different light. It recognised that the metropolitan area is probably in a different position and it said that a number of people coming here from other centres—probably other parts of the world—would expect to find hotels open, and so they should be open.

However, in the country the committee—possibly having paid attention to, and to some extent profited by, experience in the goldfields districts—suggested that the hours be staggered, but that, in compensation, patrons should be entitled to buy two reputed quarts of beer—not three bottles as suggested by the member for Avon—during the hours of trading.

I do not fully agree with the proposition set out in clause 24(1)(c), inasmuch as it purports to affect the whole of the State, excluding the metropolitan area. In other words, it embraces the areas which, under the present Licensing Act, are known as the goldfields licensing districts. In so doing it actually restricts or diminishes by half an hour on Sundays the time that was previously available under the Act—and still is at the moment—for trading in those areas.

It has been said that the general purpose of this proposed legislation is to extend the benefits available to patrons in order to make drinking more sophisticated. In this regard it diminishes the right already existing in an important part of the State. Unfortunately the committee suggested that there be only two areas nominated under this Bill, the metropolitan area and the country area. So it is my intention to move later—and I would not like to bet on the result—that the hours in the country be extended by one-half hour in the period between 3.30 p.m. and 6.30 p.m. to bring the provision into line with what now exists and has existed for some years in the goldfields districts.

In conclusion I would say—as I have said before—that those who fear the extension of Sunday trading are in my opinion fearing the unfamiliar.

Mr. CASH: I can understand that there are reasons why there should be extended trading hours for hotels, particularly in country districts. There are many reasons why farmers would want to travel certain distances from one town to another on Sundays. However, I do not believe there is any sound reason for the extension of trading hours in the metropolitan area.

Other members have suggested that Sunday drinking might interfere with church-going. I believe Sunday is a family day and the father or male member of the family has an opportunity to look after his family, to be home, and to attend to many of the things that are part of family life. If people particularly want to drink on a Sunday they can have a drink at

home, because there is ample opportunity for them to acquire as large a store of liquor as they may wish on days other than Sunday, and the liquor can be placed in the refrigerator. So they can have as much liquor as they feel is within their capacity to drink.

I consider no useful purpose can be served by Sunday trading. Firstly, most hotels in the metropolitan area are situated within high density or well settled residential areas. The people living adjacent to those hotels will be burdened with the noise of vehicles being driven to and from the hotels by rather exuberant patrons of all ages. I believe that those people already have to put up with a great deal of inconvenience, and they should not have to put up with it on Sundays also. Therefore, to save any conflict, I move an amendment—

Page 19, lines 27 to 33—Delete subparagraph (1).

Mr. GRAHAM: Perhaps the member for Mirrabooka knows what he is doing, and perhaps he does not, because amongst other things the effect of his amendment would be to deny to all of the registered clubs in the metropolitan area the privilege which they now have, of having trading periods of two hours in the morning and two hours in the afternoon.

Mr. Court: Are you correct on that?

Mr. Cash: It is only the hotel licenses.

Mr. Ross Hutchinson: The relevant club licenses are dealt with on page 34.

Mr. GRAHAM: I was of that impression but, upon reading further, perhaps the point I endeavoured to make is not valid. However, the point has been made that there should be some consistency in our legislation. It is all very well to speak tritely about Sunday being a family day. That in itself is a selfish reason for opposing access to a certain form of refreshment in the metropolitan area.

Is not the Sabbath a family day in the country districts? In what respect are families any less worthy if they happen to live 20 miles beyond the Perth Town Hall? Surely this is a reflection upon those of us who reside in the metropolitan area—that we would somehow become irresponsible if we were belatedly granted the same concessions in the metropolitan area as are enjoyed in other parts of the State.

Are we to believe that those who customarily go to church at present would find there was a stronger magnet in the local hotel or other drinking place? Surely this is ridiculous in the extreme. The other evening I endeavoured to make the point that a great deal of the trouble which exists in Western Australia regarding the consumption and sale of liquor results from the restrictions we have imposed. It has already been pointed out that in the

country districts there is a movement from the playing arena to the licensed premises on Sundays because those premises must cease business at 6 p.m. or 6.30 p.m.

As my colleague intimated, there is no such fine delineation or time limit on Saturdays. Sport goes on whether it is football, bowls, or any other form of recreation, because the closing time is 10 p.m. or 11 p.m. Accordingly, the problem in the country districts results from the 6 p.m. closing.

The problem in the hotels on the outskirts of the metropolitan area—that is to say, more than 20 miles from the Perth Town Hall—results because there are no facilities in the metropolitan area. So, many thousands of people travel to those places to drink and all sorts of unwholesome spectacles develop as a consequence.

Apparently, from the interjections made, it is proposed to leave clubs as they are. For the life of me I am unable to understand what is so commendable about a club being open on Sunday mornings and afternoons, whereas it is apparently a mortal sin for hotels to be open on Sundays. If the hotels were open, this would somehow interfere with the workings of our religious institutions; yet we require hotel licensees to spend hundreds of thousands of dollars in order to provide the necessary facilities.

In other words, if I am a member of the community, there would be something wrong in my behaviour and my attitude to my family if hotels were open on Sundays. But if I am a member of a club then, lo and behold, I become a more responsible citizen and protect what finances are available to myself, and I look after my family, take them for a drive, and all the rest of it.

Of course, that is so much nonsense. It has been pointed out already that Sunday trading is available to the community at large in every part of Western Australia with the exception of a comparatively few acres. In the metropolitan area it has long been the custom, whether within the compass of the law or not, for clubs to trade on Sundays.

I pointed out the other evening that if one has a meal on licensed premises one is able to be supplied with intoxicating liquor. I also pointed out that this applied to lodgers, the licensee or members of his family, and employees. It is possible to go to the air port and obtain liquor almost without restriction. This is all in the metropolitan area, but there are apparently certain purists who, for reasons of their own, want to close their eyes to what is going on and want to make a mortal sin out of something that is perfectly natural.

As I see it, the majority of people enjoy liquor from time to time, and those people do not do any harm to institutions, churches, or other people. They are normal,

decent citizens, and just as righteous as the member for Mirrabooka. I do not think the honourable member has any right to put a halo around his head and decry those people. Apparently if a person is able to produce a membership ticket he can cover himself with glory, but goodness knows what fate will befall him if he goes to a public place known as a hotel.

I appeal for a little common sense in connection with this matter. It has not been a failure in the country districts. The only criticism one can validly make is occasioned by the restrictive hours. Accordingly I hope and trust we will adopt a broadminded attitude on this question. We should not deceive ourselves in connection with it; we should not lay down illogical hours—if hours we must have—making it an offence to do something in one area, while saying it is in accordance with the law in another.

On the fringe of the metropolitan area, of course, we have the situation of there being hotels a few miles apart. Apparently one can have a picnic with drink at Sawyers Valley on a Sunday, but this would be impossible at Mundaring. We also have the situation with regard to Rockingham, Naval Base, and other areas. There is no rhyme or reason for this sort of thing. It just makes nonsense of us as lawmakers and, of course, it makes an ass of the law.

A committee of three responsible citizens was appointed to go into this question. It heard representations from everybody and anybody. People were invited and almost cajoled to put their points of view, and the committee reached the conclusion that there was a necessity for some general uniformity in respect of hours—and in this respect I disagree with its findings—but in the broad principle of refreshment of an alcoholic nature the committee felt that such refreshment should be available, by and large, to those in the metropolitan area just as it has been available for many years to those in the country districts and on the goldfields. I can see nothing wrong with that.

Mr. BICKERTON: The only thing the member for Mirrabooka wants to do is to deny to any person who desires to drink on a Sunday the right to have one. He wants to ensure that the person is not able to drink on a Sunday unless he belongs to a club, or other organisation, or has facilities available.

Mr. Cash: Or has a refrigerator at home.

Mr. BICKERTON: Surely what we are discussing is whether or not a person who so desires—whether he has a refrigerator at home or not—can obtain, in the suburban area, facilities similar to those that exist in the country.

This does not mean the person concerned must go to a hotel. The question of family life to which the member for Mirrabooka refers has nothing to do with this clause at all. Is the honourable member so worried about his fellow man that he does not trust him; that he will not allow him in the metropolitan area to have the facilities that are available for drinking on Sundays in country areas, because he feels he might get drunk, or something of that nature?

I daresay at some time or other we have all reached the stage of not trusting the other fellow. Yet, strangely enough, we all seem to maintain that we are quite capable of looking after ourselves. Will the member for Mirrabooka drink alcohol during all the time referred to; or is he so concerned and worried that the fellow next door might spend all his time drinking alcohol?

There is no reason in the world why a person should not be able to obtain liquor on a Sunday. I have always thought rather stupid that section of the Licensing Act which says we can obtain only two bottles on a Sunday in certain areas, because if people go in and come out often enough they can collect a carton of bottles. If the bottle departments were kept open on a Sunday it might be easier for the person dispensing the alcohol, because it would not then be necessary for him to employ the large staff required to serve draft beer.

Surely we are not here to decide what the other fellow should do! I do not think I will be very worried—unless I happen to be up north—about whether or not I enter a hotel on a Sunday. I have better things to do. I do not suppose I will go without a drink on a Sunday, because I know of ways and means to make provision in this direction should I want a drink at home. If the other fellow wants to go to the pub, why should we deny him that right?

How can I as one who represents a district which has Sunday trading say that because someone lives in the suburbs he cannot enjoy the privileges that are available in my electorate?

It would be rather silly to carry the amendment moved by the member for Mirrabooka. The committee of inquiry has brought down a good and sensible report. If it were carried in its entirety and given a trial it would be a great thing for the State. If in the future we felt the fellow next door was drinking too much—and this seems to be the concern of so many people in relation to liquor—then we could do something about it. We are not in a position to say what the other fellow should do, or at what age he should do it, or at what time he should do it.

I am not prepared to move an amendment to increase drinking hours on Sunday. I would prefer to let this clause go through as it is for a trial period to see how we get on. I do not think we will lose as a result of it.

Liquor is a strange thing and some people have what we know as their beliefs; they are against alcohol in any shape or form. They are entitled to take this stand. There is nothing wrong with that. It is probably as well that there are some people who are anti-alcohol; but surely when we consider what should be done in our State we should not reach the stage of trying to save the other fellow from his sins. No doubt in our lifetime and in the next generation there will be people unable to control themselves, not only in connection with alcohol but in relation to the other evils of life.

Most of the State has Sunday trading and there is a section of the State that does not. These people should not be denied a privilege given to those in other parts of the State. To carry the amendment would be to say that people who can join a club—or possibly three or four clubs—can have as much alcohol as they require, but a person who is not in a position to join a club should be denied that facility.

I do not know why the member for Mirrabooka moved this amendment, unless it is that he represents a borderline seat. It would be wrong I think for us to pass the amendment. Those in the suburban areas should have facilities which are available to people in other parts of the State. I oppose the amendment.

Dr. HENN: I am rather surprised at the manner in which the Deputy Leader of the Opposition and the member for Pilbara have taken to the member for Mirrabooka in connection with the amendment he has moved.

I know the members on the other side of the House very well. I respect their views and have always listened with interest to their speeches, although I have found it difficult to do so tonight. I cannot understand why they should castigate the member for Mirrabooka because, after all, this is a private member's Bill.

Mr. Graham: It is not.

Dr. HENN: The Deputy Leader of the Opposition appears to be getting excited at this early stage when we have not gone one-third of the way through the Committee stage of the Bill. I do not know what he will be like towards the end of the Committee stage. I am not a wowser, or whatever one might like to call those who do not drink. I have enjoyed a drink all my life and still do, but when it comes

to extending the hours of public houses in the metropolitan area on Sunday I feel the matter needs a great deal of thought.

I am not thinking at all about the fellow next door or what he will do should the hotels be open. The fellow next door can look after himself. I cannot accept the argument of the member for Pilbara, because I am thinking of the people who travel to Perth in increasing numbers and who may want a drink of alcohol but cannot afford to stay at our most expensive hotel. These people may wish to go for a walk and end up by having a drink at about midday. They, no doubt, would be catered for by the tavern license.

I might support the opening of public houses in the metropolitan area on a Sunday if I thought those houses and the bars within them were, by and large, decent places in which one could enjoy a drink. I would point out, however, that I have entered several bars in the last month or two in order to have a look around.

Mr. Graham: Is that all?

Dr. HENN: I have tried to improve my knowledge and I have not noticed that the licensees are very keen on Sunday trading. I do not see why we should not have a rest from drinking on Sunday; even if it is on a Wednesday.

Mr. Bickerton: How can you have a rest from drinking on a Sunday on Wednesday?

Dr. HENN: The honourable member will know what I mean. I think we should have one day of rest from drinking; it could be any day. I do not think the licensees have been asked whether they want this or not.

I must go further and say that not many public houses are owned by the licensees. Some people have said it will not be necessary for these premises to open, but we have only to study the situation regarding garages to know what will occur. I believe we must think of others. It is not the fellow next door who will overdrink himself whom we must consider. We must consider whether the licensee will be able to do as he desires.

Mr. Bickerton: It is optional.

Dr. HENN: We will see whether it is optional once the pressures are on when the Bill is passed.

Mr. Graham: Are you going to close the milk bars, too?

Dr. HENN: I think I have expressed my support for this amendment, and I have indicated it is not my desire to cut down anyone's pleasures. I do not think that the particular day has to be brought into this matter.

I am also concerned about the way beer is served in bars in the metropolitan area, and I must confess that it may be because I am growing old, but I do not enjoy a drink in the average saloon bar, let alone the average public bar. There is no comfort in them.

The Minister for Industrial Development referred to the situation in Europe. However, in Europe it is a very different matter. Entering a saloon bar over there is like entering one's own drawing room, but that cannot be said about the bars in our metropolitan area.

We will have millions of tourists here in the next 50 years and we should cater for them; however, the *bona fide* travellers will be catered for by the taverns; and let us hope they will be decent and the food will be good. I feel that at the present time we should leave the situation in the metropolitan area as it is.

Mr. I. W. MANNING: I would like to indicate my support for this amendment, and if the Deputy Leader of the opposition wants to offer me one of his haloes, I would not even object to that. This provision in the Bill is included to replace the existing section providing for the *bona fide* traveller.

Many of those who originally supported the provision for Sunday trading have since lived to rue the day, because it was never imagined that Sunday drinking would develop into the swill to which the committee of inquiry made reference. The granting of trading hours on a Sunday has proved to be the thin edge of the wedge, because now the desire is for extended trading hours on a Sunday. In the existing legislation the *bona fide* traveller was the person who was catered for. This was the excuse for drink being made available on the Sunday.

In the past, Parliament has always expressed great hostility in regard to most businesses trading on a Sunday. We have even gone as far as putting in gaol people who persisted in doing so. Now here we are expecting the hotel trade to do just that. In my view, this provision conflicts with the opinions expressed in the past.

The Bill provides for much greater opportunities for people to obtain and drink liquor, and a member of the Government front bench has described this as being a sophisticated form of drinking. I suppose we could call the Bill the "sophisticated drinking Bill." However, in my view there is nothing sophisticated about drinking on a Sunday. In fact, as far as I can see, it is the end of the road so far as drinking goes.

Mr. Graham: Would you vote to close hotels and clubs in your electorate?

Mr. I. W. MANNING: I would. I have seen then closed.

Mr. Graham: You would vote for it?

Mr. I. W. MANNING: I would. I have certainly lived to regret the fact that I supported the move for the provision concerning *bona fide* travellers.

Mr. Graham: Like the member for Wembley, you are getting old!

Mr. I. W. MANNING: I know that others who supported it at that time regret that it was introduced.

I believe there is very little relationship between drinking in the city and drinking in the country. Some people may be able to make out a good case for Sunday drinking for *bona fide* travellers in the country, but there is very little need for it in the metropolitan area. I think that here and now we ought to make the move to close hotels on a Sunday. I am surprised that the committee of inquiry did not touch on this aspect while making so much additional provision for drinking. I do not object to the other additional opportunities, but I think the opportunity should be taken once and for all to close hotels on a Sunday. I support the amendment.

Mr. YOUNG: At the outset I must say I oppose the amendment. I think that over a number of years we have established that Sunday trading is with us, and I believe we must recognise that people in the metropolitan area should be able to enjoy the same privileges as those enjoyed by people on the goldfields for many years and, more latterly, by people in other country districts. I would like to point out that this clause differs with regard to the hours already enjoyed on the goldfields and in other country districts. I believe we must strive for uniformity.

When speaking during the second reading debate the other night, I suggested that if we have a law, it should apply throughout the whole State and not in sectional areas only. In this regard I point out that in this provision no mention is made of take-away liquor. I think it should be included in this subparagraph. In country areas two bottles can be taken away, and I think some dispute is involved concerning two bottles and a third of a gallon. I think we should clear up this point and should indicate—

The CHAIRMAN: Order! That is not in this subparagraph.

Mr. YOUNG: I am pointing out that I believe this provision should be included in this subparagraph and the provision should be uniform throughout the State. I believe that bottles should be available in each and every section of the community.

The member for Kalgoorlie referred to the travelling tourists who would be deprived of their liquor in the metropolitan area. He referred to Perth as the clearing house for the State for tourists travelling through. However, most of this tourist traffic would be catered for because the

tourists would be residing in one of the licensed hotels and therefore would be able to obtain liquor at any time they desired.

As I have said, I must oppose the amendment. I believe we should strive for uniformity. I am not entirely in favour of the hours in this provision, but I presume that if this subparagraph is not deleted, we would be able to debate it further.

Mr. COURT: I am glad the member for Mirrabooka has seen fit to move this amendment in order that we might at this stage of the Bill obtain a declaration of the Committee towards this vexed question of hotel trading hours in the metropolitan area. I am sorry the Deputy Leader of the Opposition became so vehement about this matter. He virtually branded everyone who votes against this subparagraph as a wowser, or something to that effect.

I would like to feel we could consider this matter in a different atmosphere. Some people, for different reasons, have strong feelings on this question. Also I believe we should leave church matters out of it. I do not believe that if hotels were open—or shut—all Sunday it would make any difference to church attendances. I hazard a guess that my church attendance would be a little better than that of most other members in this Chamber; but it is not influenced by the hours of hotel trading or the possibility of trading. I think we should leave this right out of our consideration. I believe that this provision would not affect church attendances one iota. We should consider the matter on an entirely different premise.

It is very quaint that this amendment is not being supported by the majority in this Chamber, because it is only a few days ago that we debated a Bill to enable used car traders to open on a Saturday afternoon.

Mr. Jamieson: That is different.

Mr. COURT: It may be different; and I gave the member for Belmont 10 out of 10 for trying the other night. I thought he put up a plausible argument as to why there was a difference between food and lodgings and motorcars. He did not convince me, but I gave him 10 out of 10 for trying.

Mr. Bickerton: But you must admit you eat and drink on a Sunday.

Mr. COURT: The simple fact is that the arguments used were that it would deprive people of some leisure; they would have to work on a Saturday afternoon; competition would force them to open on a Saturday afternoon and would put up costs. One thousand and one reasons were advanced on that occasion, but because this matter concerns liquor, it seems to be entirely different.

Mr. Jamieson: That is right.

Mr. COURT: Anyone who wants to consume liquor on a Sunday can have as much as he likes in the sanctity of his own home. In my place there is plenty for all and sundry who want it.

Mr. Jamieson: I'll be out on Sunday!

Mr. COURT: I would welcome the member for Belmont if he wants to come. Regardless of political considerations he would find the hospitality of our house fair enough. We do not draw any line because of political leanings.

I do say in all sincerity that most people are well equipped in their homes and why we want to intrude this provision into the metropolitan area is beyond me. The argument is advanced that we have provided for this in the country and therefore it is fair enough that we should provide for it in the city; but good reasons exist why we should not mix up the two situations.

The fact is that people go out of the city into country areas on the weekends, and that is what we encourage. Why encourage people to come into the city—that is where the main emphasis would be on the weekend—when it is quite unnecessary? It is not a necessary service, and we will be creating a problem out of all proportion to what most people realise if we agree to the retention of this subparagraph.

I know there are arguments against the present method of trading on a sectional basis in the country. I have heard many members of this Chamber—those still present and those who have retired—who have said that if they had the opportunity again they would never support the opening of hotels in the country on a Sunday. Having that in my mind, I believe it is another good reason for not extending the trading hours any further.

The argument has been submitted that this could affect tourists. I cannot imagine someone in London, Paris, or New York, even contemplating whether, if he goes to Perth on a Sunday, the hotels would be open. I do not think this would make one scrap of difference to the attitude of tourists, particularly as those tourists who are genuine lodgers in a hotel can obtain all the service they want, 24 hours a day. *Sitting suspended from 6.15 to 7.30 p.m.*

Mr. COURT: I conclude my remarks on the amendment before the Committee—that this paragraph be deleted—by saying I believe there is no need to get excited over whether one believes in strong drink or otherwise, or whether or not the amendment will affect church attendances. I think all those things are irrelevant.

I endeavoured to trace the history of Sunday trading in the country areas, and a number of members who were quite outspoken on a previous occasion have said they would now decide differently from what they did then. I put this forward as

a reason why there is no need to have the facilities in the metropolitan area merely because they are available in the country. In fact, there is good argument for encouraging people to go out of the city rather than have them concentrated in the city.

I make one final point. I, myself, could not get very excited whichever way this thing goes. I do not adopt the same dictatorial attitude as does my friend, the Deputy Leader of the Opposition. He seems to feel that anyone who wants to restrict trading hours has something wrong with him. I would remind the Committee that if we do agree to the Bill in its original form, and reject this amendment moved by the member for Mirrabooka, it will not only be the hotels in the central city block which will open—although I think they will be the focal point of Sunday trading—but every hotel in the metropolitan area can open, including those at the beaches.

We have also to realise that the hotels at the beaches will be opened on a different basis because of what we decided a few nights ago. In other words, the 18-year-olds will have a right to drink. I support the amendment.

Mr. JAMIESON: I do not think the Committee has given consideration to the fact that if the amendment moved by the member for Mirrabooka is agreed to it will mean that the 30-mile limit will prevail, as is provided in the next part of the Bill. Many hotels such as those at Waikiki and Rockingham are already allowed to trade, and they will be closed.

Mr. Cash: Subject to any future amendments, of course.

Mr. JAMIESON: The member for Mirrabooka gave no indication that he would be associated with any further amendment.

Mr. Court: It would not be my intention, either, to take away what already exists.

Mr. JAMIESON: The Minister did not imply that either.

Mr. Court: I make the point now.

Mr. JAMIESON: It is very clear that the amendment would remove something which already exists.

Dr. Henn: We want the *status quo*.

Mr. JAMIESON: The Minister said he had no desire to encourage people to come into the metropolitan area; he would rather see them go the other way. Surely the right thing to do would be to establish a uniform licensing Act for the metropolitan area and close the clubs also. This would achieve the object which the Minister sets out to achieve. The Minister did not suggest that, so one can only assume he is prepared to face up to limited Sunday trading, the limit being the holding of a license to obtain drink at a club on a Sunday.

This seems to be a piecemeal approach to a moral or ethical question. I find that once a person pays a fee to a club he has the feeling that he has to get his equity out of belonging to the club. Possibly up to 50 per cent. of the members of the clubs are only picket kickers and, as a consequence, they are members because of the conviviality associated with drinking and club activities on the club premises. Whether this is to be encouraged, I do not know.

On a Sunday morning in the metropolitan area most clubrooms are quite full, even in the middle of winter. I doubt very much whether the hotels would be full in those circumstances.

Mr. Bickerton: The customers might be.

Mr. JAMIESON: There might be a few regulars who would go to the hotels on Sundays in the metropolitan area. If people were not restricted by having to belong to a club to be able to drink on Sunday I think it is more likely that they would stay at home.

Mr. Ross Hutchinson: I would like to ask the member for Belmont if he would want uniformity between city and country trading if the amendment which is now before us is defeated?

Mr. JAMIESON: My word; I think I have made that point quite clearly.

Mr. Ross Hutchinson: How would that be achieved?

Mr. JAMIESON: Of course, that would require a further amendment. We would have to make the country trading hours apply to the metropolitan area, as is proposed. I think the member for Kalgoorlie intends to move an amendment to widen metropolitan trading so that it will be in accord with country trading. We would have to face up to that provision when it was under discussion.

Mr. FLETCHER: I oppose the amendment, because I believe there should be parity between hotels and clubs in respect of Sunday trading. After all, the proposal for Sunday trading is optional.

On a Sunday there would not be many potential patrons in the city block. I consider suburban hotels will receive most of the patronage. If certain trading hours are allowed, it would not necessarily mean that all hotels would be patronised. For example, one would see very few people in hotels in the Fremantle city block on a Saturday night, and I assume much the same thing would apply on a Sunday.

When the Minister was speaking, he said, in effect, that there will be an exodus from the country to the city on Sundays for the purpose of obtaining liquor. Of course, the reverse applies at the moment. When I spoke during the second reading the other evening, I referred to the traffic hazards which are caused because liquor is

available in only a very few places. If the area of trading is diversified, traffic will also be diversified. Consequently it will not be so concentrated and perhaps there will not be as many traffic accidents.

I ask the Committee to consider one point: some people cannot live without liquor but, generally speaking, we have to live with liquor, and this situation has gone on for thousands of years and will continue to do so. I see nothing wrong in affording hotels limited trading hours in line with those which exist for clubs. Consequently, I oppose the amendment.

Mr. McIVER: It is quite apparent from the debate this evening that members on both sides of the Chamber are at variance with the Bill before us. On issues such as this, members of Parliament should express their views plainly and their reasons for adopting a certain stand.

All members would agree that there must be a change in the present liquor laws to keep pace with the rest of the world. Members of Parliament must apply themselves to this task, irrespective of the feelings of some electors. After all, we are elected to Parliament to make these decisions.

I cannot agree with the member for Mirrabooka and I must oppose his amendment. However, it is only through diversity of opinion from both sides of the Chamber that we will obtain a formula which we can adopt and put on the Statute book for those who are to follow us.

Let us look at the situation in Rockingham and other areas where Sunday trading is limited to one hour. Let us look at the amount of alcohol consumed in that hour. If a person goes to a slide-window or some other place where liquor is obtained, and asks for less than a jug, he is looked at as something out of this world. Surely we will not allow this to continue. Many people from all walks of life enjoy a Sunday drive and finish their drive at a place like Rockingham or Safety Bay.

Mr. Rushton: What about Sawyers Valley?

Mr. McIVER: The same thing applies to Sawyers Valley. Many people go there for the purpose of consuming as much liquor as they can in the hour. I strongly believe that, when a limitation exists, many people try to drink as much as possible in the limited time. This kind of thing was not intended by the committee which was formed to look into the liquor laws and to place before Parliament some improvement to them.

I could not understand the member for Wembley when he referred to saloon bars in hotels throughout the State.

Dr. Henn: I referred to city hotels.

Mr. McIVER: I mean city hotels.

Mr. Jamleson: That is up to the Licensing Court.

Mr. McIVER: Right throughout the metropolitan area, licensees have spent thousands of dollars to improve their premises and to make them attractive, not only for the people of our State but for tourists who come to Western Australia. We must be fair on this aspect, irrespective of whether or not we want to drink.

It is necessary to consider only the last five years in relation to the change in the architectural design of our city hotels. It does not matter whether a person stays overnight at a hotel, whether he goes there for a meal, or whether he goes there to drink. Surely we must agree unanimously that hotels have taken a big step forward over the last five years in the programme of development in the State. I invite members to compare our hotels, generally, with hotels in the Eastern States, many of which are only hovels.

I am sure that licensees of many hotels showed foresight to effect improvements, and doubtless it was necessary for them to borrow money to improve their facilities and to attract people to drink in decent surroundings. The purpose of the Bill before the Committee is not to educate people who drink, but our young people who are going to drink. If the amendment which the member for Mirrabooka moved was carried in its entirety, I have no hesitation in saying that it would be a retrograde step.

Many members have referred to sporting clubs. Personally, I have played sport all my life and I still participate in it. There is nothing I enjoy more than a drink on Sunday afternoon when I have finished sport. I go with my wife—who, incidentally, does not partake of alcohol but who joins me for company—and other members of the sporting organisation for a few beers after the game. Sometimes we probably play a far better game there than we do in the arena. In a serious vein, however, I do not think this will affect sporting clubs one iota, nor do I think it will affect those who attend church.

Church will go on just the same. I attend church now and again and I go there in a sincere belief of its Christian teachings. Sunday trading will not change me and I am sure it will not change anybody else.

We must be big enough to look at the situation logically and realistically. Sunday trading has to come and it might as well come now as in five or 10 years' time. It is something we must face up to. We could continue to speak on this subject and reiterate our views until 2 a.m., but we would still come to the same conclusion: those who oppose an extension of Sunday trading hours would vote accordingly and those of us who feel that an extension of hours, as set out in the Bill,

would be beneficial to the community would vote accordingly. As I say, it is something we must face up to.

In this day and age we are trying to attract tourists as well as overseas investments. I think that if we retard this Bill in any way we will put up a barrier to the achievement of that objective. Probably the people on this committee had many differences of opinion but finally they decided unanimously that this would be most beneficial legislation for Western Australia. I have no hesitation in saying that the line put forward by the member for Mirrabooka not only shows a very narrow outlook but it would also be a very retrograde step for the people of this State.

Mr. RUSHTON: I think we can be very thankful that the member for Mirrabooka has brought this amendment before us. It certainly allows us to clarify the issue, and this is a very vital one. I believe that if the amendment is carried it will allow continuance of a very objectionable happening that occurs at present; that is, this trading facility which is available at approximately the 20-mile periphery of the metropolitan area on a Sunday.

I believe that Sunday should be a day of rest and a day for the family. I also believe that Sunday trading has become established over a period of years and is with us, and we have to make the best of what we have. I have no wish to take away what the country people have, but if some change in the hours is necessary I think this could be done.

The trading hours that clubs enjoy have become established and I have not seen anything objectionable about them. I believe that the wishes of the people should be implemented. My understanding is that they certainly do not support the present situation, whereby they are required to travel 20 miles to partake of alcoholic beverages.

I believe people would rather have all in or all out as far as trading is concerned and that they do not want any extension of trading hours on Sundays. I have to oppose the amendment, because I think it continues an objectionable practice, despite the fact that the Minister handling the Bill suggests that people enjoy travelling into the hills. I would prefer that they travelled out to Serpentine Dam and other places, not with the thought of—

Mr. T. D. Evans: A lot of people travel to Waikiki on a Sunday.

Mr. RUSHTON: That is so, and to Rockingham, and Naval Base, and all those outlying places. It might be said that I am speaking against the interests of my district, but many people in my area have expressed the view that they would prefer that trading was all in or all out. As a matter of fact, when I was

driving back from Rockingham on Sunday I followed someone who gave me quite a fearful journey because he stopped abruptly, and careered into the sand, and so on.

I believe that people generally do not want greatly extended Sunday trading hours. It is something that is already with us. If we had to make the initial decision now, the result might be different, but Sunday trading has been established and I do not think we can take it away.

Mr. STEWART: I rise to oppose the amendment because we already have Sunday trading hours for members of clubs and I would like hotels to have the same privileges as clubs, with uniform hours for clubs and hotels in the city. I think the hours in the country are adequate and I would not like them to be extended, but I would like the same hours to apply in the city.

I heard the Minister say he supports the *status quo*. I pose this question to the Minister, in regard to the 20-mile limit: Has he ever travelled from Fremantle to Rockingham at about seven o'clock on a Sunday evening? It is one of the hazards of life. I, unfortunately, did it twice; but never again. I think the 20-mile limit is a tremendous hazard and that it ought to be cut out by making the hours uniform right throughout the State. I hope that we will be rational and reasonable about this and that we will give the city the same privileges as the country now has.

Mr. TONKIN: I am unable to work up any great enthusiasm for a proposal to extend the facilities for drinking on Sundays, even though I feel some sympathy for those whose tongues hang out before 11 a.m. and after 6.30 p.m. on Sundays—the Bill will do nothing to assuage their thirst. Why is it that people get so thirsty between 11 a.m. and 6.30 p.m., and not after 6.30 p.m. on Sundays in the summer?

Strange as it may seem, I find the views I hold on this subject are in consonance with those expressed by the Minister for Industrial Development. Either we are both wrong or we are both right, and I think it would be a most extraordinary thing if we were both wrong! I do not think either one of us would admit it anyhow.

I do not think this extension of drinking facilities in the metropolitan area is really wanted by the people in the metropolitan area. I have yet to see any evidence that they do want it. Other people are trying to foist it onto them. I have endeavoured to ascertain what the people generally think about this and the impression I have gained is that the majority of people do not want it. Surely we are not here to provide facilities which the

people do not want. Our attitude ought to be to meet the requirements of the people, if they are reasonable requirements. In some quarters the idea of holding a referendum in order to ascertain precisely what the people want is not favoured at all; it is said to be dodging the question.

There is nothing new in holding a referendum on the question of liquor. What about the local option polls which used to be held in various districts so that the people, if they wished, could have facilities for drinking alcoholic liquor? There was never any argument advanced then that referendums should not be held; so what is wrong with now ascertaining from the people what they really want?

I understand that the Trades and Labor Council, which is representative of the trade unions in this State, made a request to the Premier for a referendum. That suggests to me that there is no very great and widespread support for Sunday drinking facilities in the metropolitan area. I believe the Premier declined to agree to make any move to have a referendum and preferred to leave it to Parliament. Nevertheless, it is a fact that such a request was submitted to him and it is indicative—it may not be conclusive—to some extent of the thinking of the trade unions. Surely some notice ought to be taken of that.

It is true that for some time facilities for drinking on Sundays have been available in the metropolitan area in clubs, and in the country districts in clubs and hotels, and I have no wish to take away those facilities, even though I might feel sometimes that they are not to the best advantage of many men. I have on a few occasions—and, of course, one swallow does not make a summer—actually experienced cases where wives have gone to hotels in order to get their husbands to leave the bar and come home. So I would believe that the majority of women would be against any extension of Sunday trading, and I am not one to make their situation worse than it is now by providing facilities which will encourage men to drink on Sundays.

Anyone who gives any thought to the subject will know that there is a vast difference between living in the metropolitan area and filling in one's time on Sundays, and living in a place such as Dampier, Tom Price, or Mt. Newman where there is nothing to do around the camp on Sundays and where the men find it difficult to fill in their time. So the circumstances are not at all comparable.

Mr. CRAIG: What about Rockingham and those other places?

Mr. TONKIN: Well, there is not an exodus of the whole of the population of the metropolitan area going to Rocking-

ham; it is only a small proportion. If people are so thirsty that they want to travel that distance, that is their business; and they will still be able to do that. However, I see no great support in the metropolitan area for the extension of these facilities and I do not believe all the hoteliers want it. I can imagine that some large hotels in the city would have their doors open catering for a mere handful of people.

I do not know that the hoteliers are so keen about it. Some hotels which are more advantageously placed alongside beaches, as the Minister for Industrial Development pointed out, will no doubt do a roaring trade. But apart from benefiting those hotelkeepers, I do not think it will be much good to the beachgoers in the ultimate. This is a question upon which I desire to know what the people think.

In the first place, I will support the amendment moved by the member for Mirrabooka, but is it obvious from the expressions of opinion already given that it will not be carried. So far as I can recall there has been no mention of what happened in New South Wales. The people in that State are fairly hard drinkers but, when a similar proposal was put to them, it was turned down properly with a thumb. That leads me to the conclusion that those who speak against a referendum as being something which permits members of Parliament to dodge their responsibility are taking that action because they are afraid of the result if the matter is referred to the people. Surely in a democratic country we should not be afraid of a decision of the people on a question fairly put to them.

This is a question of conscience, if ever there was one. I can understand people holding strong views one way or the other, but why should we, if we believe the people do not want what we are proposing to do, decline to let them have a say on it? It seems to me that the main reason there is opposition to a referendum is because people are scared of the result if the public are allowed to express their opinion.

So, despite the strong advocacy of some members for extending the facilities, I find no great enthusiasm for such a proposition. I think if we agree to allow hotels in the metropolitan area to open for the same periods as hotels and clubs open in the country districts, before long we will inevitably have a further clamour in some quarters to allow the hotels to open earlier on Sundays and close later; because I cannot believe that those who are so keen to drink on Sundays will not be thirsty before 11 a.m., and will not be much thirstier after 6.30 p.m. Just imagine men who have been drinking from 5 p.m. until 6.30 p.m. being turned out when they are just starting to work up a thirst! So if it is a question of providing what the people really want, the limitation we are providing will not meet the position at all.

One must expect a divergence of views on this question; that is why it has always been one left to the individual member to decide and never a party question. I have had far more protests against the extension of Sunday drinking than I have had letters in support of it.

Mr. Rushton: Has there ever been a referendum on this issue in this State?

Mr. TONKIN: I am not certain of this, but I think in years gone by local option polls were held in Western Australia.

Mr. Rushton: But not on a State basis?

Mr. TONKIN: No, there has never been a referendum throughout the whole of the State on the question of Sunday trading. From time to time Governments have imposed their will upon the people even though they have had reason to believe that if they appealed to the people a contrary decision would be given.

In view of the fact that in previous years it has been recognised that the people ought to be consulted, it seems to me there will be nothing wrong in consulting them on this question. If, by an overwhelming vote they showed themselves in favour of it, there would be very little opposition to what is proposed in the Bill. On the other hand, if they showed that they were overwhelmingly opposed to it, I think they would have the right to ensure that the law should remain as it is.

Mr. DUNN: As one who is a great advocate of the complete abolition of the licensing laws, I feel I must say a few words on this amendment. I do not believe we will meet the wishes of those who are trying to stop people from drinking by restricting drinking facilities and the availability of liquor when people want it. I consider that if we did not have a Licensing Act, and the Health Act was the only Statute to control the production and distribution of liquor, we would go far closer towards serving the wishes of those who want to take up the cudgels on behalf of their fellowmen and to look after them.

Mr. Jamieson: The Treasury would not be too happy about that idea, I should imagine.

Mr. DUNN: I realise this is one of the problems, but it does not alter the fact that what I have suggested is the real answer. The fact that it would not bring money into the Treasury is no reason for not looking at the problem with a broad concept. It is true the Treasury receives a tremendous amount of revenue from the sale of liquor, and that every man, woman, and child benefits to some degree from that revenue. Yet we find ourselves in a situation where we are seeking to dictate to the people who provide the main source of that revenue instead of allowing them to enjoy what they want to enjoy when they so desire.

I am firmly convinced, following my experience overseas, that when no restriction is imposed on the availability of liquor, regardless of time and place, one finds a contented people and very seldom, if ever, does one see anyone under the influence of liquor. I had occasion to be in a country for some two and a half years and during that time I did not see one citizen displaying himself under the influence of liquor; but I did see many people, in places where they were subjected to restricted hours of drinking, making complete idiots of themselves, and this included myself.

However, it does not alter the fact that if we are to moralise and to proceed in trying to introduce laws which are practically impossible to police we must suffer the result and, in my opinion, the result will be a situation in which people will want to do something, with other people trying to prevent their doing it, and placing those who are responsible for dispensing liquor in an impossible situation. By that I mean that those who will be dispensing liquor will have hanging over their heads the fear of breaking a law which is inconvenient and stupid. In saying this I cast no reflection on those responsible for administering the law.

To me it simply means we are placing people in a stupid position and forcing them to do something they should not have to do. I cannot see that a great deal is achieved by providing that a person can obtain liquor at only certain hours of the day on a Sunday within a certain distance of the city, when one knows there are plenty of places where people can obtain liquor whenever they so desire. It seems to me paradoxically stupid to grant a member of a club the right to obtain liquor in the metropolitan area between certain hours on a Sunday, when an ordinary citizen does not have that right. Where is the equity in a law of that nature? To me it is completely out of tune and illogical.

So I would say the committee that was appointed to inquire into the licensing laws has taken a bold step towards furthering the change that has been imminent for many years and which is gradually becoming manifest, especially as we have reached the point where drinking is permitted in clubs and in country hotels during certain hours on a Sunday, but is not permitted in hotels situated in the metropolitan area. We have to arrive at some sensible decision on this question.

I quite agree with those members who have instanced the mad rush to the hotel at Rockingham and to those in the hills by people who are desirous of obtaining a drink during certain hours on a Sunday and who are half inebriated when they leave those hotels.

To me, this is completely out of step with rational thinking. The question of whether or not an individual should have a drink on a Sunday is a matter for the individual himself to decide. If the facilities for drinking are made available to him—and I think they should be—and if the vendors of liquor wish to make such a service available—as they should be allowed to do—I firmly believe that in the final analysis, when we eventually catch up with other parts of the world—which we are rapidly doing in other spheres because of rapid means of transportation—we shall say, "Righto, make available facilities for drinking when and where people want it, in the same way as they can have a cup of tea or a glass of lemonade." That is the complete answer.

In regard to our beaches, I wonder whether, in considering Rockingham alone, which is a beach resort of some renown, we force people to drive down there to obtain a drink.

Mr. Williams: And how they drive!

Mr. DUNN: Yes, and it is a very alarming experience which is completely unnecessary, brought about by the fact that we are not sufficiently sophisticated in our approach to this question. I am not going to moralise against another person as to what he does, and I do not consider he should moralise against me as to what I do. I believe in freedom of choice in this matter.

To me, the present situation is quite illogical, and therefore I am definitely opposed to the amendment that has been moved by the member for Mirrabooka. I would like to feel that members of the Committee will respect the report that has been submitted by the committee of inquiry. The members of that committee have been bold enough to come out into the open on this question, and we should have the courage to go along with them.

The CHAIRMAN: It is obvious we have reached the stage where members are repeating what has already been said. This is contrary to Standing Orders, and I now intend to enforce them strictly, because I can see no need for this repetition.

Mr. BICKERTON: I have no intention of doing that, Mr. Chairman, but I want to make a brief comment on the support given to the amendment by the Minister and the Leader of the Opposition. Both of them went out of their way to say that they did not want to interfere with anything that existed at present—

Mr. Court: They are both realists.

Mr. BICKERTON: —but they did not want any extension of the trading hours. I can understand a person being against Sunday trading in liquor, but I shall never know how one can say that one

section of the State can enjoy an extension of liquor trading hours on a Sunday and another section be denied it, without making an utterance that borders slightly on hypocrisy.

The point is whether we should have Sunday trading or not. A big section of the State already has it. The Leader of the Opposition said that one swallow does not make a summer, and I would add that neither does one swallow make a drink. If people want the facilities of Sunday trading in the metropolitan area there is no reason why they should not be given the opportunity to have those facilities. After a great deal of study the committee which investigated this matter recommended the people be given those facilities. Either we have Sunday trading or we do not. I respect the views of those against Sunday trading but I cannot see how we can have Sunday trading in certain parts of the State and not in others. It is just not logical.

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

Ayes—18

Mr. Bertram	Mr. Lapham
Mr. Bovell	Mr. Lewis
Mr. Brady	Mr. O'Connor
Sir David Brand	Mr. Runciman
Mr. Cash	Mr. Sewell
Mr. Court	Mr. Taylor
Mr. Grayden	Mr. Toms
Mr. Harman	Mr. Tonkin
Dr. Henn	Mr. I. W. Manning

(Teller)

Noes—26

Mr. Bateman	Mr. Kitney
Mr. Bickerton	Mr. May
Mr. Burt	Mr. McIver
Mr. Craig	Mr. Mensaros
Mr. Dunn	Mr. Mitchell
Mr. H. D. Evans	Mr. Moir
Mr. T. D. Evans	Mr. O'Neill
Mr. Fletcher	Mr. Ridge
Mr. Gayfer	Mr. Rushton
Mr. Graham	Mr. Stewart
Mr. Hutchinson	Mr. Williams
Mr. Jamieson	Mr. Young
Mr. Jones	Mr. Norton

(Teller)

Amendment thus negated.

Mr. MITCHELL: I move an amendment—

Page 19, line 28—Insert after the word "and" the words "one in the afternoon and between half-past four and".

Without exception, every speaker has felt we should have some uniformity and that is what my amendment seeks to achieve—to have uniformity between hotels in the city and hotels in the country; uniformity between taverns in the city and taverns in the country, and between clubs in the city and clubs in the country.

The committee of inquiry has recommended that we break away from the situation which exists; that we should introduce longer hours of trading in the metropolitan area. I am opposing longer hours of trading in the metropolitan area

for the sake of uniformity. My amendment will make the hours in the metropolitan area from 11 a.m. to 1 p.m. and from 4.30 to 6.30 p.m.

Mr. Graham: The committee recommended from 4 o'clock to 6.30 p.m.

Mr. MITCHELL: Its recommendation for the city hotels is from 11 a.m. to 6.30 p.m.

Mr. Graham: But in respect of the country it is from 4 to 6.30 p.m.

Mr. MITCHELL: If this amendment is accepted others will automatically follow because we are trying to achieve uniformity so that liquor can be sold throughout the State during the same two hours on Sunday.

I deplore the suggestion made by the member for Belmont the other night that from my remarks it was apparent that neither the little clubs nor the big clubs would get any help from me. All my life I have supported sporting clubs and have helped them as much as anybody else. During my second reading speech I said that I felt much in the Bill was good though I did not agree with other provisions it contained. I said I agreed that we should give the small clubs, the big clubs, and everybody else the same opportunity. The Deputy Leader of the Opposition mentioned the hours of 4 to 6.30 p.m.

I have moved this amendment because I believe most people who have the privilege of an afternoon session have accepted 4.30 to 6.30 p.m. rather than 4 to 6 p.m. or 5 to 7 p.m. I am not quite sure of the situation in the metropolitan area, but it does apply in the country.

Mr. Graham: Most clubs in the metropolitan area open from 4 to 6 p.m.

Mr. MITCHELL: I still believe that 4.30 to 6.30 p.m. is desirable, because we must give consideration to all sections of the community and I believe that these hours will suit all sections. There is in the Bill a provision which allows an extra half hour during which patrons may finish their drinks and the employees may clean up before closing down. That would make the final time 7 p.m., which is quite late enough for anyone. It would give the family man time to get home to his evening meal if he so desired.

I am appealing to members to give this matter serious consideration. Nearly everyone has stated that we should have uniformity, and that is why I have suggested these amendments.

The reason I have mentioned the two hours in particular is that a number of petitions have been presented to this House, and they involve the signatures of the thousands who have asked for the trading hours not to be extended. As I mentioned earlier, for years a privileged section of the community has had two hours of trading on a Sunday, and I believe we would not be betraying our trust if we

carried on with that principle and provided for not more than two hours in any one session in any one section of the community.

I trust the Committee will give serious consideration to my amendment, keeping in mind that if this amendment is passed—or whatever hours are inserted here—the hours will be inserted in five other places where the hours of hotels, clubs, and taverns are mentioned.

Mr. Bovell: Will this make the hotels and the clubs uniform?

Mr. MITCHELL: Yes, if all the other amendments are carried. If that is done, the situation will be uniform.

Mr. GAYFER: The honourable member has moved an amendment in line with my own thinking and I would like to support him. However, this amendment alone will not bring about the complete uniformity he desires. Therefore other words will have to be inserted in this clause at a later stage. For the sake of uniformity I intend to move an amendment, although it is not on the notice paper. I did not know what the result of the vote would be on the last amendment. However, now knowing that, I intend to support the member for Stirling.

There is provision in this Bill to allow sporting bodies to change those two hours from 4 to 6 p.m. or 5 to 7 p.m. I do not know as yet whether I will agree to that, but we will deal with it when we come to it.

The only other provision I want inserted is to allow a third of a gallon of beer to be available in the city the same as is the proposal for the country areas. In other words, I want complete uniformity right throughout the State.

Mr. RUSHTON: As stated earlier, I believe the public generally do not want an extension of hours, although I have no objection to the hours enjoyed by country people. However, I do not believe that those in the city want the hours extended to any great extent. In my opinion an afternoon session would be quite adequate.

Mr. Graham: This is not an extension.

Mr. RUSHTON: It is. The city people do not enjoy this privilege at all at the moment, except at the 20-mile limit.

The Bill provides for all-day drinking and I do not believe the people generally desire this and I therefore oppose the amendment. Fair enough, if the country people wish to have two sessions of two hours, but I believe we must provide alternative times for the city.

As mentioned by the Minister, there are many objections, and the lowering of the age limit, if it is agreed to, will bring other problems. Whilst wishing to dispose of the present objectionable travelling to and from which takes place, I do not believe that the people, generally, wish to have an extension of hours.

Mr. Graham: In order to prevent that travelling, what hours would you suggest in the metropolitan area?

Mr. RUSHTON: I believe it should be two hours only for the city. If there is uniformity of hours, people will not travel to and from the country, which is what creates tremendous problems. I would like a compromise regarding reduced hours. In my belief, two hours in the city is sufficient, and I would prefer those hours to be 3.30 to 5.30 p.m. However, I oppose the amendment.

Mr. COURT: I would like to say I go along with the amendment. Once we accept the fact that those in the metropolitan area are allowed to drink on Sundays, as we have, we must then try to provide uniformity. The most cogent argument in favour of uniformity is that it would prevent the switching from one hotel to another. I can hardly imagine that if the times are all uniform, anyone will want to go from the inner metropolitan area to the outer metropolitan area just to drink.

I would also like to feel that the member for Avon will not persist with his intention to move an amendment in respect of the third of a gallon.

The CHAIRMAN: Order! We will deal with that when we come to it.

Mr. COURT: I was merely referring to what the member for Avon said. However I have made my point and I support the amendment.

Mr. T. D. EVANS: I oppose the amendment and intend to support *in toto* the clause relating to trading in the metropolitan area. The Government saw fit to appoint a committee with wide terms of reference. Its task was to analyse the whole spectrum of licensing laws in this State. The committee submitted a piece of legislation and although the Bill was criticised, it was not rejected at the second reading stage.

It has been said that the Bill contains much good, mainly because it makes our laws, and also the social customs, associated with drinking more sophisticated. I feel that the hours suggested by the committee have a great deal to recommend them.

At least we are drawing steadily closer—although we have a long way to go—to the state of affairs which exists in other enlightened countries where there is little restriction and free enterprise, and where people are encouraged to come and go as they so desire and imbibe if they so wish. The committee has, by its suggested spread of hours, paid respect to the fact that Sunday is the Lord's day, and that some people may desire to go to church. By closing hotels at 6.30 p.m. those who desire to attend church at night-time will be able to do so. I think the spread

of hours is reasonable and I intend to support that part of the clause *in toto*.

Amendment put and passed.

Mr. MITCHELL: Now that we have hours which could be considered uniform I hope we can pass my second amendment without very much discussion.

Point of Order

Mr. GAYFER: On a point of order, is the member for Stirling carrying on with this particular clause?

Mr. Mitchell: My amendment is to line 3 on page 20.

The CHAIRMAN: Has the member for Avon an amendment prior to that proposed by the member for Stirling?

Mr. GAYFER: I want to deal with an amendment to line 30 on page 19.

The CHAIRMAN: The member for Avon may continue.

Committee Resumed

Mr. GAYFER: I think the idea is that we strive for uniformity throughout the State. The Bill provides at that people living in the country areas will be able to buy two bottles of the beer during the morning session and two bottles of beer during the afternoon session.

If we are to have real uniformity we must either include the two-bottle provision in this clause—which I intend to move for—or delete “two bottles” from the next subparagraph. For the purpose of testing the Committee, and in the interests of uniformity, I move an amendment—

Page 19, line 30—Insert after the word “premises,” the following words:—

and beer during either of those periods in quantities not exceeding one third of a gallon for consumption off the premises.

The CHAIRMAN: Would you please hand in your proposed amendment?

Mr. GAYFER: Yes, Mr. Chairman. I have used the words “one third of a gallon” because two reputed quarts could mean half a gallon, and half a gallon is three bottles of beer. I tried to put forward some amendments to clarify the point so that if the wording was taken at its face value and three bottles were actually sold, the licensee would not lose his license. I wanted to clarify the point but I must admit I went about it in a rather tedious manner. The Minister for Labour has advised me that the correct wording should be “one third of a gallon.” A further amendment will have to be made, for the sake of uniformity.

Mr. COURT: I hope the Committee will not accept this amendment. When we talk about uniformity we do not have to follow it through to the last comma. I think there is a very big difference between the metropolitan situation and the country situation. I have no intention of moving, on my own initiative, to delete the appropriate words in the next subparagraph. However, I can see a great deal of danger and difficulty arising in the administration of the law if we do allow liquor to be taken away from hotels on Sundays, even if it is only one-third of a gallon by each person. I notice certain words were not included in the amendment. The reference in the next subparagraph is to "any one person".

I can see all sorts of difficulties arising, particularly where hotels are located near beaches. We will have the 18-year age limit coupled with the two sessions of two hours each, and people then being able to take away one-third of a gallon each. I can see all sorts of problems. I think we will have enough trouble trying to implement the existing provisions, and I hope the Committee will not accept the amendment.

Mr. JAMIESON: I would like your advice, Mr. Chairman. I desire to amend the amendment and I would like to know whether this should take place after consideration of the amendment, or at this stage. I would like to insert the word "liquor" in place of the word "beer," for obvious reasons. Somebody might want a bottle of stout or a bottle of wine to have with his Sunday dinner.

The CHAIRMAN: The member for Belmont can move his amendment to the amendment now.

Mr. JAMIESON: I move—

That the amendment be amended by deleting the word "beer".

Mr. Court: Beer includes ale, porter, and stout.

Mr. JAMIESON: Yes, but what about wine?

Mr. Court: That defeats the whole purpose of the original amendment.

Mr. JAMIESON: But we are reviewing the legislation, and the circumstances which caused the introduction of the two-bottle situation originally were not very satisfactory, as I think the Minister will agree.

Point of Order

Mr. DUNN: Mr. Chairman, could you advise members which amendment we are considering at this point?

The CHAIRMAN: Were you not in the Chamber when I stated the question?

Mr. DUNN: I have been here all the time but I did not hear the amendment. Could you explain it?

The CHAIRMAN: I will repeat the amendment, but I cannot be expected to keep on repeating it. The member for Avon has moved an amendment as follows:—

Page 19, line 30—Insert after the word "premises," the following words:—

and beer during either of those periods in quantities not exceeding in one third of a gallon for consumption off the premises.

Mr. GAYFER: I must apologise, Mr. Chairman, I was trying to clarify the point made in the next subparagraph by inserting the provision into this paragraph. I can see that I must include in my amendment the words "to any one person".

The CHAIRMAN: I am afraid you cannot do it now; the member for Belmont has moved an amendment to your amendment. Still answering the member for Darling Range, the member for Belmont has moved an amendment to the amendment as follows:—

That the amendment be amended by deleting the word "beer".

Committee Resumed

Mr. COURT: I want to point out to the Committee that if it accepts the amendment on the amendment moved by the member for Belmont the word "liquor" will take the place of the word "beer" and this would include spirits, wine, or beer containing more than 2 per cent. of proof spirit.

The Committee is discussing a quantity of one-third of a gallon. There was a good reason for the word "beer" being inserted previously, but the amendment before the Chair would leave the door wide open to include wine and spirits. Members must realise that 18-year-olds would be able to take away one-third of a gallon of spirits if they wanted to.

Mr. Jamieson: They can do that on a week day.

Mr. COURT: We happen to be talking about Sundays and I think there is a slight difference. I would not like to think the honourable member treats this matter lightly, particularly when we think of our beaches in the summer-time and the 18-year-olds who would be taking away one-third of a gallon of beer, one-third of a gallon of wine, or one-third of a gallon of spirits.

Mr. CRAIG: Like the member for Avon, I am a little confused at the state of progress on this clause. I agree with the member for Belmont to some extent. If it is agreed that beer, in reputed quantities, be made available on Sundays, I question why it is necessary to stipulate only beer.

I am keenly interested in the wine industry because of the area I represent. I consider that a person should be entitled to procure a bottle of wine and drink it in a civilized way with a meal if he wants to in just the same way as anybody else can purchase a couple of bottles of beer and drink them without necessarily eating a meal.

If there is any doubt about the deletion of the word "beer"—and the Minister in charge of the Bill has expressed some doubt—perhaps the amendment could be qualified by stating, "beer in two reputed quarts and wine in one reputed quart."

Mr. Ross Hutchinson: One-third of a gallon.

Mr. CRAIG: Yes, or one-third of a gallon—whatever measurement is decided upon. Like the member for Belmont, I would not like to see it restricted to the word "beer." I have not sought full clarification of the amendment on the amendment, but I understand the intention is to delete the word "beer."

Mr. Jamieson: And insert the word "liquor."

Mr. CRAIG: I must agree with the Minister in charge of the Bill in that the word "liquor" would possibly leave the position too wide open. I have taken the opportunity to express my views because I feel that some provision should be made for other forms of liquor, even though they could be restricted.

Mr. BRADY: I oppose both amendments; namely, the one moved by the member for Avon and the one moved by the member for Belmont. It would not be appropriate for the amendments to be carried in either case. The effect would be that we would allow one-third of a gallon of beer or one-third of a gallon of any liquor to be taken from, and consumed off, the premises.

I made it quite clear to those who have approached me on this question and who have vineyards or wineries in my electorate that I was opposed to all Sunday trading. I was prepared to see wine saloons given consideration because of their long standing and what they have offered to the public in the past.

Like the Minister for Industrial Development, I think it would be supercharging the whole of Sunday trading to include this amendment. The original intention of allowing certain people two bottles on a Sunday was to help those in the mining industry—men who were working for long hours and late into the night on underground work. It was argued that they were entitled to a special privilege and most of us supported the provision for those reasons. Now some people want to make it an open slather on Sundays and not restricted only to people in the mining industry.

As far as I am concerned the decision on Sunday trading has been taken. I am prepared to go along with that, although I do not like it and I voted against it. As responsible members of Parliament, I do not think we should now agree to allow either bottled beer or liquor to be sold on Sundays. I said at the second reading stage that, if the drinking fraternity thinks it is essential to have drink for Sundays, they can buy it until 10 p.m. on Saturdays. I oppose both amendments at this time.

Mr. H. D. EVANS: I might appear inconsistent if I oppose the sale of bottles in the metropolitan area but support it in country areas, but I can see an enormous difference between the two.

The CHAIRMAN: Order! I think the Committee may be getting a little off the amendment. The only amendment under discussion is the deletion of the word "beer" in the amendment proposed by the member for Avon. That is the only point the Committee is discussing.

Mr. H. D. EVANS: The position will be serious enough if the word "beer" is included, but if this word is deleted and the word "liquor" is substituted, the problem will be increased very considerably.

Trading at beach hotels in the summer-time will be heavy and, I would say, reminiscent of Rockingham and places like that. If we add the grave difficulties of broken glass with additional drinking in beach areas the problems will be very grave indeed and I fail to see the justification. Vast distances are involved in country areas and, for this reason, I think I could support the amendment as it would relate to the country, but I certainly could not support it for the metropolitan area under these conditions.

Mr. BURT: I want to make myself clear on this point, although I take a very broad view of liquor, as I said at the second reading stage. I assume that if the Committee decides to change the word "beer" to the word "liquor" it will have to do the same to the clause which refers to country drinking on Sundays. I can well remember that only two or three years ago I strenuously supported an amendment which stipulated that only beer should be sold on the goldfields on Sundays. At the time I had a very wordy battle with the Deputy Leader of the Opposition. In all fairness, I cannot change my mind. Certain people, particularly in country districts, would not be able to handle any type of liquor except beer, and I consider that the amendment to change the word "beer" to the word "liquor" is most undesirable.

Mr. YOUNG: I consider we must be consistent. Like other speakers, I can see no reason for including the word "liquor." I think it should be confined to beer. For

many years people on the goldfields have had the privilege of taking home two bottles of beer from the session. Up to now I have not seen any demand for anything other than beer. At this stage I think it would be most unwise to throw the door wide open. I think the Minister who is handling the Bill made a very good point.

We would see 18-year-olds walking out of hotels with all types of liquor. Incidentally, I must point out that at this stage I am not aware that we have agreed to allow 18-year-olds to drink in hotels. Nevertheless, if that is agreed to, we would see them walking out of hotels in the daytime with two bottles of whisky and again, in the evening, with another two. The thought of this really leaves me cold.

Amendment on the amendment put and negatived.

Mr. YOUNG: The member for Avon moved the original amendment. Through some inadvertent drafting—

Mr. Gayfer: With your help.

Mr. YOUNG: The member for Avon suggested that this came about with my help. Nevertheless, an omission has been made in that the words "to any one person" should be inserted after the word "gallon" in line 30 on page 19.

I would like to move that these words be added to the clause. Remarks have already been made to the effect that we do not want the two-bottle privilege being extended to the metropolitan area, but if we turn over to page 20 we find that this has been done in country areas. Personally, I do not care whether this clause is carried or not—I am not greatly enamoured of the idea of bottles being taken out on a Sunday—but when we find in the next clause that it will apply in the country, and it already applies on the goldfields, I consider that, for the sake of uniformity, those words should be inserted to bring the amendment into line with the next clause. I move—

That the amendment be amended by inserting after the word "gallon" the words "to any one person."

Amendment on the amendment put and passed.

Amendment, as amended, put and negatived.

Mr. T. D. EVANS: I have a proposed amendment, Mr. Chairman, to page 30, line 3, to delete the word "four," whereas the member for Stirling has one which proposes to add something after the word "four."

The CHAIRMAN: The member for Stirling has a motion to add something after the word "of," which is prior to the word "four."

Mr. MITCHELL: This is the second amendment dealing with country hotels and I hope that the Committee will not

undo all the work we did to try to get this on a uniform level. These hours have suited most sections of the country in the past and I think it is sensible to keep them uniform. I move an amendment—

Page 20, line 3—Insert after the word "of" the word "half-past."

This will bring country hotels into line with those in the metropolitan area.

Amendment put and passed.

Mr. T. D. EVANS: I move an amendment—

Page 20, line 3—Delete the word "four" with a view to substituting the words "half-past three."

This is done for the purpose of preserving to the area previously known as the goldfields licensing district the span of hours they have hitherto enjoyed. The Minister in charge of the Bill and the Leader of the Opposition have both claimed that it should be the corporate intention of the Legislature not to deprive any sector of the community of anything it has already enjoyed under this Act, although there may be some hesitation in extending benefits to other areas. The way the Bill is printed, it will deprive the goldfields of half an hour of trading on Sunday afternoons, whereas the amendment proposed by the member for Stirling will result in the deprivation of one hour.

The present hours have been enjoyed for many years; they have been very carefully guarded and have not been abused. For that reason, with only a slight amount of confidence but a great deal of determination, I put forward the proposed amendment.

Mr. GRAHAM: I agree with the sentiments of the member for Kalgoorlie but I think there is a better way of doing it. At the present time there is a provision in the Act allowing certain trading hours in the country areas of Western Australia, but there is an overriding section of the Act which allows the Licensing Court to have regard to the local circumstances and other factors, and it may vary the hours.

On page 21 of the Bill, from line three onwards, it will be seen that the Licensing Court has discretion to vary the hours depending upon certain factors, which are outlined. This is to be in respect of ordinary trading hours—that is to say, week days—and it is my intention to add that the court may have a discretion, admittedly more limited than is set out here, regarding Sunday.

I do not think the purpose or intention of this Bill, the Committee, the Government, or anybody else, is to reduce the refreshment facilities that are available. Parliament has acknowledged through the years that there are certain circumstances in the more remote areas; but I think we should leave it to the court to make the exceptions, as we have done in the

past. I think it would achieve the object if we inserted certain words, which I will read presently, if I am permitted.

I agree with those who suggest that Parliament should lay down a consistent formula as far as possible, but we have appointed the Licensing Court and if, after examination of the facts and circumstances in a particular area, it feels there should be some modification, it is authorised to make it. That is what is proposed on page 21.

What I would seek to do is to add after the word "or" in line 12, the passage, "between the hours of half-past ten in the morning and seven in the evening on a Sunday, other than Anzac Day; or." I have passed a copy of my proposed amendment to the Minister and also to the Clerk on your left, Mr. Chairman.

The CHAIRMAN: I cannot allow you to debate that proposition.

Mr. GRAHAM: I do not intend to. The purpose of the amendment moved by the member for Kalgoorlie is to allow a set of circumstances to continue on the goldfields. I do not wish to adjudicate upon that, nor do I think other members wish to; but if we authorise the court—as is proposed here, and as we have permitted in respect of clubs in the metropolitan area and in the country—to make such variations as it deems in the circumstances befits the case, then I think we would do an injustice to nobody. Surely it was never the intention that a restriction should be placed on the goldfields.

Mr. Bickerton: The only thing is that if the amendment moved by the member for Kalgoorlie is defeated, there is no guarantee that yours will be carried.

Mr. GRAHAM: That is so, but as far as I am aware the Licensing Act does not lay down specific Sunday trading hours for the goldfields. In other words, the Licensing Court has already acknowledged that there are facts and circumstances applying to the more distant parts of the State, and having regard for that it has allowed trading between 11 a.m. and 1 p.m., and 3.30 p.m. and 6.30 p.m. on Sundays—a total trading period of five hours.

I suggest it was not the intention of anybody that that should be disturbed or interfered with; but as the Licensing Court has granted an additional period of trading on the goldfields and in small localities, then I want it to continue to have the same discretion. Accordingly, I would seek to move the amendment I have already outlined which will provide the amenities on Sundays, just as the Bill already provides for them on Mondays to Saturdays inclusive. I think that would be far better than meddling with the legislation and having different hours specifically set out.

Mr. MITCHELL: It was not my desire to interfere with the established trading hours on the goldfields, and I would go along with the suggestion of the Deputy Leader of the Opposition. This would give the Licensing Court the necessary power in certain circumstances. I know there are places where shift workers should be considered, and I think it would be better to make the position uniform, and to leave the power in the hands of the Licensing Court where necessary.

Mr. MOIR: I would remind the House that in 1951, I think it was, the Licensing Act was amended to extend the Sunday trading provisions to country areas. For as long as I can remember prior to that, the goldfields had fairly extensive hours of trading. They were from 9 a.m. until 6 p.m. on Sundays, and I cannot remember any hotelkeeper being prosecuted for trading in those hours. It was the accepted thing. When the Act was amended in 1951 to provide for the sessions, it meant that the goldfields had hours taken off the Sunday trading period.

At the time the sessions were introduced—two hours in the morning and three hours in the afternoon—much criticism came from the goldfields, but people came to accept it and today they are very pleased with the hours and think they are an improvement on the previous trading periods.

I was perturbed when I read of the proposals of the committee and saw the proposed trading period of 4 p.m. to 6.30 p.m. That meant that the goldfields would lose half an hour of Sunday trading. However, under the amendment that has been carried the goldfields will be deprived of one hour of Sunday trading. I remind the Chamber that the present trading hours extend until 11 o'clock at night or until midnight if a special license applies. I think only one hotel in the goldfields has that license at present.

I point out that the goldfields area extends from Ravensthorpe to Esperance, and right up beyond Kalgoorlie and Boulder. It includes also Menzies, Leonora, Mt. Magnet, Yalgoo, and, in fact, the whole of the north-west. So the provision affects a great deal of this State which is altogether different from the metropolitan, near metropolitan, and general country areas. I think everybody realises that there is a lack of entertainment on the goldfields. There are very few places where people can go; there are no beaches, with the exception of Esperance, and Hopetoun south of Ravensthorpe.

The areas involved are dry and harsh and anyone who has lived through a heat wave in them will realise what a great amenity it is to be able on a hot Sunday to go to an air-conditioned place and spend a couple of hours. So I want to bring to the notice of the Chamber that the

goldfields has had trading hours shortened over the years. The people have gone along with it. They appreciate the "goldfields allowance" as it may be called; but if we now turn around and take away something they are already enjoying, I think they would feel they were hardly done by.

Therefore I can see the logic in the proposed amendment of the Deputy Leader of the Opposition and I think it would clear up the situation. I also appreciate what the member for Kalgoorlie is trying to do in order to retrieve the position which would be rather drastic so far as we on the goldfields are concerned. I hope the Committee will be sympathetic to the people who live in the far-flung outback.

Mr. NORTON: Over the years the electorate I represent has been included in the goldfields licensing provisions. The hotels have been allowed to trade for five hours on Sundays. However, only one hotel has availed itself of that privilege, and that is at Exmouth. All the other hotels in the area have retained the two single hours of trading—one in the morning and one in the afternoon. I feel if the amendment moved by the member for Kalgoorlie is accepted, and the amendment forecast by the Deputy Leader of the Opposition is carried, the Licensing Court will have the discretion to grant to any individual town the hours most suitable to it as it has done in the past in Carnarvon, Shark Bay, and Gascoyne Junction. I think that if the two amendments are accepted there will be satisfaction throughout the goldfields.

Mr. GAYFER: I am sympathetic to the argument put forward by members representing the goldfields and the northern parts of the State. However, I am also mindful of what was said a while ago by the Minister in charge of the Bill. He said he was prepared to retain the *status quo* in the country. I am at a loss to know how we will resolve this question. At present, trading in the country clubs, in the main, is carried out during two hours in the morning and two hours in the afternoon. The member for Stirling has moved an amendment that the trading hours in the afternoon shall be from 4.30 p.m. to 6.30 p.m., but those hours do not suit the goldfields people.

In addition, the *status quo* will not be retained by doing this, because it will enable the people in the country to obtain four bottles of beer on a Sunday, which was a privilege we did not enjoy before.

Mr. Nalder: You could cut that out later.

Mr. GAYFER: If we are going to cut it out, we should do it now to achieve uniformity throughout the State, but immediately we run into this curly question which is before us now. I do not altogether go along with the amendment pro-

posed by the Deputy Leader of the Opposition, principally as it affects the country areas. I want to touch briefly on this amendment, although I know it is not at present before us.

The CHAIRMAN: I cannot let you do that.

Mr. GAYFER: If we allow a club in a country area to trade during a certain set of hours, and allow a hotel in the same town to trade during a different set of hours, a member of a club in that town could enjoy four or five hours of drinking.

Mr. May: He can do that now.

Mr. GAYFER: That is so. However, we have to try to obtain uniformity. I agree with the member for Stirling that the hours of trading on a Sunday afternoon should be from 4.30 p.m. to 6.30 p.m. and I will support his amendment. Unfortunately the objective will not be complete, because if those hours are agreed to they will not suit the Kalgoorlie people, as they will not be able to enjoy something which they enjoy now. On the other hand, the people in the country will be able to enjoy something which they do not enjoy at present. I am afraid I will have to oppose the amendment.

Mr. COURT: I ask the Committee to reject the amendment put forward by the member for Kalgoorlie because, if agreed to, in the country there would be two hours of trading at midday and three hours in the afternoon. This was never intended. I feel that many members of the Committee generally would feel that they had been led into a situation that was never intended by them when they supported other amendments. What the Deputy Leader of the Opposition put forward is worthy of consideration to achieve a degree of flexibility, even though the flexibility exercised by the Licensing Court might introduce something which is completely opposite to what the member for Stirling set out to obtain, because one could easily find up to half an hour's or an hour's difference in the hours of trading in some of the hotels, which would allow people to travel by vehicle from one to another. This is the very thing we are trying to stop. This is not a consideration, of course, on the goldfields or in the city, because time and place take care of that.

I assume that the court itself would take a strong stand in respect of this matter where a situation could be created whereby patrons could travel from one hotel to another within a distance of five or 10 miles. I therefore hope we will let the hour of 4.30 p.m. remain as it is and not insert the hour of 3.30 p.m.

As far as the amendment foreshadowed by the Deputy Leader of the Opposition is concerned, I cannot see any objection to what he seeks to achieve; that is, allowing the court to have some flexibility in

regard to this question. On this point I want to add a word of warning. When we are agreeing to amendments that are not on the notice paper, the Parliamentary Draftsman has to be given an opportunity to review the Bill again, and I think the Committee should acknowledge that all of the amendments we agree to will have to be subjected to the close scrutiny of the Parliamentary Draftsman to ensure that what we intend will actually be achieved.

I appreciate that when we make certain amendments, consequential amendments may flow from them, and I have had sufficient experience in this Chamber to accept the fact that we must be fairly tolerant. However, I sound a note of warning that the Parliamentary Draftsman will have to examine all the amendments agreed to to avoid any anomalies being created. I am foreshadowing that I will not oppose the objective that the Deputy Leader of the Opposition seeks to achieve, but I make the reservation that it will be subject to the scrutiny of the Parliamentary Draftsman.

Amendment put and negatived.

Mr. GAYFER: I move an amendment—

Page 20, line 8—Delete the words "two reputed quarts" and substitute the words "one third of a gallon".

My amendment on the notice paper merely seeks to delete the words "reputed quarts," but in the meantime I have received advice that it is more advisable to delete the words "two reputed quarts." The Minister for Labour considers that "one-third of a gallon" is more concise and would be a better term. I was worried all along about the term "reputed quarts" and that is why I am trying to insert other words.

For the life of me I cannot see why we want "one-third of a gallon," or any other words, because if we are to allow bottles to be purchased on a Sunday in the agricultural areas, why restrict the quantity? In fact, one can eventually obtain a whole case of beer by travelling from one hotel to another and obtaining bottles. Therefore I cannot see what will be achieved by the amendment. However, I have been informed that this wording is necessary for the sake of uniformity, and it will give the people in the country a privilege which they do not enjoy now.

I know many people in my town who belong to a club. All football matches in the country are held on a Sunday, so there would be nothing to prevent an 18-year-old club member on a Sunday, before proceeding to a football match, obtaining two bottles of beer from his club during its trading hours and then obtaining another two bottles from the hotel in the same town which has different trading hours so that, in all probability, he would see a pretty good football match.

Mr. Graham: He can do just the same but more easily on Saturdays.

Mr. GAYFER: I do not see why we should have the provision of one-third of a gallon because if anyone wants liquor he can get it.

Mr. COURT: I raise no objection to the amendment. The Minister for Labour was good enough to have some research done on the matter and whilst the legal people are quite satisfied that the reference to "reputed quarts" applies within the understanding of the law, I believe its use for customs purposes generally refers to the measure we seek to achieve.

If the amendment clarifies the position I am happy to accept it in view of the fact that the honourable member has indicated he wants to insert one-third of a gallon in lieu. When the metric measurement comes in no doubt we will have to change all this with some sweeping legislation.

Mr. O'NEIL: I only wish to point out that the same sort of substitution should be made in clauses 25 and 35.

Amendment put and passed.

Mr. COURT: I move an amendment—

Page 20, line 32—Insert after the word "entertainment", the passage, "provided by artists, present and performing in person".

I want to make it clear that the amendments appearing on the notice paper in the name of the Minister for Industrial Development do not indicate that the Government has taken over the Bill. They are all amendments requested by the draftsman after a review of the legislation and I think members will find they are purely of a routine legal nature and do not introduce any new principles. The reason this amendment is recommended is for the sake of consistency; to bring the position into line with theatre licenses. If members will look at clause 31 they will see the reason for having these words included in the interests of consistency.

Amendment put and passed.

Mr. GRAHAM: If I remember the circumstances aright the Committee has agreed that ordinary trading hours shall be from 10 a.m. to 10 p.m. throughout the State on week days and that trading hours on Sundays shall be between 11 a.m. and 1 p.m. and 4.30 p.m. and 6.30 p.m. It will be seen in both cases that unless there is some proviso the goldfields areas have been delivered a knock-out blow. From sub-clause (2) paragraph (a), on page 21, we will see that "The court may, having regard to the circumstances existing in the neighbourhood of the licensed premises and the needs of the public, from time to time, on the application of the holder of an hotel licence" authorise some variation of the hours.

Therefore I suppose we can logically assume that the position of the goldfields in respect of trading from Mondays to

Saturdays will be cared for as it is by the court at the moment. Then we come to the question of Sundays, where we have now decided that the hours be from 11 a.m. to 1 p.m. and from 4.30 p.m. to 6.30 p.m., rigid.

From my reading of the Licensing Act it lays down that trading on Sundays shall be from 12 noon to 1 p.m. and from 5 p.m. to 6 p.m. in hotels, but the Licensing Court which has been vested with authority has varied those hours to make them, generally speaking, 11 a.m. to 1 p.m. and from 3.30 p.m. to 6.30 p.m. The more remote areas of the State have different times again. Assuming that the Committee is agreeable to paragraph (a) of subclause (2) on page 21, I want to move that the Licensing Court be given the same authority in respect of Sunday trading; something that it has at the moment under the Act.

Accordingly I propose to move to add after the word "or" in line 12 on page 21 the words, "between the hours of half past ten in the morning and seven in the evening on a Sunday, other than Anzac Day; or". I think we are all aware that not only certain areas but certain clubs—because of the nature of their activities—whilst being restricted to the two hours of trading are allowed to move a little progressively or in reverse in order to meet the particular circumstances. The customary opening time for clubs in the metropolitan area at the moment is 10.30 a.m. and 7 p.m. to meet the circumstances of those clubs, which I need not outline. I propose to leave this to the discretion of the court as it is now.

I do not seek to extend anything beyond what the court has done and is able to do under the existing law.

Mr. COURT: In the interests of achieving a more effective amendment might I suggest you delete "day; or" and substitute "day, or".

Mr. GRAHAM: Is it necessary for me to do that, or can I leave it to the Chair to alter the punctuation?

The CHAIRMAN: The honourable member can move to insert the words after the word "Day."

Mr. GRAHAM: I move an amendment—

Page 21, line 12—Delete the passage "Day; or" with a view to substituting the following:—"Day, or between the hours of half-past ten in the morning and seven in the evening on a Sunday, other than Anzac Day; or"

Mr. MITCHELL: I am in agreement with the principle of this amendment, but as I interpret the suggestion of the mover of the amendment, it could mean that the Licensing Court would grant continuous hours of trading between 10.30

a.m. and 7 p.m. on a Sunday; in other words eight and a half hours. That would be out of keeping with anything that has been done up to date.

For the sake of uniformity, he should insert at the end of this particular provision that the total hours of trading shall not be more than five. This would then give the court a discretion to fix the hours of trading at three hours in the morning and two hours in the evening, or *vice versa*. I do not think it is intended that even the goldfields area is entitled to eight and a half hours of trading on Sundays.

Mr. GRAHAM: The member for Stirling is being finicky. If he looks at the provision in paragraph (a) he will see that the court is given a discretion to fix the hours of trading between 6 a.m. and 11 p.m. on weekdays; or a total of 17 hours a day. I think it is intended in the spirit of the legislation that the trading hours on weekdays shall be 12, but it is within the discretion of the court to allow hotels in certain areas to open a little earlier and hotels in other areas to open a little later than others.

Mr. Lewis: Does not your amendment refer to hours of trading on Sundays?

Mr. GRAHAM: Yes; but from what appears in paragraph (a) one could say that the provision authorises the Licensing Court to grant 17 hours of continuous trading on weekdays and that the court could apply those hours to every hotel in Western Australia. We know that is not the case, and that the trading period extends from 10 a.m. to 10 p.m.

We have laid down that on Sundays two hours of trading in the morning and two hours of trading in the afternoon shall be permitted, but that the court shall be given the authority to vary the hours between 10.30 a.m. and 7 p.m. Nowhere is it suggested that there should be continuous trading between those hours. We could leave this to the good sense of the Licensing Court.

Mr. COURT: The intention of the Deputy Leader of the Opposition as outlined originally to the Committee—namely, not to deprive the goldfields of an extra hour of Sunday trading—is not opposed; but one has to accept that what the member for Stirling has said is quite correct. We are asked virtually to give the court *carte blanche* to fix the whole range of hours from 10.30 a.m. to 7 p.m. as the hours of trading, if it so desires.

Mr. Graham: Is that not being done by paragraph (a) of subclause (2)?

Mr. COURT: That refers to hours of trading on weekdays. I assume, as the honourable member has assumed, that the Committee has accepted this provision, and has left it entirely to the court. However, I am not prepared to

allow the court to have a discretion to fix the hours from 10.30 a.m. to 7 p.m. on Sundays.

Mr. Graham: But the court has that discretion at the moment.

Mr. COURT: What I was expecting to be achieved by the honourable member's amendment was that the court should have a discretion to fix Sunday trading within those hours, but only for the purpose of making sure that the goldfields area was not deprived of the hours it enjoys. That would be the general consensus of opinion of most of the community. It was because of this that I made it abundantly clear that I wanted to check this with the draftsman to ascertain its effect, and to see what anomalies might be created.

If this is designed to preserve the hours of trading which the goldfields area enjoys I go along with it, and I am prepared to allow the court some discretion in determining the actual hours; but if the hours are to extend from 10.30 a.m. to 7 p.m., I cannot agree. If I did, the court would be within its rights to grant this trading period in all country areas, including the goldfields.

In view of the fact that we wish to make progress, if the Deputy Leader of the Opposition is agreeable we could defer the consideration of this amendment until the recommitment stage. There are a few matters in respect of which the Bill will have to be recommitted, because we have made amendments, and there are amendments on amendments. I would like the opportunity to discuss the honourable member's proposal with the draftsman, with a view to bringing down an amendment which will not only cover what the honourable member wishes, but will also make it clear that Parliament does not intend Sunday trading to be in excess of the hours mentioned.

Mr. Graham: Could you not agree to my amendment, and then have the conditioning words inserted in another place?

Mr. COURT: I would prefer to defer the consideration of this amendment. I am giving an undertaking to the honourable member that I will have the effect of his amendment checked by the draftsman, so that members will be given the opportunity to discuss it.

I would point out to him another danger. If he persists in the wording of his amendment the court will say this: In the earlier part of this provision Parliament said in very categorical terms that the hours of trading shall be two hours and two hours, and the only discretion we have is to adjust the two hours and two hours within the total period.

Mr. Graham: I would remind the Minister that the Act at present provides for one hour and one hour, but still five hours of trading are permitted.

Mr. COURT: The honourable member is missing my point. In paragraph (c) (ii) of clause 24 (1) we have provided that two hours of trading between 11 a.m. and 1 p.m., and two hours of trading between 4 p.m. and 6.30 p.m. are permitted. If the honourable member's amendment is accepted in its present form, the court will say that Parliament intended two hours and two hours of trading on Sundays, but it gave the court a discretion to fix these periods of trading between 10.30 a.m. and 7 p.m. I am pointing out the practicalities. It is better to go along with the idea of not depriving the goldfields area of the extra hour on Sundays, and we have to bear in mind that nine-tenths of the State comes within the definition of the goldfields. We are not trying to deprive anyone of something that exists.

However we want to make sure that in fact they get that much and neither more nor less. I can see one situation where they would get less, and they would not thank us for imposing that restriction. I prefer that we defer this matter until I have had an opportunity to have some amendments drafted and discuss them with the Deputy Leader of the Opposition.

Mr. GRAHAM: If the Minister wishes, no doubt his wish will prevail, and I have very little alternative but to go along with it. However, I would point out that section 122 of the Licensing Act sets out certain things, including the following:—

the liquor is sold and consumed between the hours of twelve noon and one p.m. or the hours of five p.m. and six p.m. . . .

It says that, and no more; and yet the Licensing Court, because of the authority given in a proviso at the end of that section, to extend, reduce, or vary the hours, has done that very thing.

I cannot see why what was inserted by a Liberal Government, incidentally, and which has operated quite satisfactorily, becomes something to be feared when dealing with a new piece of legislation. I would have liked the matter determined tonight because I feel members have heard the arguments. If my assumption be correct, they have agreed with the general proposition but between now and sometime later goodness knows what might happen. It could be that the mood of the Committee might be to deny the goldfields something they have enjoyed for some considerable period. What does the Minister propose?

Mr. COURT: We are not trying to deny anyone the existing hours, but what I suggest is that you ask leave to withdraw your amendment on the understanding that I will have something drafted and confer with you; and, in due course, the clause will be recommitted.

Mr. GRAHAM: Very well, I seek leave to withdraw my amendment.

Amendment, by leave, withdrawn.

Clause, as amended, put and passed.

Clause 25: Caterer's permit—

Mr. GRAHAM: I have on the notice paper three amendments to this clause, and it is my intention later on to move other amendments when we come to the clause dealing specifically with store licenses.

This particular clause deals with caterers' permits and I think members are sufficiently familiar with what goes on at the present moment; namely, that for parties, barbecues, weddings, and functions generally, people make arrangements to have their liquor requirements supplied, usually by a hotel, a club, or a gallon licensee.

Those who hold gallon licenses have rendered a signal service in the fact that it is possible to obtain from them liquor requirements, whether it be in kegs or bottles, or in whatever form is required; that is, whether it be beer, wine, or spirits. However, the service extends beyond that to aerated waters and cordials, the provision of pumps, tempries, jugs, glasses, and, indeed, some of the food-stuffs which are eaten at parties, and so on.

This is something which is accepted and recognised and has been availed of. Frankly I see no reason why those who have specialised in this type of business should not be permitted to obtain a caterer's permit in order to render at functions the service which they have been rendering over the years. It will be seen that the clause at present provides only that the holder of a hotel license is able to take steps along the lines I have indicated, and I want the *status quo* to be preserved in respect of those people to whom I have referred. For that reason I move an amendment—

Page 23, line 23—Insert after the word "licence" the words "or a store licence".

Mr. COURT: I hope the Committee will not agree with this amendment because I believe it is introducing a principle beyond what is desirable or necessary. The clause to which the Deputy Leader of the Opposition desires to make this amendment is clause 25 which reads—

If the licensee obtains a caterer's permit—

I emphasise the words "obtains a caterer's permit." To continue—

—under this section, an hotel licence authorises him . . .

In particular it authorises him to sell and supply liquor on premises other than his normal licensed premises. If we accepted the amendment, it would mean the gallon license holder, now to be a store license holder, would have the added advantage of being able to accept business on a catering basis and sell alcohol by the glass to

patrons at a function for which the store licensee supplied the alcohol. To my mind this is just a further inroad into the hotelier's business, and he is already having certain difficulties in this matter.

I personally do not favour the amendment. I want to emphasise that there is nothing in the Bill that I can find—and I am assured that this is so by the draftsman—to prevent a store licensee—that is, the person now known as a gallon licensee—from delivering liquor until 10 o'clock to a function. However, if we go further and allow him to retail liquor at the function, we are going too far, and this would not be acceptable. For that reason I oppose the amendment.

Mr. O'NEILL: I want to indicate that on an initial examination I felt inclined to support the proposition of the Deputy Leader of the Opposition. I am grateful to the Minister in charge of the Bill for having given us an assurance that the store license will enable the current gallon licensee to operate exactly the same in the future as he has done in the past. In other words, he will be able to supply liquor to functions such as weddings and the like. He will be able to supply the catering equipment, such as glasses, jugs, and tables and chairs if necessary. In short, this provision will not infringe upon his current operations.

I am inclined to agree that perhaps we should not extend to the gallon licensee the right to establish a bar at a function and sell over that bar liquor by the glass. I can see reasons why this facility should be extended to a hotel licensee because I can recall that in the country and the north-west—and I am sure other members can, too—on occasions of annual race meetings, normally the hotel licensee in the district applies for a permit to operate his business from a bar on the racecourse. I believe this is the provision under which he is permitted to do so. In other words, by obtaining a caterer's permit he is able to transfer part of his normal retail operations to a place other than his normal premises.

If the Minister has assured us—and I am certain he has—that there is nothing in the Bill which will limit the current mode of operations of the gallon licensees I see no reason to support the move by the Deputy Leader of the Opposition.

Mr. BERTRAM: I support the proposed amendment because my information is that at least some gallon license holders have, in fact, been doing what this proposed amendment would entitle them to do. There has been some intimation to the contrary and just where the truth lies precisely is something on which I would like to be satisfied.

It has also been mentioned that to carry this amendment would mean an intrusion by the gallon license holders into the

hoteliers' field. If we look at subclause (3) of clause 36 we will see the reverse situation where hoteliers will benefit; because according to my information many gallon license holders will be put out of business by reason of the fact that they simply will not be able to comply with the terms of clause 36 (3).

Of course, if one could get an assurance at this stage that the provision will be deleted *in toto* that would put a different complexion upon it. I do not see that we should be bending over backwards to suit the hoteliers with this clause when the hoteliers may well take away the license of a gallon licensee by virtue of clause 36 (3).

I support the amendment for the reasons given and I would like some reassurance with regard to the allegation that gallon license holders are not, at this time, doing what this amendment would seek to entitle them to do in the future; that is, not only to cater, provide equipment and the like, but to serve liquor at private functions.

The CHAIRMAN: Order! As a good many members have been on the job for a long time—as has the Chairman of Committees—I propose to leave the Chair for approximately 15 minutes. We will resume at the ringing of the bells.

Sitting suspended from 10.4 to 10.25 p.m.

Mr. COURT: Mr. Chairman, the member for Mt. Hawthorn requested some information and assurances regarding the situation of a store licensee, who was previously termed a "gallon licensee." As I said earlier, the store licensee can deliver liquor to premises, but he cannot sell it there. He cannot, for instance, set up a bar turn on the keg, and sell beer or whisky at so much a glass; but he can deliver until 10 p.m. There is nothing in the Bill to stop him doing that, and I am assured by the draftsman that that is so, but it is not desired to put him in the position of having a caterer's permit.

I think we have to clearly understand what a caterer's permit is. It is a method whereby the hotelkeeper can project himself into other premises and carry on the function he would normally carry on in his own premises. The gallon licensee has never done that; if he has, he has broken the law.

I should explain that there is a big difference between that and the gallon licensee supplying kegs of beer, spirits, wine, and so on, which he sells and delivers to the function or to the home. He might then undertake the provision of temptresses and stewards. When those stewards are on the job they are not serving his liquor; they are serving the liquor of the purchaser. That is the way it has operated in the past. He has never been able to do what a caterer's permit is intended to allow him to do. I believe that the new forms of function permits and caterers' permits that

have been introduced into the Bill give us a mechanism that will function very smoothly and overcome many of the objections that have been raised in the past.

I repeat that the store licensee can deliver to his client until 10 o'clock without breaking the law—it is quite within his entitlement—but he cannot set up a bar and actually sell liquor by the glass, by the bottle, or in any other way to the patrons of a function. We believe this right should be preserved to the hotel licensee.

Mr. BERTRAM: Can I be assured that the store license holder will not only be entitled to take the liquor to the function or premises concerned but may serve the liquor there—not sell it but serve it?

I understand there are perhaps only two or three hoteliers who do any catering of the type we are talking about, and I am told that 90 per cent. of the catering that has been going on for years has been done by the gallon license holders, maybe even at the request or direction of a hotelier. They take the liquor and all the other equipment to the premises. They do not sell liquor glass by the glass to third parties on the premises because at that stage the liquor has been sold, as it were, to the host. The gallon license holder or his servants or agents serve the liquor to the people and no price is charged to the consumers.

I would like to be assured that gallon license holders will still be able to sell liquor to the host either on the premises or at their shops—it matters not for the purpose of this exercise—and that they can then serve the guests at the function. This would seem to me to be consistent with the principle in the Bill that liquor and food should go hand in hand.

It seems that at the moment a gallon license holder could take food as well as liquor to a function and he could serve the food but not the liquor. I want to be assured on this point because it is absolutely vital, as I understand it, to gallon license holders. If they are subject to clause 36 (3) they may as well turn in their licenses because they would be unable to function at a profit. I want to get clarity on this point so that there will be no misunderstanding.

Mr. GRAHAM: From my reading of the Bill, the Minister, no doubt quite unwittingly, has misled the Committee. I hope he is able to prove me wrong because it appears he has taken the Minister for Labour over with him. If you will permit me, Mr. Chairman, I will refer to several other clauses, and I must do it because they are related.

It is appreciated that the holder of a store license or gallon license will be permitted to sell liquor only on his premises. The proposal here is in respect of a caterer's permit which allows certain things to be done on other than licensed premises.

If we turn to clause 43 we find it refers to a function permit as distinct from what we are considering; that is, a caterer's permit. Strangely enough, under this clause the court may, on the application of an unlicensed person—which could be me—an unlicensed body—which could be a branch of the Australian Labor Party—or an association of persons—which could be anybody—issue to the applicant a function permit authorising the applicant to sell and supply liquor.

Mr. Cash: That means anybody can sell it.

Mr. GRAHAM: Yes, anybody at all. We proceed from there to clause 45—and, Mr. Chairman, you will see the relevance of this—which states that "Except for the purposes of its sale and supply pursuant to a licence or permit under this Act, a person shall not bring liquor into . . . a public hall while a dance or other entertainment is being held or conducted there."

Therefore it will be seen that a store license will enable a person to sell liquor only on his premises; a caterer's permit will not apply to a store licensee but only to a hotel licensee; and a function permit will apply only to somebody who is not the possessor of a license which, of course, the store licensee is. Therefore the store licensee will be debarred from supplying liquor in the manner to which he has been accustomed and the public has been accustomed, and it is known that quite a number of hotels are not particularly interested in this type of license.

Mr. O'Neil: His delivery permit will permit him to deliver liquor to a hall at a sports ground.

Mr. GRAHAM: Will it?

Mr. Court: Yes, I will explain that to you.

Mr. GRAHAM: Those who are gallon licensees at the moment, but who will operate under a different name after the passing of this legislation, feel that if they are excluded from clause 25 it will be the death knell for them and their activities, and that is how it appeals to me. I may be wrong, and if I am the Minister has the job in front of him to convince me; if I am right then I feel that a tremendous injustice is being done to those people.

Mr. COURT: I will try to get the matter in its proper perspective and I hope to convince the honourable member. The situation is this: the gallon licensee has in the past supplied liquor for functions; he has delivered it and supplied glasses, temptres, and all of those things. If one so desired he would even engage stewards, but the important thing to remember is that when those stewards are working on a person's premises or at a person's function, they are not working for the gallon licensee; they are working for the person

concerned because it is his liquor and they are distributing it to his guests. We should get this clearly in our minds. The gallon licensee has never been able to do what the honourable member seeks to allow him to do by his amendment.

Provision for the caterer's permit has been made in the legislation so that a hotelier—and if the honourable member reads the Bill further he will find that this applies also to a restaurant licensee—can project his legitimate, ordinary business into another place; and I think this has been done in the past through the medium of a temporary license. This has enabled the hotelier or restaurateur to do his work at another place instead of having the person on his premises. In other words, he projects his ordinary, legitimate business to another place under the special license.

If the honourable member is seeking to enlarge the rights of the gallon licensee—now to be known as a store licensee—I must say here and now that I would bitterly oppose such a move, because it was never intended. I want to reaffirm that there is nothing in this Bill—and I am assured by the legal people on this point—that will stop the store licensee from delivering beer, spirits, utensils, temptres, and so on to the premises. I gather that is what the honourable member wants him to do. He carried his argument as far forward as clause 45, and I would point out to him that at the beginning of clause 45 it is stated that "Except for the purposes of its sale and supply pursuant to a licence or permit under this Act, a person shall not—."

In other words a store licensee can deliver the liquor in the course of his ordinary, legitimate business under his license—as can the permit holder—but he cannot sell it. There is a great difference between selling it by the glass or by the bottle, or in any other way at a function and just delivering it. Therefore clause 25 is intended to permit, through the caterer's permit, the hotelier to project his ordinary, legitimate business, as is done at present through another form of license, to those premises where he sets up his bar and can actually sell to the customers. When the function is over he takes home what is left. If there are broached bottles and so on he takes them home and that is his problem. However if a store licensee had supplied a person with so many gallons of beer and so many dozen bottles of wine, what is left over is the problem of the person and not of the licensee; he has the job of disposing of the liquor next day. I put that interpretation to the Committee as I read the Bill and I can assure the Committee it is correct, because I have checked it. However, I will make doubly sure tomorrow to ensure I have not misled the Committee.

Mr. GRAHAM: I am still not satisfied. I wonder if the Minister will make some inquiries on the point I am now about to make. Apparently the Minister does not like the word "sell" in the amendment I have put forward, because he envisages the store licensee setting up a bar and charging so much a glass for the liquor. That, of course, is not intended, but I wonder if we could allow the words to remain as they are down to line 24, and after the word "premises" insert the words "a store licensee authorises him to supply liquor on such premises."

I am using the words in the Bill, and I am seeking to provide that a store licensee ought to be authorised to supply liquor on premises other than his own premises. Surely that clarifies the situation and satisfies the member for Mt. Hawthorn as well as myself. This would also give effect to the Minister's own interpretation which, from my reading of the Bill, does not conform with what he says. I do not propose to seek to withdraw the amendment at this stage, because the Minister has assured the Committee he will look into the matter to see if there is any objection to it, so I also ask him to investigate the question of inserting the words I have suggested.

Mr. COURT: I will certainly recheck the matter, because I am sure the Minister for Justice would not have me misinform the Committee. However, if the position is as I have been assured it is by the lawyers, I am sure there is no need to insert the words that are sought by the Deputy Leader of the Opposition. I would point out that once words of a specific nature are inserted and their insertion is overlooked somewhere else, there could be a strict legal interpretation which would restrict the operation of a store license to the same degree as it is left wide open by the provision in the Bill. However, I give the assurance that I will have the matter checked.

Amendment put and negatived.

Clause put and passed.

Clause 26: Tavern licences—

Mr. MITCHELL: I move an amendment—

Page 24, line 27—Insert after the word "and" the words "one in the afternoon and between half-past four and".

The amendment proposes to bring the hours into line with the trading hours of hotels operating near the city.

Amendment put and passed.

Mr. MITCHELL: I move an amendment—

Page 24, line 35—Insert after the word "of" the word "half-past".

This amendment has relation to country taverns.

Amendment put and passed.

Mr. O'NEIL: As I have indicated, this is the clause in regard to which I seek an amendment. Therefore, I move an amendment—

Page 25, line 4—Delete the words "two reputed quarts" and substitute the words "one third of a gallon".

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 27 and 28 put and passed.

Clause 29: Winehouse licence—

Mr. CRAIG: I draw the attention of the Committee to the amendment I have on the notice paper.

The CHAIRMAN: I think the Deputy Leader of the Opposition has a similar amendment which will come before that of the Minister.

Mr. GRAHAM: I defer to the Minister, because if he moves his amendment, I can follow on with mine.

Mr. CRAIG: I was about to mention, Mr. Chairman, that, like the Deputy Leader of the Opposition, I was a little concerned with the wording of this clause which, in effect, means that a winehouse which specialises in the vending of wine will not be able to sell wine that is to be removed from the premises. I do not think this is quite right, having in mind clause 39 which deals with the old Australian wine license.

A person entering premises conducted by someone holding an Australian wine license is permitted to buy wine and take it off the premises. That provision, when the Bill becomes an Act, will go out of existence in 1972, so a situation will arise where a person who is interested in buying only wine would, apart from a hotel, have to go elsewhere to buy it. For this reason I have placed on the notice paper an amendment. When I move my amendment it will give the Deputy Leader of the Opposition an opportunity to improve on it. I move an amendment—

Page 27, line 8—Insert after the word "premises" the words "for consumption on or off the premises."

Mr. COURT: I have no desire to defeat the purpose of the member for Toodyay. What he suggests was, in fact, intended. With respect, however, I suggest that the amendment would be much better handled if we sought merely to add after the word "on" in line 7 on page 27 the words "or off". This would be a more simple way of achieving what he desires. If that amendment is agreed to, we could then delete the word "only" on line 15 of page 27.

Mr. CRAIG: That is quite acceptable to me, but I know the Deputy Leader of the Opposition wishes to say something on the amendment.

Mr. GRAHAM: That would not be acceptable, because it will be seen from the notice paper that I propose there should be the same trading hours for a wine saloon as we are making provision for in a hotel on Sundays. I cannot see why there should be any discrimination between the two. Furthermore, as stated in the Bill, the licensee will be permitted to sell liquor between 10 p.m. and 12.30 a.m. on the following day. Surely that should be consumed on the premises only. It is not proposed that such liquor should be taken away.

I favour the move suggested by the member for Toodyay, that during ordinary trading hours winehouses may sell to a person for his consumption both on and off the premises—that is, either to drink it there or take bottles home—and that they shall conform to the same hours as hotels. The intention of the member for Toodyay will therefore bring about uniformity in connection with Sunday trading. I hope the amendment moved by the member for Toodyay will be agreed to.

Mr. COURT: I hope the Deputy Leader of the Opposition realises extra trading hours are already permitted for the winehouse license. I am not quite sure from what he says whether he proposes to have the extra trading hours as well as Sunday trading, or whether he intends to bring them into line with trading hours for week days and Sundays.

Mr. Graham: Read the amendment and you will see.

Mr. COURT: I have done so. It is not the intention of the Bill to provide, following the investigating committee's recommendation for trading by wine licensees on Sundays. If it is the intention of the Committee we will have to make sure of what we want as a result of the move by the Deputy Leader of the Opposition to have wine licensees trading during the same hours on Sundays as hotel licensees.

Mr. Graham: Yes.

Mr. COURT: Personally I do not think this is desirable. I know an argument can be advanced that since the hotels are open, why cannot the wine saloons be open, but after considering the matter the committee in its wisdom did not recommend that wine licensees should operate on Sundays.

As an individual—and not on behalf of the Government—I think it would be better to go along with what the member for Toodyay proposes and not with what is proposed by the Deputy Leader of the Opposition.

Mr. Jamieson: Exactly where are we now? We seem to be halfway between the amendment moved by the member for Toodyay and the proposed amendment by the Deputy Leader of the Opposition.

The CHAIRMAN: The member for Toodyay has moved his amendment and we are now debating that amendment.

Mr. Jamieson: I hope he does not extend these hours as a proviso.

Amendment put and passed.

Mr. GRAHAM: I move an amendment—

Page 27—Insert after the word "premises" in the amendment just passed the words "during ordinary trading hours; and for consumption on the premises only".

This will then require some further treatment. I think I have indicated sufficiently that, in my thinking, during ordinary trading hours, liquor should be sold in winehouses for consumption on the premises or that it should be permitted to be taken away. Now I am seeking to provide that it shall be for consumption only on the premises during certain other periods; namely, on a Sunday during the same hours provided for hotels and for the other hours as already provided in the Bill.

If there are places to which the public generally has access for the purposes of obtaining drinks—and one happens to be a connoisseur of wine and likes trading at a particular place—then surely one should be permitted to go to the place of one's choice. It could be that a winehouse might keep supplies of particular wines which it is not practicable for a hotel to keep. Unless this facility is available, one will have to accept what might be second best. Why should this be so?

The Committee has agreed that there is nothing wrong with drinking alcoholic liquor on the Sabbath, so we should permit those who supply a particular type of drink to make this available to their customers as can be done by hotels and clubs. The Minister has made out no case for excluding winehouses and those who supply the beverage prepared from grapes.

The CHAIRMAN: Will the honourable member read what he proposes?

Mr. GRAHAM: It will now read as follows:—

Subject to the succeeding provisions of this section, a winehouse licence authorises the licensee to sell and supply wine and brandy, on the licensed premises for consumption on or off the premises and for consumption on the premises only—

- (a) on a Sunday during the same hours and subject to the same conditions as the holder of an hotel licence; and
- (b) between the hours of ten in the evening, on a weekday, and half-past twelve in the morning of the following day, notwithstanding that the following day is a Sunday, Christmas Day, Good Friday or Anzac Day.

Mr. Cash: What happens during ordinary trading hours?

Mr. GRAHAM: "During ordinary trading hours" is attached to the first portion of the clause which reads subject to the succeeding provisions, etc., (a) during ordinary trading hours—

Mr. Court: You did not say that previously.

Mr. GRAHAM: I am sorry. That will be the procedure. During ordinary trading hours the liquor will have to be consumed there or bottles may be taken away. It then goes on—

for consumption on the premises only on a Sunday. . . .

Then follows what is set out in paragraph (b).

The CHAIRMAN: This is not in accord with what you said in the first place. You said, "for consumption on or off the premises."

Mr. Graham: Yes.

The CHAIRMAN: The honourable member said "for consumption on the premises only." That does not make sense.

Mr. Graham: Because there are certain other words to follow. I have moved for the insertion of the words "for consumption on the premises only" and I intend to move to delete paragraph (a) and insert another paragraph in lieu, but to leave paragraph (b) as it is.

Mr. COURT: This is a matter which is essentially for the Committee to decide. I hope members realise that in accepting the amendments put forward by the Deputy Leader of the Opposition they will be changing the concept of the provision under which the winehouses are not to open for trading on Sundays; because they have 15 hours of additional trading on week days, as compared with the hotels. I do not know whether the honourable member proposes that the winehouses should be given the extra 15 hours of trading on week days, as well as hours of trading on Sundays.

Mr. DUNN: We should recognise that emerging in our midst is a clearer conception of winehouse license premises. It appears to be just as desirable that people should be able to enjoy the facilities provided in winehouses, as they are able to enjoy the facilities provided in hotels. The new winehouses are becoming very presentable establishments, and are quite unlike the old wine shops which many people in the community avoided.

Mr. BICKERTON: I do not know whether under the Standing Orders the Deputy Leader of the Opposition is entitled to speak on this amendment again. I ask whether his proposal means that there will be no Sunday trading in wine.

Mr. Graham: On the contrary, it is to provide for Sunday trading, the same as applies to hotels.

Mr. JAMIESON: I hope the Committee realises that if it is not agreeable to the whole of the amendment, it has to insert some amendment, because we have to clarify the situation in view of the amendment moved by the member for Toodyay. Whether we go so far as to include the other proposals is up to the Committee to decide. At this stage we have to know whether it is intended that all the proposals in respect of this matter will be accepted, or whether all of them will be rejected.

Mr. Court: If they are rejected, the winehouse licensee will be authorised to sell and supply liquor for consumption on or off the premises.

Mr. CRAIG: My amendment was to add after the word "premises" in line 8 on page 27 the words "for consumption on or off the premises"; and then paragraph (a) would follow. The Deputy Leader of the Opposition has moved an amendment which fits in with the amendment that has been agreed to.

Amendment put and passed.

Mr. GRAHAM: I move an amendment—

Page 27, line 9—Delete paragraph (a) with a view to substituting the following:—

(a) on a Sunday during the same hours and subject to the same conditions as the holder of an hotel licence; and

It is obvious that it is necessary to delete the words "during the ordinary trading hours" because we have inserted them as a run-on following the week-day trading.

Amendment put and passed.

Mr. GRAHAM: I move an amendment—

Page 27, line 9—Substitute the following for the paragraph deleted:—

(a) on a Sunday during the same hours and subject to the same conditions as the holder of an hotel licence; and

Mr. COURT: I am not rising to oppose this amendment, because I assume that the Committee has already made its decision. I would again counsel that this amendment will be the subject of scrutiny by the draftsman, because it may raise an anomaly. It might be necessary to resubmit this amendment for the consideration of the Committee.

Amendment put and passed.

Mr. GRAHAM: I move an amendment—

Page 27, line 15—Delete the words "for consumption on the premises only".

Amendment put and passed.

Mr. GRAHAM: We have had some discussion on meals and light meals. The member for Toodyay was responsible for

including a definition of "light meals." If we turn to clause 26 which deals with tavern licenses we will find in subclause (2) that the holder of a tavern license is required to make light meals, etc., available for purchase and consumption on the premises.

The holder of a winehouse license is in exactly the same category as the holder of a tavern license, except that the former specialises in the sale of a particular drink; namely, wines. It is common sense, therefore, that he should be required to serve only the same type of meals that a tavern licensee has to serve; that is, light meals. There is nothing to prevent a winehouse licensee from making available the most elaborate meals, but as a minimum he must make available to the public light meals.

Mr. Craig: The same applies to cabaret licenses.

Mr. GRAHAM: I move an amendment—

Page 27, line 17—Insert after the word "make" the word "light".

Amendment put and passed.

Clause, as amended, put and passed.

Clause 30: Cabaret licence—

Mr. COURT: I move an amendment—

Page 27, line 28—Insert after the word "entertainment" the passage "provided by artists, present and performing in person".

This is merely a drafting amendment and the reasons are identical with those I gave when I submitted a previous amendment.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 31: Theatre licence—

Mr. GRAHAM: I am appreciative of the fact that this clause embodies something which is novel; namely, a theatre license which will allow liquor to be purchased for consumption on the premises for one hour before, one hour after, and during intermission periods of a performance. However, I question the soundness of the provision of one hour after the performance, and I speak with a certain amount of experience.

Particularly in the smaller type of theatre—I am thinking of the Hole In The Wall type of entertainment—one of the features is meeting artists after the show, conversing with them, and so on. Taking into consideration the fact that in many cases a great deal of time is taken up after a show in removing makeup and the rest of it, and changing into ordinary street clothes, the best part of an hour elapses and therefore if this innovation is to mean anything at all the period after a show should be two hours, at the discretion of the management, of course. This provision is not to allow a little box-on after the show. However, from a practical point of

view the provision as it is worded is almost worthless, and accordingly I move an amendment—

Page 28, line 22—Delete the words "one hour" where secondly appearing with a view to substituting the words "two hours".

Mr. COURT: This particular form of license is new and novel so far as this State is concerned, but I think it is a desirable one. However, I would not like this amendment to be agreed to. Having had a fair amount of experience in theatres in my younger days, as a workman, I would hate to subject the cast to having to stay for two hours every night just to meet the Deputy Leader of the Opposition, the Minister for Industrial Development, and one or two other people. I believe that the provision in the clause is fair enough. After all the theatre is not intended to be a drinking place; this provision is just an amenity.

Mr. Graham: It is useless.

Mr. COURT: It is not. The average artist would normally take about half an hour to remove his makeup and change into street dress, and that would still allow him half an hour in which to drink. Except on opening nights the great ambition of artists is to get home and get some rest.

Mr. Graham: It is a long time since the Minister went to a theatre!

Mr. COURT: I believe we should leave the clause as it is. If it does not work out as well as we desire, we can always amend it. An hour before, an hour after, and during intermission, is fair enough.

Amendment put and negatived.

Clause put and passed.

Clauses 32 and 33 put and passed.

Clause 34: Restaurant licence—

Mr. TONKIN: It appears from the Bill that this clause was specially designed to meet the situation at motels. However, in my view the clause has been framed to give it far wider application than was intended. Ancillary premises means those adjoining, and a situation could arise where a restaurant would be enabled to supply liquor to adjoining premises which have no relationship whatever to the restaurant. The definition does not help at all because it refers to ancillary services. I believe it is perfectly clear that it was not intended that adjoining premises which have no relationship whatever to the restaurant should come under this provision so that a lodger's permit would permit of the sale of liquor to persons who reside in those adjoining premises.

I think it ought to be conceded that before people who are residing in adjoining premises become entitled to be

served with liquor those adjoining premises should be part of the restaurant business and not separate therefrom. For example, the ancillary premises to a restaurant could be flats, home units, or a boarding-house, under entirely separate management and having no relationship whatever to the restaurant. However, the mere fact of the position of the premises would entitle the people living therein, if fewer than 20, to be served with liquor. That does not make sense to me.

I suggest that this point was overlooked when making provision for a motel. There is no objection to the provision applying to a motel which is part and parcel of the whole business. However, where the residential part has no relationship to the restaurant, the mere fact that it adjoins the restaurant should not entitle the residents or lodgers therein to obtain the benefit of a service under a lodger's permit. Therefore, in order to clarify the position and carry out what I believe is the proper intention of this clause, I move an amendment—

Page 31, lines 3 and 4—Delete the words "ancillary to premises providing" and substitute the words "conducted as part, and on the premises, of a business the primary purpose of which is the supply and provision of accommodation to the travelling public and which provides".

Before I resume my seat I want to make it clear that this amendment, and a number of others I propose to move, did not originate from me. They were submitted by the Australian Hotels Association in the belief that they are fair and reasonable to clarify the position.

I gave very careful consideration to the amendments, and I discussed them with representatives of the hotels association. I am satisfied that they are perfectly reasonable and ought to be included in the Bill. For that reason I am submitting the amendments which are on the notice paper in my name.

Mr. COURT: I go along with the amendments because they do clarify what was intended.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 35: Club licences—

Mr. DUNN: I intend to move for the deletion of paragraphs (b) and (c) and the substitution of other paragraphs. Under the present conditions, a visitor to a club would not be able to enjoy the entertainment provided by the host after 10 o'clock unless he was having a meal, and then he would have to be entertained in a room used as a dining room.

It is known that clubs do not keep their dining rooms open until 10 p.m., and it would be difficult for a host to have to tell his guest that he would have to leave at

10 o'clock while the host stayed on until 11 o'clock. I do not think that was the intention. I hope the Committee will agree to my amendment.

The CHAIRMAN: It would be more correct if the member for Darling Range were to move an amendment to paragraph (b) to add the words contained in the proposed amendment.

Mr. DUNN: I move an amendment—

Page 31, line 29—Insert after the word "club" the words "for consumption on the premises, by him and by his guests, not exceeding three in number, in his company".

Mr. COURT: This proposal from the golfing association and the member for Darling Range has been studied by the Minister for Justice, and I understand the Minister is quite happy to go along with the amendment in view of the fact that it does overcome an anomaly which would otherwise arise.

Amendment put and passed.

Mr. DUNN: I move an amendment—

Page 31, lines 30 to 32—Delete paragraph (c) and substitute the following:—

(c) during the hours mentioned in paragraph (b) of this subsection, to a member of the club, in sealed containers, for consumption off the premises;

Amendment put and passed.

Mr. MITCHELL: I move an amendment—

Page 31, line 35—Insert after the word "and" the words "one in the afternoon and between half-past four and".

This amendment is consequential upon previous amendments.

Amendment put and passed.

Mr. DUNN: I move an amendment—

Page 31, line 37—Insert after the word "member" the words "of the club".

Amendment put and passed.

Mr. DUNN: I move an amendment—

Page 32, line 1—Delete the word "only" and substitute the passage, "by him and his guests, not exceeding three in number, in his company".

Amendment put and passed.

Mr. GRAHAM: In view of the pattern to which we have been conforming I do not intend to proceed.

The CHAIRMAN: Does that refer to all amendments? The Deputy Leader of the Opposition has three on the notice paper.

Mr. GRAHAM: The purpose was to make clubs conform with hotels. Rather, I should say, the pattern for which I had

hoped was for trading from 11 a.m. to 6.30 p.m. That is now as dead as the dodo and, therefore, there is no necessity for me to move.

However, as the Committee has laid down hours for clubs, I feel it is necessary for me to move a proviso which appears in the Licensing Act at the present moment and which will be found at the top of page 164. I mentioned earlier that the Committee has laid down trading hours for hotels from 11 a.m. to 1 p.m. and from 4.30 p.m. to 6.30 p.m.; but at the present moment, although certain hours are laid down, the court is given a discretion. Therefore, it will be necessary for me to move a proviso. I will use the words which appear in the Act at the present moment and which are to be found in section 205 at the top of page 164. I repeat that certain hours are laid down for Sundays but discretion is given to the court to make variations.

The amendment I propose to move will meet the objection raised by the member for Stirling and the Minister in the fact that it provides for two periods each of two hours, separated by at least three hours, which is the current procedure on the application of a club to the court and may be determined by the court. For the benefit of the Committee the proviso which I intend to insert is as follows:—

Provided that in lieu of the periods, between such hours, in relation to any particular club, between such other hours, representing two periods each of two hours and separated by at least three hours as the Court, on the application of the club, may from time to time determine.

The CHAIRMAN: Where does the Deputy Leader of the Opposition propose to insert this?

Mr. GRAHAM: After line 16.

The CHAIRMAN: I must give the member for Stirling an opportunity to move in line 6.

Mr. GRAHAM: I am sorry. I was studying another clause and I anticipated amendments by the member for Stirling to make the hours conform. If he does move, without any further ado, I will move the proviso.

Mr. MITCHELL: I move an amendment—

Page 32, line 6—Insert after the word “of” the word “half-past”.

I have moved this way to bring all the clauses into line. To save time, I will indicate whilst I am on my feet that I have no objection to, and will support, the amendment suggested by the Deputy Leader of the Opposition.

Amendment put and passed.

The clause was further amended, on motions by Mr. Dunn, as follows:—

Page 32, line 8—Insert after the word “member” the words “of the club.”

Page 32, line 9—Insert before the word “and” the passage, “by him and his guests, not exceeding three in number, in his company.”

Mr. O'NEIL: I appreciate that the member for Avon has an amendment on the notice paper related to this proposition, but I am sure he will not mind if I move an amendment.

The CHAIRMAN: Order! The Deputy Leader of the Opposition has given notice of an amendment to lines 10 and 11.

Mr. Graham: That will not be moved.

Mr. O'NEIL: I move an amendment—

Page 32, lines 11 and 12—Delete the words “two reputed quarts” and substitute the words “one third of a gallon”.

Amendment put and passed.

Mr. GRAHAM: I should like to move the proviso to which I referred earlier.

The CHAIRMAN: It is not on the notice paper.

Mr. GRAHAM: It is not on the notice paper, but I have already indicated that I want to insert a proviso to come in after line 16. I propose to move the following amendment:—

Page 32, line 16—Insert after the passage “Perth,” the following proviso:—

Provided that in lieu of the periods, between such hours, in relation to any particular club, between such other hours, representing two periods each of two hours and separated by at least three hours as the Court, on the application of the club, may from time to time determine.

Mr. COURT: I have no objection to the principle which the honourable member seeks to achieve. I have only now received a suggestion from the Parliamentary draftsman and I am sorry I could not indicate it earlier to the honourable member. He suggests that, if the amendment finds favour with the Committee, it would be better as an amendment to subclause (2) on page 33, which is covered by lines 4 to 14 on that page.

The comment given to me by the drafting people is that, if the amendment submitted by the honourable member is accepted, there would be duplicated provisions in two succeeding pages on variations of hours by the court. Therefore it is suggested it would be tidier if the amendment in question went in on page 33.

Mr. GRAHAM: If this has been looked at by somebody with greater legal knowledge than I have. I would ask leave to withdraw the amendment for the time being.

The CHAIRMAN: It is in the same clause.

Mr. GRAHAM: I move an amendment—

Page 33, line 14—Insert after the word "orders" the following proviso:—

Provided that in lieu of the periods, between such hours, in relation to any particular club, between such other hours, representing two periods each of two hours and separated by at least three hours as the Court, on the application of the club, may from time to time determine.

Amendment put and passed.

Mr. TONKIN: Subclause (3) of clause 35 on page 33 provides for the issuing of occasional permits to clubs to supply liquor on special occasions. I think it is to be assumed that these special occasions would be special club occasions at which members of the club attended. As this subclause is worded the situation could be met if only one member of the club was present at the function. The club would then be able to obtain an occasional permit to supply liquor for a function at which only one of its members was present. I do not think that was intended. I think it was intended that the occasional permit would apply to club functions attended by club members. I move an amendment—

Page 33, line 17—Insert after the words "club licence" the words "for the purpose only of a club function attended by members and such guests as may be specified in the permit".

Mr. COURT: Mr. Chairman, I submit it would not be desirable for the Committee to accept this amendment. It is not one of great moment as far as I am personally concerned but I have a responsibility to explain to the Committee what the position would be.

As I understand it, the commentary given by the A.H.A. on this is not quite accurate. To quote from the legal advice given to me, I am advised that as the permit is tied to members and their guests, the amendment would call for a definition of a club function and would in any event exclude the use of a separate part of a club for a wedding or other festivity to which a member might wish to invite his guests. Subclause (3) is already sufficiently restrictive. Subclause (3) reads—

The provisions of subsection (9) of section 24 apply, with such adaptations as may be necessary, to the holder of a club licence; but, in deciding whether or not to grant an occasional permit, the Court shall have

regard to the facilities available for the occasion and the extent to which the quiet enjoyment of the club by members may be affected by the operation of the permit.

I think the power given to the court and the special emphasis on the factors it will consider provide the safeguard we need. I am not quite sure what prompted the A.H.A. to sponsor this particular amendment. No doubt the association had a reason for it, but it is considered that the present subclause (3) is sufficiently comprehensive and restrictive.

Mr. TONKIN: I can appreciate the explanation given by the Minister, but I am not entirely satisfied. Is it really intended that a club shall obtain a permit for the purpose of supplying liquor to a function held in part of the premises if only one of the club members is present at that function as the organiser? If that is intended, it means that clubs will enter the catering business. I want to know whether that is the intention.

If an occasional permit is issued to a club it ought to be for the purpose of a special club function which is attended by club members. If it is intended that the club shall be permitted to enter the catering field simply because one of its members wants to hold a function on club premises, and no other club member is to attend, surely this is an entirely new conception of the purpose of clubs. That is the part of the Minister's explanation which does not appeal to me.

I agree that in giving consideration to whether or not a permit should be issued, the court will consider whether the function is likely to affect adversely the members in the other part of the club; but that has nothing whatever to do with whether or not a club should be permitted to enter the catering field in order to cater for a function held on its premises at which the only club member present is the organiser of the function. That seems to me to be an unfair encroachment upon the business of caterers, and I do not think that is the purpose of a club at all.

The purpose of a club is to function in the interests of the club and its members, not to permit any one of its members to become an organiser of some function or other on the club premises and allow the club to obtain an occasional license in order to serve that particular function. That is precisely what can and will happen under this proposition, and it does not appear to me to be reasonable. I therefore propose to insist upon the amendment.

Mr. COURT: When I gave my previous explanation I should have gone further back in this clause to page 32. It will be seen that paragraph (f) has some bearing

on it and would be taken into account by the court in deciding whether the permit should be given. Paragraph (f) reads—

if the licensee obtains an occasional permit, by virtue of subsection (3) of this section . . .

That is the paragraph the honourable member seeks to amend. The paragraph continues—

. . . during the hours, on the day, and in the part of the premises, specified in the permit, to members of the club, for consumption by them and such number of guests as may be specified in the permit.

I think it is clear that the court would have regard to the circumstances, and I can scarcely imagine it giving a permit for just one member to have a mighty function at a club to the exclusion of all the other members.

If one reads that subclause in conjunction with subclause (3) one finds there is ample coverage to ensure that there is no intrusion into the privacy of the normal operations of the club. I do not think there is any great danger of the court giving these permits capriciously. On the contrary, the court has always been fairly vigilant so far as club activities are concerned, because it has to have regard for the total body of members. In fact, this is one of the great concerns of the court all the time: to ensure that a small group within a club never gets such command of the operations of the club that it virtually becomes a small junta or clique.

I think it would be unfortunate if we virtually denied the use of club premises for those occasions, bearing in mind that these permits can only be obtained by going to the court and setting out the circumstances. In the permit the club would have to specify the number of members, as well as the number of guests, who would be involved. Paragraph (f) provides that the number of guests has to be specified and the permit would, in fact, nominate the number of guests. Having regard for that, I would hope the Committee will allow the Bill to remain as it is.

I will give an undertaking to the honourable member to have the matter studied. In view of another comment he made which could be pertinent to certain clubs that are not known to me. However, I can see circumstances where the matter may be relevant; that is, where there might be a tendency for some clubs to attempt to enter the catering business by the back door. I cannot imagine it, but there could be some circumstances and I will ask the Minister and his advisers to have a look at the situation that could arise.

Mr. TONKIN: The assurance given by the Minister is helpful, but I can see nothing in his argument which would suggest that there would be any real difficulty

created by the insertion of the words I propose. All I want the Committee to agree to is to stipulate in the clause that this occasional permit shall be for the purpose only of a club function attended by members and such guests as may be specified in the permit.

So when the application for a permit is made to the court, the reasons will have to be submitted; and if the court agrees to issue the permit it will specify in the permit the members and the guests who are to be accommodated. What would be wrong with that if the situation is as the Minister says? Surely it ought to be a club function. If it is not to be a club function then we have to accept that the intention is that clubs can get an occasional permit for other than club functions. Is that intended?

Let us be clear. If the Committee wants that, no doubt it will not agree to the insertion of the words. But so far as I can see the real intention of the occasional permit is to permit clubs, on special occasions, to have special club functions which will be attended by club members and such guests as are specified. What would be the danger if we put those words into the Bill? I cannot see that it would do other than restrict the occasional permit to the real purpose for which it ought to be issued in my opinion.

Mr. COURT: I think I should refer back to my earlier remarks; that is, if we adopt the amendment moved by the Leader of the Opposition it would be necessary to provide a definition of a club function, because this could leave itself open to any interpretation one likes. A club function could be anything that the president or committee authorises, and could be even wider than is feared by the A.H.A. in its submission of this amendment.

I would hope that the Committee would go along with the suggestion I have made; namely, that I will have the matter studied with regard to the point raised by the Leader of the Opposition that some clubs might seek this as a back-door method of getting into the catering business. If there is any danger of this I would be only too pleased to have the clause reconsidered when we consider a number of other clauses later.

However, I would like to feel that the Committee will agree to the provisions of subclause (2)(f) and subclause (3) which, I believe, in view of the fact that the court has the last say and has to be convinced that it would be an appropriate function for the club, provide ample safeguards.

Amendment put and negatived.

Clause, as previously amended, put and passed.

Clause 36: Store licence—

Mr. GRAHAM: Unfortunately this clause seems to be somewhat controversial and it is hoped that the Minister in

charge of the Bill will have given some consideration to its ramifications. The clause provides a totally new concept of what is today known as a gallon license which, with the passage of the Bill, will become a store licence. We have become accustomed to these people operating and rendering a complete service, as I outlined earlier on another clause.

In respect of a gallon license, of course, no consumption of liquor takes place on the premises. The gallon licensee sells liquor in solid containers, and that order of things will continue. However, it is proposed first of all that the gallon licenses shall operate only during the normal shop trading hours; that is, from 8.30 a.m. to 5.30 or 6 p.m. This is totally unreal.

As I have already indicated, the bulk of the business of gallon licenses as I know them is not the odd bottle as is proposed here, or the sale of half a dozen bottles to the casual customer as obtains at present. I would hazard a guess that the overwhelming proportion of the business is supplying liquor facilities for functions in the evening—such as balls, dances, parties, and functions of that nature—and not only liquor is supplied, but also all the appurtenances thereto including in many cases furniture in the way of tables and chairs, dance floors, coloured lights, and so on.

It will be seen, therefore, that the bulk of their work, if my assumption is right, is carried on at night. Now, Mr. Chairman, you might be arranging a barbecue to entertain, perhaps, 50 or 60 people. You might be more popular than you imagined and perhaps double that number of guests turn up by 9 o'clock at night. What then is the chance of getting additional supplies of liquor, etc., which you require in order to entertain your guests?

It is suggested and proposed that notwithstanding the closing of the licensed premises at 5.30 or 6 p.m., the licensee could perhaps obtain a late delivery license.

However, usually the circumstances do not arise until after that hour. These people go about their business in an ordinary way meeting the wishes and requirements of a considerable section of the community. Therefore why interfere with this arrangement?

There is a provision in this clause which requires that a substantial part of the business of an establishment which holds a store licence shall comprise the sale of groceries, precooked foods, and so on. Frankly, I do not know how this condition will operate, because as a storekeeper I could start off with the best intentions in the world and in the first few weeks may sell goods that I have mentioned, which represent a substantial portion of my sales. However, if a delicatessen or a food store opens up over the road, or

in the vicinity, then instead of my food sales representing about 60 per cent. of my total sales, they could be reduced to about 5 per cent. What happens then? Am I to be delicensed?

One may as well say that a hotelkeeper should be deprived of his license because not as many people as he anticipated are patronising his hotel. I cannot see the necessity to relate the sale of any particular commodity, whether it be a musical instrument, drapery, or anything else to the sale of liquor to a casual purchaser and, in addition, when the bulk of the liquor is sold for festive occasions of one sort or another.

For that reason I have given an indication that I will ask the Committee to agree to the deletion of those requirements relating to the sale of commodities other than those for which a person shall hold a license to sell liquor. Of course such a person could sell other goods if he so desired. I indicated earlier that I understood, from my first reading of the Bill, that the ordinary trading hours were from 10 a.m. to 10 p.m. but I now find that there are variations, although only on special occasions. It is not intended, of course, that a holder of a store licence should be permitted to operate in these extraordinary circumstances, but that from Monday to Saturday inclusive he shall be permitted—not compelled—to operate between the hours of 10 a.m. and 10 p.m.

I want to mention at this stage that when the terms of the Bill were first announced and we were informed that the trading hours would be from 8 a.m. to 5.30 p.m. or 6 p.m., the people who will be issued with store licenses felt, in desperation, that something should be done. Apparently they thought that 12 hours' trading was to be the maximum, and they sought an extension of the trading hours from 8.30 a.m. to 8.30 p.m., and petitions to obtain these hours were signed accordingly. I have been in contact with many people who are engaged in this type of business and they tell me that they prefer the present hours of trading because, as they have to close at 5.30 p.m. or 6 p.m. now, 8.30 a.m. is far too early to commence trading.

I think we would be asking for trouble if we asked them to go through the procedure required under the old license, because if there is somebody in my vicinity who holds a store license and I order, after hours, 20 gallons of liquor and other sundries from him, he is certain to make an entry in his books to indicate that I made an order some time before whatever may be the official closing hour. Therefore, to make the provision work satisfactorily the trading hours should be from 10 a.m. to 10 p.m., leaving it to the individual trader to decide at what hour he shall close his business in accordance

with his customers' wants and requirements. Accordingly, the first of my amendments seeks to get rid of the requirement that the holder of a store license shall conform to the law which relates to the closing of shops. With that object in view, I seek to move an amendment in lines 36 and 37, on page 33, to delete the passage "(1) Subject to any law in force relating to the closing of shops,".

The CHAIRMAN: I do not think you intend to delete the figure "1" in brackets, do you?

Mr. GRAHAM: You are quite correct, Mr. Chairman. I move an amendment—

Page 33, lines 36 and 37—Delete the passage "Subject to any law in force relating to the closing of shops,".

Mr. COURT: Before we consider this amendment it is necessary to outline some of the background relating to it. Most of us in this Chamber are old enough to remember the concept of the gallon license. It was introduced, at the time, to meet a special need. In my experience it was always related to grocery stores and was just part of the business. A very desirable service was rendered, particularly in places where there was no publican's license.

For many years these gallon licenses were issued over a fairly wide face, and a practice arose of selling less groceries and more liquor, until today we see many of these establishments being carried on entirely as places for selling liquor in sealed containers. One does not deny that the practice has grown up for many of these places to supply public functions; they supply not only liquor but all the utensils and accoutrements necessary to dispense it, and, so far as that goes, one has to admit they have rendered a good service.

However, the fact remains that the original concept of the gallon license has been changed and most members were subjected to an extremely strong campaign to allow these stores to sell single bottles. This was the great issue; not the trading hours or any of the other factors, but only the sale of single bottles.

Mr. Graham: It was never suggested that the trading hours be interfered with.

Mr. COURT: The argument was advanced that if the holder of a gallon license could sell single bottles this would solve the problem. We were acquainted with the argument that there are many persons who do not like to enter a hotel, and so on, and so would be forced to buy a gallon of liquor instead of a single bottle at the store holding a gallon license. To date, all these approaches to members have been resisted. Various amendments have been made to ease the situation by getting away from the old-fashioned red tape which was quite ridicu-

lous, but the fact remains that we are selling liquor under the old concept of the gallon license, except that there is this drift away from conducting a store selling groceries of which a gallon license is only a part.

We are now being asked to allow not only the sale of a single bottle of liquor by the holder of a store license which, in accordance with the recommendation of the committee is being written into the Bill, but also to grant hours that are now suggested in the various amendments on the notice paper. Personally, I hope we stick to the hours that are set out in the Bill.

I am now expressing a personal view. I remind the Committee that when this becomes law with the single bottle provision in it, and if we have the longer hours, we must accept the fact that people aged 18 and over will be able to enter these stores at night and purchase a single bottle. I know it will be said that they can get it anyhow so why not let them buy it at the gallon license store.

Mr. Lapham: They are responsible citizens.

Mr. COURT: I am amazed to hear the honourable member say that. It will be like buying a bottle of coke at the corner store. That is what we will be legislating for if these amendments are accepted. I put this forward in all seriousness for the consideration of members before they decide this point.

It is possible for late deliveries to be made to customers up to 10 o'clock, and this is fair enough. The Deputy Leader of the Opposition might be under a misapprehension. He gave me the impression that he thought stores had to apply for late delivery licenses as the occasion arose. That is not so. Under subclause (4) of clause 36 the licensee can obtain a late delivery license which covers his business. He does not have to get a license every time he wants to deliver something to a customer at night. The court decides that the nature of his business is such that he should have a late delivery license, and so he gets one, which he uses in conjunction with his business.

In my view the clause in its drafting goes as far as we should go; and I would have to be convinced that we need to go further, unless it is the intention of Parliament to give an entirely new concept to this form of license, bearing in mind that it would be possible to buy a single bottle of liquor in the same way as one might buy a bottle of lemonade from the corner store.

Mr. Graham: You are providing for that.

Mr. COURT: We are providing for a single bottle, which has been agreed to by the Committee, and this is why I personally do not want to see extended hours, because people of all ages will be able to get single

bottles after hours. I am thinking of Saturday night and some of the places in my electorate.

Mr. T. D. Evans: They can go into a hotel and get one now.

Mr. COURT: So they can, but there is a distinction between getting a single bottle over the counter of a store and getting one from a hotel. It was never intended that there should be over-the-counter trading, and we should not accept that principle.

Mr. JAMIESON: I see two distinct authorities. On the one hand we have the store, similar to Tom's, which as an ancillary to its grocery trade—which is its principal trade—sells liquor under a gallon license which it has either inherited or acquired along the line. Secondly, there is the store that supplies the many needs mentioned by the member for Balcatta. We are liable to get into some difficulty if we cover the two specific authorities by the one license. If we do so we must be fairly pliable in our approach.

The Minister for Industrial Development admitted that the gallon licensees have built up a respectable clientele in the community and they have provided a good service; a service, as I have already said, which was not undertaken by a great many hotel licensees, mainly because they would have needed additional staff to check out the glasses, jugs, and so on at a time when the hotel was at its busiest. As a consequence, many hotel licensees have referred clients who required such a service to the gallon licensees.

As the member for Murchison-Eyre pointed out, the question of obtaining liquor is easily overcome. The honourable member referred to a bottle of beer being put down on the invoice as a tin of jam. The Minister seemed worried about teenagers buying bottles of liquor over the counter. I do not think the Minister is so naive as not to know that these young people drive into bottle shops, order what they want, have the liquor placed in the car, and off they go. They will not stop doing that. If the teenager can avoid it, he will not get out of his motorcar, so he will continue to obtain that service from the hotel.

The fact that single bottles of liquor can be supplied is fairly important because there may be certain demands involved in providing for a party—and I am not now referring to kegs. This is quite legal because the amount bought is over a gallon. The service provided by these people in the past should be encouraged. Some of the gallon licensees are highly capitalised, and to restrict them to 6 p.m. in the evening, plus a late permit, will provide little consolation; indeed, it might encourage the breaking of the law, because late telephone orders will no doubt continue to be filled.

There must be a certain amount of give and take on both sides. I refer to the provision of foodstuffs. I do not suggest these stores should build up a substantial grocery trade, but if they are providing liquid refreshments and party fare for the community, they should be required to stock commodities such as biscuits, savouries, etc., associated with party supplies.

Most of these stores already stock a variety of these commodities. These stores should accept their responsibility, particularly as we have placed a responsibility on wine shops and taverns which makes them something more than mere liquor-serving establishments. I do not think the bottle trade will increase their business, because the stores referred to sell most of their liquor in bulk.

If they are to conduct this trade it will not be very much trouble for them to build up substantial ancillary services. One person to whom I spoke recently on this matter—and I presented a petition on behalf of his customers containing some 700 signatures requesting that the service be continued—said that his sale of chocolates was considerable, because most of the time when people stock up for parties they include chocolates for the children. They have to provide all the things which are required for festivities.

If they do this we should be reasonably happy with the services they provide, but I am not happy that their hours of trading should be restricted. Generally these people have built up their businesses. If we specify that they are permitted to trade up to 10 p.m. only, as the holders of the publican's general licenses are permitted to trade, there will be no trouble to police this provision. By this I mean that 10 p.m. is the time before which liquor can be obtained from these premises through orders.

We should not include a provision in the legislation which proves too difficult for the Licensing Court to police. If we provide that orders are required to be made by 6 p.m., and then allow four hours for delivery, we will create a situation for some illegal trading.

I have mentioned the other outlets which are available to the community, and they maintain close to a 24-hour service. These outlets are conducted in premises which are beyond the control of the State Legislature. If we restrict these outlets we will be doing the wrong thing. We should stick to our own laws. There is not a great number of these outlets, from the figures which have been quoted; and the Licensing Court is able to ensure that the number does not increase. In some areas these outlets supply the whole of the liquor for the district.

There is no hotel in the Mt. Lawley area, but there may be several gallon licensees who are catering fairly successfully for the demands of the public. To cut off supplies from people who have been used to obtaining them from this source would be wrong. As a prerequisite to the sales of single bottles of liquor they should be required to stock other commodities, but perhaps not substantial quantities of groceries.

Progress

Progress reported and leave given to sit again, on motion by Mr. I. W. Manning.

BILLS (2): RETURNED

1. Bunbury Harbour (East Perth-Bunbury) Railway Bill.
2. Taxi-cars (Co-ordination and Control) Act Amendment Bill.

Bills returned from the Council without amendment.

ADJOURNMENT OF THE HOUSE: SPECIAL

SIR DAVID BRAND (Greenough—Premier) [12.24 a.m.]: I move—

That the House at its rising adjourn until 2.15 p.m. today (Wednesday).

Question put and passed.

*House adjourned at 12.25 a.m.
(Wednesday).*

Legislative Council

Wednesday, the 6th May, 1970

The **PRESIDENT** (The Hon. L. C. Diver) took the chair at 4.30 p.m., and read prayers.

QUESTIONS (8): ON NOTICE

1. FIRE BRIGADES

Extension of Metropolitan Services

The Hon. J. DOLAN, to the Minister for Mines:

- (1) Has the Fire Brigades Board plans for—
 - (a) adding to the existing fire-fighting facilities at Cannington Station;
 - (b) providing a new fire station south of the River; and
 - (c) extending fire-fighting services in the Metropolitan Area?
- (2) If so, what are the details?

The Hon. A. F. GRIFFITH replied:

- (1) and (2) There is no planning for additions to facilities at Canning Fire Station but provision has been made during the 1970-71 financial year for an additional

fire station "south of the river" which would be staffed by permanent firemen and give cover to areas at present relying on Canning Fire Station for fire protection.

In the 1969-70 financial year a new Fire Station is being constructed at Balcatta and the Bassendean Fire Station is being re-constructed to make possible the deployment of a "permanent" crew in addition to the volunteer brigade.

2.

CROWN LAND

Release for Agricultural Purposes

The Hon. V. J. FERRY, to the Minister for Mines:

- (1) How many blocks of Crown land have been released for agricultural purposes under conditional purchase conditions over the last ten years?
- (2) What total number of applications for these blocks were received?

The Hon. A. F. GRIFFITH replied:

- (1) 5,266.
- (2) 25,545.

3.

MINES DEPARTMENT

Staff Resignations

The Hon. J. J. GARRIGAN, to the Minister for Mines:

- (1) How many senior officers of the Mines Department have resigned since the 1st July, 1969?
- (2) How many of these officers were senior mines inspectors?
- (3) Were any specific reasons given for these resignations?

The Hon. A. F. GRIFFITH replied:

- (1) Eleven.
- (2) Three.
- (3) Higher salaries elsewhere.

4.

MEDICAL PRACTITIONERS

Western Australia: Number Registered

The Hon. R. F. CLAUGHTON, to the Minister for Health:

How many medical practitioners are at present registered in Western Australia?

The Hon. G. C. MacKINNON replied:
There are 1,200 medical practitioners registered and practising in Western Australia.

5.

WOOL

Collusive Buying

The Hon. G. E. D. BRAND, to the Minister for Mines:

- (1) Is it a fact that collusive buying takes place, at wool sales in Western Australia, by agents for buyers from other countries?