The PRESIDENT: I suggest to the hon. member that this is a matter of detail affecting the Bill and that when we get into Committee it will be quite competent for him to move to strike out Subclause (b). That would cover the particular point to which he is referring. Perhaps that aspect of the question had better be dealt with in Committee.

Hon. J. NICHOLSON: I will follow your suggestion, Sir. I can but express the view that there are many matters relating to this Bill which perhaps can be dealt with more fully in the Committee stage. In the meantime I content myself with supporting the second reading.

On motion by Hon. J. A. Dimmitt, debate adjourned.

House adjourned at 9.33 p.m.

Legislative Assembly,

Wednesday, 25th September, 1940.

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

QUESTION—PERTH HOSPITAL.

Administrative Costs.

Mr. NEEDHAM asked the Minister for Health: What was the amount of the administrative costs of the Perth Public Hospital (exclusive of the manager's salary) for the financial year ended June, 1940?

The MINISTER FOR HEALTH replied: The administrative cost of Perth Hospital for the financial year ended June, 1940, was £10,156.

QUESTIONS (2)—DROUGHT-STRICKEN AREAS.

Wheat for Stock.

Mr. BERRY asked the Premier: As the Government cannot be represented at the Federal conference on Friday, will he telegraph an urgent request that the Federal Government through the conference make available immediately sufficient money to purchase all wheat necessary to feed distressed stock in Western Australia's drought-stricken areas?

The PREMIER replied: As requested by the Minister for Commerce we have air-mailed our views regarding the hay and stock feed position and also particulars of measures taken or contemplated to cope with the present position in the wheat industry. In a communication to-day, Friday's conference is referred to as an emergency meeting and the wider problems are to be the subject of a further meeting to be held shortly.

Relief Measures.

Mr. BERRY asked the Minister for Lands: 1, How many sheep and lambs could the Government acquire and handle in cold storage at Wyndham Meatworks or elsewhere for canning or other economic purposes to aid the distress caused by drought? 2, Would the Government inquire from the Royal Commissioner on the pastoral industry, how many sheep, ewes preferably, could be grazed on unstocked areas in the north and north-west of Western Australia where adequate rain has fallen to justify such transfer? 3, How much 6-row barley for which the farmers have received only 1s. 11d. per bushel remains available for distribution as sheep feed (a) in Western Australia, (b) in Australia? 4, What arrangements as to price per acre and transport charges have been made to hire binders which will not be used by owners this season in drought-stricken areas, to cut hay in areas more favoured?

The MINISTER FOR LANDS replied: 1, The Wyndham Meatworks could probably

cool store 250,000 sheep and after the lamb season is finished the metropolitan area could store an additional 150,000. The Wyndham Meatworks manager advises that it would not be practicable nor advisable to send sheep to Wyndham for cold storage. It might be economical to bring part of the canning plant from Wyndham to the metropolitan area and this is being considered. 2, Mr. Fyfe advises that some stations in the northern part of the State may have surplus feed which will all be required for stock from stations that have not sufficient feed. In any case, he considers that the proposal to send sheep from the wheat belt to the northern part of the State is impracticable. 3, (a) The Barley Board advises that all the 6-row barley acquired from farmers has been disposed of; (b) Not known. 4, We understand that private arrangements are being made by some owners of binders for cutting on a contract basis. Binders are a type of machinery which owners generally desire to operate themselves, and the Agricultural Bank is trying to encourage such action in districts where binders are likely to be available.

QUESTION—TROLLEY BUSES.

Non-stop Journeys.

Mr. NORTH asked the Minister for Railways: 1, Would it be possible, without loss to the department, during the rush periods to run non-stop from Loch-street to the city those trolley buses which have loaded up between Swanbourne and Loch-street? 2, If so, will he investigate the matter further with a view to the adoption of the idea?

The MINISTER FOR RAILWAYS replied: This cannot be done as it would be necessary to take off the trolley pole to enable a vehicle to pass any buses overtaken. In effect, the suggestion is quite unworkable.

QUESTION—FLOUR TAX PROCEEDS.

Mr. SEWARD asked the Premier: 1, What sums of money have been received from the flour tax proceeds for the relief of farmers since the inception of the fund? 2, How have such moneys been expended?

The PREMIER replied: 1, £776,051 1s. 8d. (2)—

	£	s.	d.
Bushelage Bounty, season 1938-39	639,338	9	2
Acreage Bounty	94,664	0	8
Advances for reconstruction	15,424	6	9
	£749,426	16	7

LEAVE OF ABSENCE.

On motions by Mr. Wilson, leave of absence for two weeks granted to the Speaker (Hon. J. B. Sleeman), the Minister for Labour (Hon. A. R. G. Hawke), and the Hon. P. Collier (Boulder) on the ground of ill-health.

On motion by Mr. Doney, leave of absence for four weeks granted to Mr. Hill (Albany) on the ground of ill-health.

BILLS (2)—FIRST READING.

1, Mine Workers' Relief Act Amendment.

Introduced by the Minister for Health.

2, Feeding Stuffs Act Amendment.

Introduced by the Minister for Lands.

URGENCY MOTION, RIGHT OF REPLY.

Deputy Speaker's Explanation.

THE DEPUTY SPEAKER [4.38]: I wish to explain to hon. members that, in error last night, I permitted the Leader of the Opposition (Hon. C. G. Latham) to reply to a debate on a motion moved by him. That was quite contrary to the correct procedure, having regard to the nature of the motion moved by the hon. member. Standing Order 120 provides that the mover of a substantive motion may have the right of reply, but the definition of "substantive motion" is as follows:—

> Any motion that initiates a subject for discussion but is not incidental to or dependent upon a vote or proceeding of the House.

It is quite true that the motion moved by the Leader of the Opposition initiated a

discussion, but a motion for the adjournment of the House comes within the category of a vote or proceeding of the House and on such occasions no reply to the subsequent debate is permissible. I wish to make that explanation, because there are many rulings on record which have been given against the right of reply of members who have moved similar motions. I was in error in permitting the hon. member to reply to the debate last night, and I make the announcement so that all hon. members will understand that on future occasions they will not be permitted to reply to a debate following a motion moved for the adjournment of the House.

BILL—PETROLEUM ACT AMENDMENT.

Third Reading.

THE MINISTER FOR MINES (Hon. A. H. Panton—Leederville) [4.39]: I move—

That the Bill be now read a third time.

MR. LAMBERT (Yilgarn-Coolgardie) [4.40]: It was my intention to speak on the second reading of this Bill. I now wish to refer to certain achievements in connection with the exploitation of oil in other parts of the world, and forcibly draw the attention of the Government to the necessity for having this State properly mapped following upon a thorough geological and geophysical survey. My reference in particular is to Germany. Just prior to 1930 Germany produced 700,000 barrels of oil as the result of geophysical and geological surveys and subsequent mapping. By 1930 the yield of oil had increased to 3,700,000 barrels, in 1937 to 4,500,000 barrels, and in 1939 the combined production of Germany and German occupied territory was 8,500,000 barrels of oil. It is only necessary to point out these things to impress upon the Government the necessity for arranging for the proper mapping of Western Australia's potential oil-producing areas. It should make available the staff necessary for a proper geological and geophysical survey of that portion of the State from which oil may be produced at any time.

Question put and passed.

Bill read a third time, and transmitted to the Council.

MOTION—CHILD WELFARE DEPARTMENT.

Maintenance of Children.

MRS. CARDELL-OLIVER (Subiaco) [4.43]: I move—

That in the opinion of this House, consideration should be given by the Government to the advisability of granting institutions an increased allowance for the care and maintenance of State wards, and also the advisability of extending the period of maintenance until the end of the fifteenth year.

I feel sure this motion will meet with the approval of the majority of members of the House. If it is also honoured by the support of the Government, Cabinet can be certain that it will be acting in the interests of the State. On the 24th January, 1939, a deputation representative of all the churches and organisations interested in grants for the maintenance of children waited upon the Minister in charge of Child Welfare. It asked for an increased grant to be made, such grant to reach a total of 14s. per week, and also for an extension of the period during which children might remain at various homes. The Minister was so sympathetic that he declared that the case presented to him was unanswerable. With true Ministerial caution he also said that the money might not be available, and that, therefore, the case would have to be considered by Cabinet in connection with the 1939-1940 Estimates. I have no record, nor has any other member of the deputation which waited on the Minister any record, or notification of the results arrived at following upon a consideration of the matter in connection with the Estimates of last year. When a reply is given to this motion I should be glad if the Minister would inform the House what happened during the consideration of the case submitted by the deputation. It will be noticed that the motion leaves to the Government the amount of increase to be granted to these institutions. No specific amount has been asked for, because I do not wish the Government to say it has not sufficient money with which to meet any specific claim. I want the Government to say, "We will go as far as we can to meet our liabilities," just as any ordinary people would say. Since the deputation waited upon the Minister the conditions have become worse. The basic wage has risen because the cost of living has advanced. I ask the Government why one section of the commun-

ity should have the privilege of enjoying increased comforts whilst these are denied to another section of the community. During the depression the institutions were, I believe, reduced to a grant of 7s. per child. Since then civil servants, Parliamentarians and workers have all had increases. Many of them enjoy improved incomes compared with previous years. The institutions that are providing for children have, however, remained at the depression rates. The institutions concerned have only been able to maintain their State wards by means of charitable bequests. The 7s. provided by the Government represents about half the cost of maintenance only. The capital cost of the buildings or equipment is not included in that. Of the amount the institutions have arrived at as the total cost, they say that 14s. would approximately meet the actual cost of maintaining each child irrespective of the items mentioned. I realise that the lotteries have augmented the amounts given by the Government, but grants have been made only to some institutions. Other institutions, because of religious beliefs, will not accept money from that source, and these are the institutions that are suffering particularly. It is well-known that since the lotteries have become the means through which the Government supplements payments to charitable institutions, many civilians, who once gave to them, now buy lottery tickets, and no longer give directly to charity. We find, therefore, on the one hand that the Government grant has been decreased by the depression, and still further decreased by the now high cost of living, and on the other hand that charitable grants, owing first to the lotteries and now to the support given to very necessary patriotic funds, are also diminishing. The ultimate result is that these institutions are suffering considerably. Either the Government must take over entirely the charge of the children in the institutions, or provide adequate means to enable the institutions to take care of them. Here I must point out that these institutions have saved the Government scores of thousands of pounds in the past by the erection of buildings and the provision of equipment, not only for State wards but for hundreds of other children who might have become State wards in those institutions. I do not ask the Government to accept any responsibility for children other than those who are State wards.

Lately considerable amounts have been provided by the Lotteries Commission to certain institutions that accept those donations, but the amounts have been mainly for buildings and equipment. The Methodist, Presbyterian and Salvation Army institutions have not received one penny from the Lotteries Commission, neither have they received from the Government one penny more than the grant of 7s. per unit per week. A year or so ago I asked the Minister a question to ascertain what it cost the Government to provide maintenance for State wards in Government depots, and the reply I received was that the cost amounted to 9s. 6d. per unit. That applied, of course, in the days before the cost of living had increased so appreciably. You will observe, Mr. Deputy Speaker, that that amount is 2s. 6d. more per week than is allowed at present to the various institutions. I considered at the time that 9s. 6d. was totally insufficient to provide food and clothing and for the proper maintenance of a child. The Minister also explained at the time that from 9s. to 18s. was allowed to institutions for the maintenance of delinquent children and that as much as 15s. a week was allowed for backward children. However, two of the institutions I have mentioned do not provide for delinquent or backward children. The argument I advance is that the State alone is responsible for the care of State children whether those children be healthy, abnormal or delinquent.

At this stage I propose to quote some figures relating to the cost of maintenance of children in the various homes. I will first deal with the Methodist homes, which are particularly fortunate in one respect, as the authorities are able to produce on their properties all the milk, fruit, eggs, meat and some of the vegetables required for the children. However, I have received the following information from those in charge of the Methodist institutions—

Apart from the production of the farm and gifts in kind, maintenance costs for the homes are as follows:—

1937, 80 children, 11s. 11d. per week per child.
1938, 80 children, 11s. 8d. per week per child.
1940, 85 children, 11s. 5d. per week per child.

The gradually reducing cost is entirely due to increased production and, in reality, is greater than at first appears owing to a steadily increasing cost of living during the past few years.

When the production of the farm and donations in kind are added, the cost per child per week is not less than 14s.

From the foregoing it can be seen how hopelessly inadequate is the allowance of 7s. per week per child for State wards paid by the Government to institutions and homes, and how it seems that these places are exploited, either knowingly or unknowingly. Surely when a child is committed to the care of the State it is tantamount to the State accepting responsibility up to any legitimate cost which may be incurred. Instead, the only responsibility the State accepts is to pay 7s. per week to institutions and homes. Unfortunately, this reacts against the already severely handicapped child. As homes, we are not able to make the headway the times demand and the child suffers. In fact, comparatively speaking, our homes have made little or no progress in the last seven years. Always money, which ought to have been used to provide better facilities for the children, has been mortgaged to meet the inevitable deficit in the maintenance account.

Furthermore, a greater variety of vocational training ought to be provided for children. Instead, the majority of children from homes and institutions are sent out to become the slaves of society generally. This position is caused, not by the failure of the various homes to realise their responsibility, but largely by the Government's failure to pay adequate allowances for its charges in institutions.

In common with other homes, whilst we feel that the full cost of maintenance ought to be met by the Government in normal times, we have intimated to the Minister for Child Welfare that for the period of the war we desire merely the payment of 10s. per week for each State ward in our homes. Surely this is a reasonable request. If it is granted it will permit State wards to remain in our homes and we in turn will be able to provide facilities more equal to the demands.

That relates to the Methodist homes. Next I will read particulars from the information supplied to me regarding the position of the Anglican orphanages:—

Since 1929 the average cost of maintaining a child has been 12s. 11d. a week; at the present time it costs 15s. 2d. a week, because today we are doing much more for the children. The 12s. 11d. average is computed from the following figures:—

In 1929-30 it cost 10s. 1d. a week to maintain a child.

In 1935-36 it cost 12s. 7d. a week to maintain a child.

In 1936-37 it cost 12s. 2d. a week to maintain a child.

In 1937-38 it cost 13s. 0d. a week to maintain a child.

In 1938-39 it cost 14s. 7d. a week to maintain a child.

In 1939-40 it cost 15s. 2d. a week to maintain a child.

The average number maintained during the 12 months ended the 30th June, 1940, was 222, comprising—

State wards for whom 7s. a week is received	132
State wards for whom the Child Welfare Department does not pay anything	42
Private cases	48
	222

I presume the private cases would refer to children who were probably over 14 years of age and had remained on at the orphanages.

State wards for whom we do not receive anything from the Child Welfare Department cost £1,656 to maintain last year. Private cases cost £1,894 against which we received £771 from the children's guardians. These receipts averaged 6s. a child a week, without the Charities Commission's grants. The highest charge for any private case is 10s. a week. Collections and donations (except gifts from the Charities Commission for special purposes) in 1939-40 amounted to £949, or 1s. 8d. a child a week. Earnings and interest upon bequests amounted to £1,489 or 2s. 7d. a child a week. During the 12 months ended the 30th June, 1940, the overdraft increased by £1,900. In all the foregoing figures no charge is made for use of or depreciation of buildings and equipment, nor is any interest or other charge made for money invested in the land, buildings, and plant.

I turn now to the Salvation Army. I apologise for not having figures from the Roman Catholic and Presbyterian institutions, but I shall be able to give those to the House later; they have not yet come to hand. I have received the following particulars from the Salvation Army:—

Working out expenditure over a period of six months, taking in all overhead expenses, the extra cost of each child is now increased from 8s. 9d. per child in 1939 to 10s. 3d. per child for 1940, and is worked out on the basis, excluding wages, rent, rates and taxes; taking the cost on the basis of the present figures, a rise of two per cent for foods and 40 per cent. clothing, materials, etc. The upkeep of the institution is worked out on an all-round increase of 25 per cent.

The expenses for the provision of preservation of the buildings and grounds is paid by a grant made to the institution from Salvation Army central funds, and I would like to point out that these figures do not include grants for building and property repairs.

My whole reason for moving this motion is that the Government should realise its responsibilities to State children. The responsibility rests upon the Government to ensure that State children are maintained in these

homes beyond the time when they attain the age of 14 years. Up to that age, the child has been concentrating more or less upon its education and has not had time in which to acquire any technical training. Such training cannot be successfully acquired in one year. From 14 to 15 years of age no child can become proficient in a trade, but training during that year would be helpful, as it would assist the child to earn its living and enable it better to encounter the hardships it is sure to meet in the outside world. The matrons of some of these homes have been most emphatic in their protests to me against children—girls especially—leaving the homes or institutions at the age of 14 years. I do not desire to quote specific countries where it would be considered heathenish to send children, untrained, into the world at 14 years of age. But Australia is almost unique amongst the countries of the world, because here we do send untrained children into the world at the age of 14 years to earn their living. This is an age in which only skilled labour counts. It is only skilled labour that is wanted and our responsibility towards State children of whom we have accepted the guardianship is such that we cannot afford to allow them to go into the world untrained. We must either provide institutions—buildings and equipment—for training these children, with provision for their maintenance, or we must allow the present institutions an amount sufficient to maintain the chidren. We must not shirk our responsibilities and place our burdens on others. I therefore ask the Government to consider seriously whether it cannot make a further grant to these institutions to enable them adequately to maintain our State children. If the Government cannot do so, will it at least initiate some plan for the provision of a State institution for the purpose? I have much pleasure in moving the motion.

MR. RAPHAEL (Victoria Park) [5.6]: While I would like to give my support to this motion and while I sympathise with its object, I cannot agree with the suggestion that children in the institutions mentioned by the mover of the motion should receive the proposed additional assistance when the vast majority of other children in need are not to receive further consideration. The Government is aware, in fact all people must be fully aware, of the increased cost of living. The institutions referred to are assisted to some degree by grants from the Lotteries Commission. They are also helped generously, wherever possible, by the public. We have to realise, however, that the allowance for children of unemployed persons is only 7s. per week each. The motion would have reflected greater credit on the member for Subiaco had she also brought under the notice of the House the fact that internees were allowed 9s. per week per child by the Commonwealth Government, while an allowance of only 7s. per week is made for each child of a soldier who is fighting to defend the country. These facts ought to have been taken into consideration by the member for Subiaco when framing her motion. We must also bear in mind that some Italians were interned because of their subversive activities; others were interned as a protection to civil life and for military reasons. Yet the Commonwealth Government has made available an allowance of 9s. a week for the children of those internees. Again I point out that the Commonwealth Government has made provision for an allowance of only 7s. per week each for the sons and daughters of our soldiers who are on active service.

Mr. McDonald: The soldier's wife receives an allowance of one guinea per week.

Mr. Hughes: The hon. member should have made that public last week. It is too late now.

Mr. RAPHAEL: That allowance is in addition to the amount that the soldier allots. His wife receives one guinea per week, out of which she might have to pay 17s. 6d. per week rent. She might even have to pay 25s. per week rent. Then she receives the magnificent sum of one guinea per week!

Member: That is what the soldier allots.

Mr. RAPHAEL: She gets one guinea a week.

The DEPUTY SPEAKER: I order the member for Victoria Park not to stray too far from the subject matter of this motion.

Mr. RAPHAEL: I am not doing so.

The DEPUTY SPEAKER: I will tell the hon. member when he is doing so.

Mr. RAPHAEL: I am making a comparison. Surely I can quote as a comparison what the Commonwealth Government is doing for the children of our fighting forces. The Leader of the National Party said that the wife of a soldier re-

ceives one guinea per week, plus the amount that the soldier makes available to her, but the latter amount is eaten up by rent.

Mr. Cross: They cannot live on the amount.

Hon. C. G. Latham: What about the sustenance allowance?

Mr. RAPHAEL: An amount greater than is allowed by the soldier is eaten up by rent. In addition, the wife has to provide medical facilities, clothing and everything else out of two guineas per week. The point that is burning in my mind is what the member for East Perth (Mr. Hughes) referred to. He asked, "Why did not you say this last week?" He had his team in the field and probably said all that I could have said and much more.

The DEPUTY SPEAKER: The hon. member must confine himself to the subject matter of the motion. What was said on the hustings does not matter. The hon. member must respect the Chair and deliver his address along the lines I have suggested.

Mr. RAPHAEL: I did not mean to show disrespect to the Chair, but when interjections are made—

The DEPUTY SPEAKER: If I have to remind the hon. member at frequent intervals that interjections are disorderly and to reply to them equally disorderly, I shall have to take action. The hon. member will continue his address along the lines I have suggested.

Mr. RAPHAEL: The position of the child in an institution is not as serious as is the position of many children of unemployed workers.

Mr. Cross: And soldiers' dependants.

Mr. RAPHAEL: That is so. I desire to stress that point. If a move is made by the Government in the direction indicated by the member for Subiaco, then it should be not only for the benefit of children in institutions but for all needy children, including the children of men on sustenance. A lead should be given to the recently-elected members of the Federal Parliament; probably the Western Australian members could bring the matter forcibly under the notice of the Prime Minister. As a matter of fact, I attended one political meeting the other night at which Senator Johnston was present. I put the question to him and he said he would look into it. The war had been proceeding for 15 months and Senator Johnston has kindly promised to look into the matter!

Mr. Hughes: You cannot blame him for that, because he himself has been looked into recently.

Mr. RAPHAEL: There is no doubt about that. He wants looking into. The position is very serious. I hope the member for Subiaco will withdraw her motion and add to it. If worded to the effect that this House recommends the Commonwealth Government that the children of soldiers also should benefit similarly, the motion will have my wholehearted support. As the motion is now worded, I must oppose it.

Mrs. Cardell-Oliver: Move to amend it.

Mr. RAPHAEL: If I can submit an amendment calling upon the Commonwealth Government to increase the allowance for soldiers' children, I will support the proposal.

On motion by the Minister for Works, debate adjourned.

MOTION—DENTISTS ACT.

To Disallow Regulation.

Debate resumed from the 28th August on the following motion by Hon. C. G. Latham (York):—

That regulation No. 69 made under the Dentists Act, 1939, as published in the "Government Gazette" of the 9th February, 1940, and laid upon the table of the House on the 30th July, 1940, be and is hereby disallowed.

THE MINISTER FOR HEALTH (Hon. A. H. Panton—Leederville) [5.16]: This is one of the regulations made under the Dentists Act, and the Leader of the Opposition has moved for its disallowance. The regulation reads—

Where no charge or complaint has been made, but the board is desirous of proceeding on its own motion to strike the name of any dentist off the register, or the name of any assistant off the record, the same practice as on a charge or complaint shall be followed as nearly as maybe.

The regulations dealing with charges or complaints against dentists or assistants range from Nos. 60 to 69. Those regulations set out the procedure to be adopted by the board in hearing charges laid by anybody against a dentist or dental assistant. Regulation 69, however, deals with a different matter. It begins by stating that where no charge or complaint has been made. Conceivably the board might be desirous of pro-

ceeding although nobody had made a complaint to the board. I think a similar regulation has been made under the Legal Practitioners Act. Where a charge has not been laid by an outsider, but the board considers that a dentist or dental assistant has been guilty of an offence that would warrant deregistration, the board feels the need for power to proceed on its own motion. Evidently the Leader of the Opposition was satisfied with Regulations Nos. 60 to 68, but he seemed to think that the drafting of No. 69 was faulty. As the circumstances would be different when action was contemplated under Regulation 69, obviously it cannot be worded in the same way as are the other regulations. Section 30, Subsection (1) of the Dentists Act states—

> The name of any dentist registered in the register of dentists, and the name of any assistant recorded in the record of assistants shall be struck off the register or off the record, as the case may require, if the board is, after inquiry as prescribed, satisfied, etc.

Hon. C. G. Latham: But why should not the board lay a charge?

Mr. Raphael: The board could do as it liked.

The MINISTER FOR HEALTH: The board would hardly lay a charge to the board.

Hon. C. G. Latham: No, a charge against the individual accused.

Mr. Watts: The regulation says, "Where no charge or complaint has been made."

The MINISTER FOR HEALTH: Conceivably it would be quite possible for the board to know that a dentist or dental assistant had been guilty of an offence prescribed in the Act.

Mr. Sampson: Well, why not lay a charge?

The MINISTER FOR HEALTH: The board would lay a charge and follow the procedure laid down for hearing charges preferred by other people. If I was a dentist the hon. member could lay a charge against me, but if I was known to have been guilty of an offence and nobody laid a charge, the board could decide to take action. Many people are not anxious to lay charges, and in such cases it would remain for the board to take action. I am not going to worry if the regulation is disallowed. If the hon. member desires that it be drafted more explicitly, that can be done. I wish to point out, however, that there is no intention on the part of the board simply to deregister a dentist or an assistant without the accused having any redress. Regulation 69 merely provides for the board to take the necessary action without waiting for somebody else to lay a charge. The board might have full knowledge that action was warranted and would lay a charge and follow the procedure adopted when a charge had been laid by somebody else. If the House considers that the regulation does not say what is intended, we can bring down another. The Crown Solicitor says it is practically the same as the regulation of the Barristers' Board and is all that is required. Members seemed satisfied that the Barristers' Board would give people a fair deal, and the same would apply to the Dental Board.

MR. SAMPSON (Swan) [5.22]: I think a good deal of sympathy will be felt for the Minister.

The Minister for Health: I do not want sympathy; I want help.

Mr. SAMPSON: If the Minister is expected to defend a regulation of this kind, it is something utterly unreasonable. The regulation should never have been laid on the table, and I shall certainly vote for its disallowance. Any dentist or dental assistant might find himself struck off the register without any charge or complaint having been laid against him, because the board could proceed on its own motion. The unfortunate dentist or assistant would know nothing of what was happening until he found himself facing a charge.

MR. RAPHAEL (Victoria Park) [5.23]: I support the disallowance of the regulation. This is not the only regulation that should be disallowed. Probably, at a later date, others of them will come up for discussion. The Minister told us that the board would have to lay a charge. I think the board should lay a charge and give the accused an opportunity to defend himself. To do so would be only British justice and fair play. Under this regulation there is no doubt that a dentist or an assistant could be told merely that he had been struck off the register and was out, and that would be the end of it. If that is justice, it does not coincide with my ideas of what is fair. Probably one of the legal members opposite could explain the matter more fully.

Mr. Hughes: It is no use trying to reconcile your thoughts with justice.

Mr. RAPHAEL: That is the sort of retort I would expect from the hon. member. The Minister said he would not worry if the regulation was disallowed. Therefore I hope the House will disallow it so that it might be redrafted and submitted in fairer form.

MR. WATTS (Katanning) [5.25]: I feel that the Leader of the Opposition is on the right lines in seeking a disallowance of this regulation, although I am quite in agreement with the Minister that the board has no intention of doing what the Leader of the Opposition suspects might be done. Seemingly the opening words of the regulation, "Where no charge or complaint has been made," could reasonably be regarded by the Leader of the Opposition as meaning that the board need not have any complaint, either of its own knowledge or from an outsider, on which to investigate the conduct of a dentist or an assistant, and could strike him off the register or record as the case might be. I think the Minister would be well advised to adopt his own suggestion and let the regulation be disallowed. Then it could be returned to the draftsman and worded in acceptable form. What is intended, so far as I can judge, is that when the board is of opinion that misconduct of some kind has been committed by a practitioner, it might follow the procedure set down in Regulations 60 to 68, but I am fully convinced that the regulation in its present form does not say so. It says, "Where no charge or complaint has been made," which is certainly open to misinterpretation, and I suggest that the regulation be disallowed and a new one incorporating the exact meaning be inserted in lieu.

MR. McDONALD (West Perth) [5.27]: I think the regulation, in practice, would be satisfactory. After all it would be administered by a responsible board, and I believe an interpretation would be put on the words similar to when a complaint was made by an outside person.

Hon. C. G. Latham: Then why not say what is meant?

Mr. McDONALD: Looking at the regulation, I think that is the interpretation a board would place upon it. I do not believe that the board would deal harshly with any practitioner by not giving him the usual notice that a charge had been laid against him, intimating the nature of the charge, and affording him an opportunity to defend himself. The regulation is certainly not drafted as clearly as it might be. When it is of the utmost importance to the accused that his liability should be clearly expressed, there can be no harm in adopting the Minister's suggestion and having the regulation redrafted so that the matter might be put beyond any possibility of misconstruction by the board.

HON. C. G. LATHAM (York—in reply) [5.29]: I am pleased that the Minister is amenable to reason. The regulation, in its present form, might have the effect of depriving an individual of his professional rights.

The DEPUTY SPEAKER: The Leader of the Opposition is not entitled to break new ground, but must confine himself to replying to the debate.

Hon. C. G. LATHAM: That is what I am doing. We should at least make our regulations as clear as possible. Even the Minister admitted that there might be some doubt, and he is prepared to have the regulation redrafted. I wish to give the board the right to manage its own affairs. In point of fact, the Act provides that it shall. I am still convinced that the regulation is clumsily worded. If it had stated "where no charge or complaint has been made by any outside person, the board may take any course it thinks the right one to adopt" the position would be different. I shall not prolong the debate. I hope the regulation will be sent back for re-drafting.

Question put and passed.

MOTION—BUILDERS' REGISTRATION ACT.

To Disallow Regulations.

Debate resumed from the 28th August on the following motion by Mr. North (Claremont):—

That regulation No. 2 made under the Builders' Registration Act, 1939, as published in the "Government Gazette" of 26th April, 1940, and laid upon the Table of the House on 30th July, 1940, be and is hereby disallowed.

MR. NEEDHAM (Perth) [5.32]: As the sponsor of the Act I naturally was keenly interested in the speech of the member for

Claremont when moving the disallowance of the regulation. Prior to his taking that action I had made inquiries, as the result of which I agree that the regulation should be disallowed, because it is in conflict with a section of the Act. But something will have to be done. The Act itself seems to require amendment. This is legislation of a pioneer nature. There may be faults and weaknesses in legislation of this type which can only be discovered after a while. I would suggest that the Government introduce the necessary amending Bill.

Mr. North: Why not you?

Mr. NEEDHAM: A private member's Bill has a somewhat tortuous course, and takes a long time to arrive at finality. Realising the necessity for amendment of this particular legislation, I suggest that an amending Bill introduced by the Government would not take long in its passage through Parliament. I trust that such a Bill will be brought down soon.

MR. SAMPSON (Swan) [5.34]: I am pleased that the member for Perth (Mr. Needham), who sponsored the Builders Registration Act, agrees that this regulation should be disallowed. Actually, the measure throughout refers to persons, and makes no provision for companies. To-day many companies are carrying on business as builders, which is provided for in their articles of association; and they should, of course, have the same opportunities in respect of their work in that industry as is enjoyed by individuals. Many builders erect buildings on what are termed speculative lines. That is to say, the house is built and later on it is sold, usually on a small deposit, the balance being payable as rent. Frequently these jobs are carried out by companies. Consequently the regulation would have the effect of restricting trade and retarding progress. The representatives of companies are not always tradesmen in the full acceptation of the term, but they have a working knowledge of building; and I claim—and I assume the member for Perth agrees—that they should be given authority to supervise on behalf of companies. Various companies are operating in this business; among them the General Construction Company and Millars Company. If this regulation were to stand, a grave disability would be imposed on such companies, and they would not have the opportunity to carry out any construction work where the value was in excess of that provided in the Act, namely £400. Therefore I claim that the regulation would do injury. It is not equitable, and in any case the companies referred to should be permitted to register as supervisor someone who, although not a qualified builder, is nevertheless competent to supervise. I am glad that the regulation is to be disallowed.

Question put and passed.

BILL—GROWERS CHARGE.

Second Reading.

MR. BOYLE (Avon) [5.38] in moving the second reading said: A similar Bill was introduced into this Chamber three years ago. It had an excellent passage, thanks to the consideration of hon. members; and in another place it survived the second reading, but was ultimately defeated, largely because, in my opinion, it arrived there during the term of that institution which we know as an all-night sitting. In again introducing the Bill here, I merely wish to explain that it is based on what should be an inherent right to the fruits of any man's labour. The object of the measure is to give a legal right. There is a human right, but that is not necessarily a legal right. The Bill is intended to give a legal right to portion of the proceeds of a wheatgrower's crop. I wish to place that ranking in order after all seasonal and statutory liens have been met. The Agricultural Bank is not concerned or involved in the Bill, for the simple reason that the Agricultural Bank Act of 1934 defines certain charges that can be legally levied against a farmer and are known as statutory charges, and are recoverable under Section 51 of the Act. For that reason I must perforce omit the Agricultural Bank from the provisions of the Bill, knowing full well that you, Mr. Deputy Speaker, would otherwise have no option but to declare the measure out of order.

I have no desire to interfere with the farmer's seasonal credit, that credit which involves the supply of superphosphate and the hundred and one requirements of the farmer for getting in and taking off his crop. We hear so much of the credit of the farmer that sometimes I am inclined, against my better knowledge, to think that

the farmer has some credit, or some means of getting his supplies on credit; but that is not a fact. The merchant or supplier to the farmer does not think the farmer a good credit risk in the ordinary way, such that he would be prepared to take the farmer's word that he will pay on due date. The invariable practice in this State, and in Australia generally, as regards farming operations is that a bill of sale or a lien is levied against the crop; and according to our law if the farmer attempts to dispose of any portion of the crop and take the proceeds to himself before satisfying lien charges he becomes a criminal. Under a section of the Criminal Code he is a criminal, and under Section 51 of the Agricultural Bank Act he can be proceeded against criminally. I can hardly over-emphasise the fact that the farmer is the only man unprotected in regard to his own product. The farm labourer, quite rightly, has a prior charge for wages. Lien charges also come ahead of the farmer. There is not one law in existence here giving the farmer any right whatever to any share whatever of the proceeds of his crop. The farm labourer, of course, is protected by the law of the State; he comes in for wages before a lienee.

Mr. Hughes: In the ordinary course the farm labourer is only an unsecured creditor.

Mr. BOYLE: Mr. Deputy Speaker, you mentioned yesterday that we must not listen to interjections, as thereby we become disorderly. I think I prefer to obey your ruling. The present law does hold a man guilty of a criminal offence if he disposes of any part of his crop before all lien and statutory charges have been met. That law is not by any means a dead letter. I remember a few years ago that a young farmer in the Southern Cross district, a client certainly of the Agricultural Bank, who took off part of his crop and disposed of £20 worth of wheat in order to buy spare parts for his machinery, was prosecuted and sentenced to five months' imprisonment in Fremantle gaol. He was a young married man with two children, and he did what was only a natural thing. There was a standing crop and as the necessity existed for taking off that crop, he sold £20 worth of wheat to enable him to buy spare parts. For that he was charged before the court and, as I said, sentenced to five months' imprisonment. We were able to get him out of prison before the term had been fully served, but he had that record against him. I was reminded of it only one month ago when he wrote to me. He has become a rather brilliant engineer, having trained with the Broken Hill Proprietary Co. He applied for admission to the Air Force, but his criminal record was produced against him and so he was prevented from engaging in the defence of his country. For that "crime" he is debarred from enlisting and to-day, with all his brilliance, he is branded as a criminal, all because in 1932 he sold £20 worth of wheat to buy spare parts for his machinery!

We have in Australia to-day an Act which makes provision for what I am trying to do by means of the Bill I am now submitting. That Act which is in force in New South Wales is called the Farmers' Relief Act. I do not claim that the Bill I am submitting is original or new because a similar measure was introduced in the New South Wales Parliament in 1930. It became an Act and was amended in 1932 and again, I think, in 1937. That Act makes protective provision for the man operating under it by, firstly, in payment of expenses of harvesting, shearing or other gathering and marketing the produce of the farm incurred after the date of the stay order, and in payment of premiums of fire and/or hail insurance, effected with the approval of the board, and moneys advanced for any such purposes after the date of the stay order, together with interest on any such advances at the rate of 4 per cent per annum; secondly, in payment to the farmer for the purpose of clothing and paying the medical expenses of himself and family, and otherwise for his personal use and benefit an amount equal to 10 per cent of so much of the gross proceeds of the marketing of the produce of the farm grown in the season, or other income of the farmer as does not exceed £500, 5 per cent. of so much of such proceeds of income as exceeds £500, but does not exceed £1,000, and 2½ per cent. of the balance of such proceeds or income. That is in existence in New South Wales to-day. It creates a precedent for a Bill of this sort, because in Western Australia to-day the necessity for a holiday or some relaxation for the farmer is not taken into account, the necessity for medical expenses is not recognised, and the result is that the lien creditor takes the

whole of the produce if it barely covers the amount of the lien. In order to get over that, I propose that the Bill shall give priority over all charges except lien and statutory, to the extent of 3s. per acre in respect of such crops as do not exceed 500 acres and 1s. per acre on so much that exceeds 500 acres, or alternatively at the option to be exercised in the prescribed manner of the grower of such crops, 4d. for every bushel of wheat or oats marketed therefrom.

The object of the Bill is to provide that after all statutory charges have been paid and before interest to banks and before road boards and judgment summonses and other matters of that sort are satisfied, the farmer may with 4d. a bushel on every bushel grown, or 3s. per acre up to 500 acres, and 1s. per acre above that. There was a time when the farmer, through the indulgence, shall we say, of the Agricultural Bank and other creditors, was able to go into the township and dispose of a few bags of wheat. I will say this for the Agricultural Bank, that no notice was taken if a farmer carried a few bags of wheat to the storekeeper for the purpose of obtaining stores. The Associated Banks also adopted the same attitude, but things have altered tremendously with the coming into law of the National Security Act and Statutory Regulation 98 which gives the Australian Wheat Board control over every grain of wheat grown in Australia. It is now compulsory for every farmer, having retained his seed wheat requirements, to hand over every grain of wheat to the custody of the board, and it is noticeable right throughout the districts in Western Australia where wheat is grown that no storekeeper will dare take one bag of wheat from a farmer, no storekeeper will be associated in any wheat deals with a farmer. The result is that the farmer to-day, no matter what quantity of wheat he grows, must pass it on to the board. That precludes him from obtaining any little assistance he might otherwise have been able to obtain from the local trader.

The Premier: The National Security Act will override this Bill.

Mr. BOYLE: It will not. The National Security Act and the Wheat Board will certainly honour an Act of this type.

The Premier: No.

Mr. BOYLE: I think they will. It is laid down that the lienee is under an obligation to deduct, when satisfying his own claims, sufficient to pay 4d., or 3s. per acre and it goes through the bank in the ordinary course. So I do not see that this will interfere in any way with the present proceeds. The Federal Royal Commission, again a quotable document, mentions on page 23—

> Reference has been made under Section 5 (b) (iii) to the wives and womenfolk of the farmers. In evidence many farmers spoke of the courageous support afforded to them by their wives and daughters in their fight with adversity, and the Commission feels that special reference should be made to the part women are playing in maintaining the industry during the time of depression. On the average their work is harder than that of their sisters in the city, and the activity of various organisations such as the Country Women's Association in the different States should have wider support in order that the home life of the wheat farmer may be improved.
>
> It is almost a truism that the conditions in the home make a great contribution towards the determination and courage with which men face their economic difficulties.
>
> The climate of the wheat districts varies, but during the summer it makes conditions of work arduous. This applies particularly to the womenfolk who are usually unable to enjoy many comforts and conveniences available in the city. There is a good case for suggesting that every farmer and his family are entitled to a short holiday each year.

One of the objects of the Bill is to make money available for that short holiday. In the wheatbelt there are many women who have not seen the coast for five years; I know of children, boys of 14 and 15 years of age who have not yet seen the capital city, and who do not know what a holiday at the seaside means, for the reason that the whole of the proceeds of the farms has been sold to pay debts. The youngsters themselves have been of material assistance in gathering the crop, and no provision has been made for the farmers and their families to take a holiday. The Royal Commission appreciated that position to such an extent that it decided to embody a reference to it in its report.

I should like to pay a tribute to the members of the Labour Party in the Legislative Council with regard to this Bill. In going through the debates of the 1937 session I found that without exception the members of the Labour Party in another place accepted the Bill as a humanitarian

measure and gave it their whole-hearted support. It is fitting, therefore, that I should acknowledge that support. There is one thing that the creditor of the farmer up to date has failed to realise and it is that his best asset on the farm is the farmer and his wife and family. In the course of my inquiries in the city I found that merchants themselves have favoured a Bill of this type. But the body known as the Perth Chamber of Commerce by resolution objected to this measure. It makes one despair when we find that business people individually regard a measure of this kind as humanitarian while collectively they are opposed to it. They will not permit the producer of all this wealth, if the farmer is under lien for his crop, to enjoy any privilege at all. As pointed out in this House on more than one occasion, fully 90 per cent. of the wheatgrowers are under lien and are quite helpless in these matters. Therefore it is up to us in this Chamber to make some provision such as I propose. If it is right that we are getting closer to each other every day, then the farmer, or indeed any producer of wealth, should at least have some share in that production of wealth. I notice that recently the Collie miners in an application for a variation of their award asked that one ton of coal per annum should be given to each miner as a right. The employees of the Railway Department have the right to a free pass or several passes a year. The average employee of a business firm has a right to a 10 per cent. reduction in the price of goods he buys from the firm. In fact, everyone in any occupation seems to have established a right to some portion of the proceeds of the industry in which he is engaged. That does not, however, appear to apply to those associated with the farming industry.

Mr. F. C. L. Smith: It does not apply to the fishing industry, either.

Mr. BOYLE: It applies to the gold mining industry because there is a prosperity loading and the hon. member is in full agreement with that. I do not know about the fishing industry but it certainly applies to the gold mining industry and I would be the last to say that it should not do so. The men who produce goods should have an inherent and legal right to a portion of the proceeds from what they produce.

The Bill passed through this House on a previous occasion without a division. Judging from the vote accorded to the measure in 1937, hon. members were apparently satisfied that the Bill was at least an attempt to perform an act of justice on behalf of the men concerned, and their wives and families. The measure constitutes an endeavour to give the farmers something out of a growing crop. I do not ask for any widening of the Bill. I have restricted its provisions to wheat and oats. I have not included hay, barley or other commodities, and there is no reason why the measure should not operate. It requires practically no policing. Drastic penalties are provided. One hon. member objected to the right of a private member to impose penalties in any Bill he introduces, but there would be little sense in submitting a Bill of this sort if provision were not made to protect even the farmer against himself. I have provided in the Bill that if a man is ready to "scab" on his mates, he must be prepared to take the consequences.

Mr. F. C. L. Smith: Surely you include hay?

Mr. BOYLE: I do not intend to include hay because that would widen the scope of the Bill further than I desire. There is a feeling of resentment concerning the position of the farmer who takes a few bags of wheat from his own farm and thereby becomes a criminal under our laws. A man committing such an offence has no adequate defence. I know of many such cases. Two men from Lake Grace were sent to prison for this offence and I have told members of a case at Southern Cross. In hundreds of instances heavy fines have been imposed on farmers. One gentleman has been running around the country with a search warrant and an Alsatian dog. He has been descending on the farmers as if they were the greatest criminals on earth and he had the right to go through their books of account. He was empowered to visit the stores in town and ask whether any wheat had been sold there and to inspect the store account books. To my knowledge this man spent three days going through Merredin on this work. He overhauled the account books of every storekeeper in the place, and he also went to the mill. That mill is closed to-day, largely as a result of his action. Wheat to the value of £900, which had been bought

from farmers in the district, was considered to be stolen. A Supreme Court writ was served upon the mill, judgment was consented to, and the mill had to pay £700 plus £150 costs. The wheat was debited to the farmers' accounts. In no case did a lot exceed 15 or 20 bags of wheat, that is, up to 100 bushels. The mill is a local farmers' concern; 90 per cent. of its subscribed capital came from farmers in the district. In view of the court's judgment, the bank refused to allow the mill's overdraft to be increased by £850 and served a notice on the mill calling up the money advanced. To-day that mill stands as a monument to unjust laws. The farmers have lost the whole of their share-holding capital and the extraordinary feature is that the mill does not owe anything to anybody. The whole overdraft was liquidated from floor stocks of flour, and the mill stands empty with a credit in the bank of several hundred pounds. That circumstance is a result of legislation such as that to which I have referred. The provisions are all right but there is not enough elasticity.

I am afraid that humanitarianism in an ordinary business man is regarded as a sign of weakness by his fellow business men; it is regarded as something reprehensible. Consequently, the Chamber of Commerce frowns upon legislation of the kind I have introduced. Individually members of the Chamber of Commerce say that a good farmer is the best asset they have. I have been told by practically every banker in Western Australia that the best asset he has is the good man working his farm. The business men say that the finest customers they have and the men who satisfy their accounts are the good farmers who grow good crops. Yet, in a motion, the Perth Chamber of Commerce declares that a Bill of this kind will destroy credit. I have heard of crimes being committed in the name of liberty. I think we can add "credit" to "liberty." People who oppose this legislation have two stock arguments. The first is that the time is not opportune for it, and the second is that it will destroy the farmers' credit. They are excellent arguments for those who want nothing done. The talk about destroying the farmers' credit is one of the queerest things I have heard because it amounts to saying that something will be destroyed that does not exist. I have been reproached on more than one occasion for having introduced this legislation. People have written telling me that the proposals I make injure their credit, so content are they to work in a bond-slave condition. Doubtless they have been tutored, because I am sure such sentiments do not come from the men themselves. Nevertheless they do state from time to time, though not frequently, that what is proposed in this measure is not in the best interests of the farmers.

There are very few farmers in the wheat-belt and the wool-growing areas of the State who will not agree with the contents of the Bill. As a matter of fact, I find myself a laggard in some of the proposals put forward. There was a time when those of us who talked of reformative measures were considered Bolshevists and disruptionists. I move—

That the Bill be now read a second time.

On motion by the Minister for Lands, debate adjourned.

BILL—UNIVERSITY OF WESTERN AUSTRALIA ACT AMENDMENT.

Second Reading.

Debate resumed from the 4th September.

THE PREMIER (Hon. J. C. Willcock—Geraldton) [6.12]: The purpose of the Bill is to grant to the Government greater representation on the Senate of the University of Western Australia. The University Act provides that the Senate shall consist of 18 members, six of whom shall be appointed by the Governor and 12 elected by Convocation. The Bill provides that the number of senators shall be reduced from 18 to 16—10 to be nominated by the Government, five to be elected by Convocation, and the remaining one to be the chairman for the time being of the Professional Board. As hon. members are probably aware—I think we have tabled a report from the man concerned—the University recently obtained the services of Dr. Wallace, who holds a high administrative position in the University of Sydney, to conduct an investigation into the affairs of the University and to submit a report on the general conduct, administration and government of that institution. Dr. Wallace was here for some time and then went away. After a few months he returned and submit-

ted his report in which he suggested, amongst other things, that the University would gain if its governing body were more representative of the general interests of the community than it is as now constituted. He reported that many people whose association with the University would bring with it public support and confidence, were unwilling, under the present system of election, to seek that association. I understand that several people have signified their willingness to become members of the Senate. They are good business people and are anxious to take an interest in the work of the institution. They have submitted a nomination with a view to being elected by Convocation but have not been successful and have consequently been discouraged, or rather prevented from taking a part in the government of the University, which would be of benefit to it. That, however, is a side line.

Mr. Hughes: That happens outside of Convocation; it happens at parliamentary elections.

The PREMIER: It does, but I believe many people who have been intimately concerned with the work of the University have been asked to nominate for election to the Senate but Convocation has failed to elect them. An election by Convocation is not conducted in the same way as a parliamentary election.

Sitting suspended from 6.15 to 7.30 p.m.

The PREMIER: I was dealing with the method of electing members to the University Senate. No doubt it is the desire that representative persons should be appointed to the Senate, but sometimes it is not easy to arrange that. I do not mean to deprecate the capacity or standing of anyone who has been elected to the Senate. It is, however, felt that the Senate could be a little more widely representative than it is at present. That aspect was dealt with by Dr. Wallace in his report on the University. He said that many people whose association with the University would bring with it public support and confidence were unwilling, under the present system of election, to seek that association.

Dr. Wallace recommended that the number of Senators elected by Convocation should be reduced, and that provision should be made for inviting three or four people of standing in the community to become Senators. Dr. Wallace also recommended that the Senate should consist of 18 persons, six, including two members of Parliament, to be nominated by the Government; six, not being members of the teaching staff, to be elected by Convocation; two members of the teaching staff to be elected by the Professorial Board; and four persons to be elected by the 14 already mentioned, which means that the last-named four would be co-opted. Following on Dr. Wallace's report, I received a letter from the Chancellor of the University (Dr. Battye) stating that the Senate after considering the report, decided to request the Government to alter the constitution of the Senate. In its recommendation to the Government the Senate desired that that body should consist of 20 members, five to be appointed by the Government, one to be a member of the Legislative Council and another of the Legislative Assembly, six to be elected by Convocation, two to be chosen from the University teaching staff to be elected by the staff, the chairman for the time being of the Professorial Board, and four members to be co-opted. There is not much difference between the recommendation of the Senate and Dr. Wallace's recommendation. On the Senate the Government would have direct representation of seven members. The difference in these various proposals lies in the number of direct representatives appointed by the Government. It may be of interest to note what the Royal Commission said prior to the establishment of the University, when an inquiry was held in 1910. The Commission dealt exhaustively with the constitution and the governing bodies of the University. It had this to say with regard to the Senate—

> It is suggested that the Senate should consist of 18 members, one-third to be elected by the State and two-thirds by Convocation. A large element of Government nominees was thought to be fair as well as desirable, but a larger proportion than one-third it is conceived would tend to lend a political complexion to the Chamber.

The recommendations of the Royal Commission were adopted, and when the University Act was passed it provided for the constitution of the Senate following those recommendations. When nominees have been appointed by various Governments, those Governments have not been actuated by any desire to enforce their policy upon the University. The Royal Commission feared that if Governments were able to appoint nominees to the Senate the practice might tend to

reflect the political character of the Government of the day. That has not been so. Those people have given good service to the University. When their time comes for re-appointment—they are re-appointed every six years, namely two every two years —the additional appointees are generally re-appointed if they are capable of being re-appointed. Once the appointment has been made no Government has ever attempted to influence the University by its policy. I do not think members of this Government have ever had political discussions with members of the Senate who have been appointed by it. The nominees were chosen because they were considered to be representative of the people, and that they would give excellent service and uphold the ideals of the University. Once senators are elected their task is to look after the interests of the University. I do not think that, in any Cabinet discussions connected with the Senate, anything of a political nature has occurred in connection with the nominees of the Government adopting its policy. Some people have been elected by Convocation as senators. I agree with the Leader of the Opposition that since the University is financed almost entirely from funds provided by Parliament it is desirable that the Government and Parliament should be kept aware of its financial position. I doubt whether that could be done better as a result of having a majority of Government nominees on the Senate. The University has been in existence for nearly 30 years. The time has arrived when a survey should be made of its activities, to indicate what has been done during the period, what the experience of the intervening years may dictate to us in the way of alterations here and there, perhaps in regard to the constitution of Convocation, or the constitution of the Senate, or generally in regard to the government of the University and the work being carried out. Members will recall that in the first place the statutes provided for the payment out of consolidated revenue of £13,000 annually to the University. Since then the amounts made available by the Government to the institution have increased successively as the years have gone by. To-day the grant is about £35,000. With other contributions, such as a sinking fund on buildings, the amount paid to the University is something over £40,000. When the proposals for the University were first put forward and people began to stir themselves, the thought arose as to how a small State like this—the population at the time was probably less than a quarter of a million, not as big as is the population of University towns in other parts of the world—could finance such an institution, and what difficulties would arise in connection therewith. I think it was Sir Walter James who, when Premier, began to set aside areas in various parts of the State as University endowment lands. At that time not much value was attached to those areas. As the years went by, however, these lands increased in value. The motive actuating the Government of the day was that the University might be able to make use of the properties, and obtain an income from them. When the necessity for expansion became apparent it was hoped that the income raised from these lands would be of considerable use to the University, and that as a result of deriving income from these sources the burden upon the taxpayers would be lightened. The University possesses large tracts of land not only in the city but in the country. There is a huge area near King's Park, on the way to Nedlands, another on the Perth-Fremantle-road, and in other places there are areas that could be utilised as a means of bringing in income. Some local authorities say that the locking up of idle land here and there is retarding the progress of certain districts. I think an inquiry should be held to ascertain what the experience of the working of the University has been, and with a view to ascertaining what has been done by the Senate to make use of the endowment lands to further the activities of the institution, and to relieve the strain upon the finances of the State in carrying it on. It may be found that some of the land is not suitable for immediate use, but some portions of it could be usefully occupied and made revenue-producing. I think the Minister for Health could tell me that the new military hospital is being erected on University endowment land. I do not know what finanical arrangements have been made between the Defence Department and the University, but the department is undoubtedly utilising a block of valuable land from which the institution should derive some income.

Hon. C. G. Latham: I think the department bought the land.

The Minister for Health: I think £13,000 was asked for it.

Hon. C. G. Latham: The land has been sold.

The PREMIER: I was not aware whether the land was held on a long lease or had been sold, but in any event the University should have received some income from it. We do not know what the Senate's policy is with respect to endowment lands. If some inquiry were made of the Senate and people interested in the University, we might receive suggestions for the utilisation of the land, and for the deriving of income from it that would materially assist the institution to carry on.

Hon. C. G. Latham: And that might be an encouragement to people to take a keener interest in the University.

The PREMIER: Yes. The Royal Commission of 1910 recommended that any commercial, industrial, scientific or educational body donating £10 a year to the funds of the University, or any person donating £100 could become a member of Convocation. The idea was to create interest in the University and probably provide a means for rendering it financial assistance.

Hon. C. G. Latham: I do not think any one of those people is represented.

The PREMIER: An inquiry could be made into that matter. When the University was established people asked how it was going to be financed.

Mr. Hughes: What good would it confer upon anyone to pay £100 in order to be a member of Convocation?

The PREMIER: Many people like to be associated with an up-to-date institution that is doing excellent service in educating the people of the State, and raising the standard of culture in the community. Convocation has usually been constituted of people holding degrees from universities all over the world. They take part in the election of senators who are really the governors of the University. In the early stages it was considered desirable to encourage people without university degrees to become members of Convocation, and to make the body more representative they wanted other persons appointed who would reflect their opinions in the elections for the Senate. When people contribute money towards a certain object we may be sure that they are interested in it. When they contribute something to the University they become members of Convocation, and take part in the election of members of the Senate. They may also become candidates for the Senate, and possibly be elected themselves and thus take part in the administration of the institution. That was one of the objectives of the founders of the University with regard to the financing of the institution.

If an inquiry were held we could ascertain just how far that ideal has been pursued and what results have been obtained. As to the nature of the inquiry, I think one is undoubtedly necessary. Many who have been associated with the University have ideas as to how the institution could be made a much more useful factor in the general welfare of Western Australia. There are people who may desire to become associated with the University, people who are anxious that the institution shall take its proper place in the cultural activities of the State. Such people should be afforded an opportunity to make public their opinions, and that could be provided by the appointment of a commission of inquiry. I say at once that I do not desire to cast any reflection or slur upon those who have been charged with the conduct of the University and its adminstration. No doubt there are phases that could be investigated and results reviewed with a view to improving the situation. A period of 30 years has elapsed since the institution was established. The University has spread its activities in many directions and, to my mind, an inquiry might suggest whether the field of operations has been extended too greatly and too many subjects have been covered, instead of fewer being dealt with more effectively.

Hon. C. G. Latham: Dr. Wallace expressed views along those lines.

The PREMIER: And so have many other people. It is a matter of common knowledge that some people have taken a deep interest in specific subjects and have endowed particular chairs. While they have provided a proportion of the cost, a certain added financial burden accrues from such actions. I think it could be justly stated that if the University were to concentrate on fewer subjects, including those that tend to accelerate progress within the State, and deal with those subjects thoroughly, better results would be obtained than in spreading activ-

ities over a much wider field of education and research. Of course, that is merely an expression of my opinion that is open to criticism and may be shown by an inquiry such as I have indicated to be erroneous.

I commend the Leader of the Opposition upon his action in attempting to view the affairs of the University in perspective. I confess that the institution has caused me some concern. When I, as Treasurer, am called upon to find £40,000 or more every year for the work of the institution, and when I hold the view that there are other sources from which the institution could raise funds, and so relieve the taxpayers correspondingly, I am naturally somewhat concerned. I have not taken any active steps to deal with the position because Dr. Wallace and a qualified accountant have made reports on the position and when the Senate has finally dealt with those reports we can go into the whole matter. No doubt the Leader of the Opposition has, in the meantime, become aware of the cost of the institution to the community and has arrived at the conclusion that the Government should have majority representation on the Senate. Possibly he is right in that view, but he may not be right. If an inquiry by a Royal Commission were held, it would not be expensive nor should the inquiry take a considerable time to complete. With the advantage of such an inquiry, we should be able to ascertain from people interested in the operations of the University if there are any directions in which increased financial assistance can be secured and the general working of the institution improved.

No Government has ever been directly associated with the administration of the University. Although there are six Government representatives on the Senate, I do not know that they have ever approached the Minister for Education to discuss the position of the University, but I know they have not made representations to me as Treasurer. Those representatives are responsible people who have carried out excellent work on behalf of the people generally, but they do not reflect the views of the Government. In my opinion, Cabinet should be more closely associated with the financial operations of the University. If the hon. member's Bill were withdrawn, another could be substituted as the result of the inquiry. To my mind the Government should be directly represented on the finance committee of the Senate so that Ministers would have knowledge of what the Senate had in mind regarding the expansion of the activities of the institution. If, for instance, the Government knew the extent to which the Senate desired to expand operations within the ensuing three or four years, Ministers would be aware whether a further £5,000 or £10,000 would have to be made available. Decidedly it would be well for the Government to be aware of any such policy prior to its becoming operative, rather than that effect should be given to a policy and then application made to the Government for increased financial assistance. To have such direct representation on the finance committee and the consequent advantage of foreknowledge of the Senate's intentions would be entirely different from the proposal to have a majority of Government nominees appointed to the Senate to direct what should be done. I consider the University authorities should be able to work out the destiny of the institution untrammelled by political limitations or political direction. Such an institution should be free to choose its line of cultural and academic development and should be untrammelled in the formulation of its policy within the limits I have indicated. If the Government is to be asked to accept increased financial responsibility, it should know, and be in a position to agree or disagree with, the policy outlined, particularly as such a policy might have a comparatively tremendous effect on the finances of the State. I hope the Leader of the Opposition will allow his Bill to stand over for the time being.

We have not discussed the matter in detail in Cabinet, but I think there is a feeling prevalent amongst Ministers, members of Parliament and the general public that an inquiry into the operations of the University is due. In making that statement I reiterate that I cast no slur or reflection upon the work of the Senate, which has been very effective. The appointment of a Royal Commission might result in mapping out methods by which even more effective work could be accomplished and perhaps put a period to the trend that has been so apparent during the last few years when the Government has been urged to under-

take further liabilities in the financing of the institution. The University authorities have been importunate to some extent, though not unduly so, regarding the financial aspect. They have pointed out the advantages that they think would accrue to the State if further financial aid were available. On the other hand, the Government has endeavoured to set up a reasonable proportionate alignment respecting educational expenditure so that that upon the University will bear relationship to the expenditure upon primary and post-primary education. We have set the proportion at between 1½ and 5 per cent., but if all the activities urged by the Senate and the Professorial Board were given effect, the expenditure on the University would be out of all proportion to the rest of the outlay on education and would probably represent an increase to about 10 per cent. That would be entirely disproportionate, and the Government desires that the existing relative proportions be maintained.

Undoubtedly there is necessity for some alteration and an inquiry, if instituted, would produce results. The members of the Senate themselves are of the opinion that there should be some change, and a Royal Commission of inquiry would provide the opportunity for an expression of views by those interested. When we have the report of the Commission will be ample time for the introduction of legislation that will enable us to discuss the various phases of University administration and activities. If the Leader of the Opposition allows his Bill to stand over for the time being, it can be revived later on if deemed necessary. We shall certainly be in a better position to discuss the whole matter if we have the advantage of the findings of a Royal Commission before us. At the present juncture we have the views of the Leader of the Opposition and of Dr. Wallace, together with a modification of the latter's views by the Senate. If we let the matter stand over until an inquiry is held, we shall be in a better position to deal with necessary legislation and secure better results than are likely to accrue if the Bill now before Parliament is rushed through at this stage.

MR. McDONALD (West Perth) [7.58]: I feel that the position has been adequately explained by the Premier and, for my part, what he has said is in accord with such ideas as I have formed on this question. The University has accomplished good work and has turned out quite a number of graduates who have made distinguished names for themselves not only in this State but in many parts of the world. That is particularly so on the science side. On the other hand, after the passage of 30 years, the time appears to be opportune for a survey of the operations of the University with a view to ascertaining whether its effectiveness cannot be increased, and particularly to review the financial side of the work. I have had the advantage of a conversation with the Chancellor of the University and I understand that he feels, as the members of the Senate feel, that there should be a general survey of the position of the University, as well as of the personnel or constitution of the Senate and other bodies that deal with the several functions of the institution. I am sure many members feel, as I do, that we would be much more satisfied in dealing with the Bill after an inquiry at which representatives of the Senate Convocation, the Professorial Board, graduates and the public had been given an opportunity to express their views. After all, the direction of the University is something about which most of us cannot claim a great deal of knowledge. I do not claim any such knowledge, but we would be fortified by the proposed inquiry and the presentation of views of people who have made a study of the matter and can speak with authority on it. A university has two sides. One is the financial or business side, and where money is largely found by the Government it is but reasonable and proper that there should be some degree of governmental representation on the Senate. It rather appeals to me that there should be direct governmental representation on the financial committee, as suggested by the Premier. That should be included as part of the Senate's constitution. I would have some hesitation, however, in agreeing to the Governmental representatives being in the majority, not that I greatly fear any suggestion of political interference from this or from any other Government, but I think the Senate would be much more balanced by adopting the suggestion partly made by the Senate itself and partly by Professor Wallace, under which there would be full and adequate representation of the Government. The various other interests should be accorded a degree of representation, so that they could make their opinions felt.

Hon. C. G. Latham: Would you have any objection to reputable citizens being appointed by the Government?

Mr. McDONALD: None whatever; but while I am prepared to maintain an open mind on the subject, I have some doubts about the advisability of a majority of the Senate being the appointees of any Government. After all, the Senate has not only control of the financial and business side of the University; it must have some influence on the educational side and I am free to confess that people sometimes termed successful businessmen or prominent citizens, who might command public confidence and who might be suitable as nominees, might relapse into a conservative frame of mind. While we have to be careful about the business side, when it comes to the educational or teaching side, then the University should in my opinion be an institution to help the community in advancing affairs and new ideas.

Hon. C. G. Latham interjected.

Mr. McDONALD: The Senate would also have some say on that point. The Senate must have a say in appointments to the professorial staff of the University. Such appointments are of great importance to the University for the advancement of education and culture. Universities must possess freedom of spirit, freedom of inquiry and freedom of intellect, within limitations, if they are to fulfil the best functions of a university. As I say, it would be inadvisable to have on the Senate too many men who may be eminent and responsible in the business, commercial and social worlds, in view of the tendency that some of them may have to become conservative. They can fill their part, but should not dominate the control of the university. Therefore I welcome the suggestion of the Premier—which I understand has the support of the Leader of the Opposition—that an inquiry should be held. I feel that as the result of such an inquiry Parliament will be informed and so placed in a position to deal much better with legislation which may assist the University and also the State.

On motion by Mr. Watts, debate adjourned.

BILL—IMPRINTS.

Second Reading—Defeated.

Debate resumed from the 4th September.

MR. HOLMAN (Forrest) [8.6]: I support the Bill. I have given it careful consideration and submitted it to the organisation of workers concerned in the printing industry. That organisation also has decided to support the Bill. Undoubtedly, the measure is necessary. Our State is lagging behind the other States in this legislation, because similar measures have been in force there for some considerable time. It may be said that such legislation could be termed sectional; but even if that is the opinion of some members, sectional legislation is necessary at some time or other. It is considered in the printing industry that this sectional legislation is required in order to obviate the danger resulting from the distribution among our citizens of unsigned literature. The two organisations mainly concerned in the printing industry—the Master Printers' Association and the Printing Employees' Union—are in accord with the object of this Bill. Some portions of the Bill I believe could be improved and other portions might well be struck out, but the principle is right.

In addition to the points mentioned by the member for Swan (Mr. Sampson) with regard to subversive literature, this measure will assist to put the printing industry on a proper footing. During my term as secretary of the Printing Employees' Union, we experienced considerable difficulty with persons who are termed backyard printers. Backyard printers are hard to trace. This proposed legislation will assist greatly in the elimination of that class of printer, and will conserve the good name of the industry and result in better printing. It will also preserve the working conditions of the employees in the industry. That is an absolute fact, because on many occasions when we were able to trace backyard printers, legal action had to be taken against them for non-observance of award conditions. Under the measure, every printer would be obliged to put his name and address on certain classes of literature he printed. He could therefore easily be traced; and if it were found that he was not observing award conditions or was breaking the law with

respect to subversive literature, action could at once be taken against him. I have no doubt members will come to realise the value of the Bill. The matter has been brought right to our own back door. Members of Parliament are subject to libellous statements and scurrilous literature. This often happens at election time, although we already have an Act covering that point. Nevertheless, libellous literature, produced by means of Roneo or letterpress printing, but with no imprint on it, is circulated. Such literature has been proved also to be absolutely subversive and dangerous to our war efforts. Only recently many of such circulars were distributed. We had an example in this House some little time ago, when some unsigned literature was brought to our notice.

It may be argued that the passage of this legislation will not stop the circulation of subversive literature. That, however, is true of every Act of Parliament. There is always some person smart enough to evade an Act; but at the same time he runs the risk of incurring the penalty provided by the Act. That applies to this proposed legislation, which, as I have said, has worked satisfactorily in South Australia and other States of the Commonwealth. The present is an opportune time for us to pass this legislation. The statement was made that the Bill, if passed, would not stop the flow into this State of imported literature not bearing an imprint on it. That cannot be avoided, but the measure will have a good effect. If honourable members are sincere in their efforts to support local products, they will realise the value of this legislation, because we shall be able to discover which firms here are getting their printing done outside the State. That is a point that may well receive consideration. We know by statistics that thousands of pounds worth of printing is going out of the State. It is being ordered by reputable firms, too. Yet these firms expect us to pass legislation to assist them to dispose of their products. They have approached the Minister for Industrial Development with a request that we should do all in our power to foster their industries. The printing industry is in much the same position and looks for some encouragement. Orders for a great deal of insurance printing are being sent out of the State. This printing is done in the Eastern States and shipped here. Cartons for foodstuffs are being imported from the Eastern States. All this is happening while our own men are walking the streets and tradesmen are actually employed on relief work and the industry is not producing the wealth to which the State is entitled. This measure will enable us to find out whether any of those firms that wish to exploit local products are doing their bit in the interests of the State. If the Bill becomes law, we shall be able to see whether their literature and containers were turned out in this State, because necessarily they would have to bear an imprint. There is a possibility of our being enabled to trace other things. There are some firms patronising printers who work at a cut rate, thereby injuring other master printers who play the game, as well as injuring the industry and the workers. We could trace cut work to the firm that had done it and find out whether the printer was as honest in his dealings as he publicly professed to be.

The principle of the Bill is good. Legislation of this sort is necessary. Some parts of the measure, however, are to a certain extent contradictory. For instance, the definition of "print" includes any literature that comes from a printing press or from any method of duplicating or multiplying copies. That is a very wide definition. Owing to the trend of modern machinery, we find that machines of the duplicator type have been speeded up and made more efficient and are really doing the work of printing presses, though they are not termed printing presses.

The Minister for Mines: Is not there a Roneo?

Mr. HOLMAN: The Roneo is a special type of duplicator. There is an electric Roneo and there are multigraphs, multiliths and other machines on the market that are very efficient and are turning out work very cheaply. The measure also provides for the exemption of work done by certain machines. Any work done by a duplicator, Roneo, or multigraph process would be exempt except where the printing is for political, seditious, subversive, defamatory, immoral or blasphemous purposes. I agree with that up to a stage.

The Minister for Mines: There is nothing much left, is there?

Mr. HOLMAN: There is plenty left. If we are going to pass legislation, we should do the job properly. There are only two

sections of the printing trade represented in this House; I am not a representative of the industry now. One of the representatives of the other section sits on the opposite side of the House and, strangely enough, we are in agreement on the principle of the Bill. If we are going to pass legislation of this kind, let us make it a 100 per cent. job and protect the industry. We can protect it by including the work of all those duplicating machines. The Bill also provides exemption for certain other printed matter. I do not approve of that. I cannot see why any particular printed matter should be exempt. If we treat one section of the community in one way and another section in another way, we shall be approving of really unfair sectional legislation. Quite a lot of printing would be exempt under this measure and I do not approve of its being exempt. I cannot see why an insurance company should not be required to have an imprint on its policies. Why, some insurance policies are of the worst type.

Hon. C. G. Latham: The policies are issued from the head office and the head office might not be in this State.

Mr. HOLMAN: That is the point.

Hon. C. G. Latham: Would you print the policies here, send them to the East, and have them brought back again?

Mr. HOLMAN: If that argument was carried to its logical conclusion——

Hon. C. G. Latham: Lloyd's policies come from London.

Mr. HOLMAN: That they should come from London is wrong, because the money for insurance premiums is sent to Lloyds.

Hon. C. G. Latham: Lloyd's give a better rate.

Mr. HOLMAN: If Lloyds are making their money here, they should spend some of it here.

Hon. C. G. Latham: The Government does not always do that.

Mr. HOLMAN: Many of the big firms take all they can get and give nothing in return. They will not help to provide work for people with whom they expect to do insurance business. It is time such firms were put in their place and required by law to do the right thing.

Hon. C. G. Latham: I am sick of this class of legislation. It is legislation of the worst sort.

Mr. HOLMAN: We have been told that every man who works, whether in a factory, on a farm or elsewhere, is a worker and is entitled to the fruits of his labour. Yesterday evening we were talking of the farmers. Much of the legislation we have passed for farmers has been class legislation.

Hon. C. G. Latham: What protection have you ever given the farmers? Every time we ask for protection for them, you vote against us.

Mr. HOLMAN: I once worked on a farm.

Hon. C. G. Latham: And got off it, too.

Mr. HOLMAN: And I have not got over the experience yet. When the farmer called me on the first morning, I thought he was saying goodnight. Another provision in the Bill stipulates where the imprint is to be placed. That is only a small matter, but there is a danger of causing inconvenience and spoiling good printing. The Bill provides that the imprint shall be placed upon the front of every paper if it consists of not more than four printed pages. If the printed article is a good job, it should not be spoilt by having the imprint placed on the front. It could quite conveniently be placed on the back. If only a single page was being printed, the imprint could be put on the front, but if it consisted of two, three or four pages, the imprint should be on the back. The Bill also states that for papers of more than four pages there shall be two imprints—one on the front and one on the back. I do not know why that should be required. Perhaps the idea is that the name of the printer might have been forgotten by the time the reader reached the end of the paper.

Hon. C. G. Latham: Or to make it more expensive.

Mr. HOLMAN: The setting of one line of print makes very little difference, and it is a cheap advertisement for the printer if he is turning out good work.

Mr. F. C. L. Smith: That is what the Bill is for—to advertise the printer.

Mr. HOLMAN: The South Australian Act has a much better provision that we might well adopt. I hope this Bill will not be treated with levity or regarded as involving anything in the nature of class distinction.

Mr. Doney: No one here has heard anything about class distinction.

Mr. HOLMAN: I hope it will be treated as a necessary measure not only for the industry but also for the protection of every individual in the State. When legislation makes possible the tracing of the author of scurrilous literature, it does afford some protection to the public. I think the member for East Perth will agree with that. Had not he been able to ascertain where certain matter was printed on one occasion, he could not have taken certain action, which probably he was entitled to do.

Hon. C. G. Latham: He caught the man delivering the copies. Under the Electoral Act all the protection required is provided.

Mr. HOLMAN: The Bill also provides for a person delivering any paper without an imprint. I think everybody is entitled to be able to trace the author of any literature that might be defamatory, scurrilous or subversive. The provision in the Bill will materially assist in that direction. That is one of the important features of the Bill.

Mr. Hughes: The man who intends to publish defamatory literature will not put an imprint on it.

Mr. HOLMAN: The man who speeds does not always get caught.

Mr. Hughes: If he has any sense, he does not wait till the traffic cop comes up.

Mr. HOLMAN: Anyone who continues in wrong-doing is liable to slip. Anyhow, we should give the measure a trial. There are other ways of ascertaining where objectionable literature comes from. Of course there is always somebody who will offend and escape punishment, but legislation along these lines will give us a chance to police these matters.

Mr. Hughes: I should like to know what necessity has arisen here for this Bill.

Hon. C. G. Latham: Since the hon. member has been speaking, I have begun to think that there is none.

Mr. HOLMAN: I have often thought the same thing about other people, but have been generally too polite to mention it.

Hon. C. G. Latham: I am not.

Mr. HOLMAN: I ask members not to treat the Bill lightly.

Hon. C. G. Latham: Rest assured it will not be treated lightly.

Mr. HOLMAN: I am not personally interested, because I am no longer a printer and have not worked in the industry for some time. Neither do I wish to be a printer again, because the work is hard and unhealthy. There are many better occupations than that of a printer. However, jokes are not made about newspapers having to bear imprints; the necessity for them is realised.

Hon. C. G. Latham: Newspapers are a special class, having special Acts of Parliament to protect them.

Mr. HOLMAN: But they are obliged to place their imprint on their publications.

Mr. Hughes: Would you give authors and printers the same privileges as newspapers have?

Mr. HOLMAN: That aspect is not referred to in the Bill. During election time, election literature must bear imprints. Why not require the same thing for the protection of the public?

Hon. C. G. Latham: That matter is dealt with in the Electoral Act.

Mr. HOLMAN: And the Electoral Act is the work of Parliament. I request members to go into the question thoroughly, when they will recognise the value of this Bill not only to the general public but also to the printing industry.

MR. F. C. L. SMITH (Brown Hill-Ivanhoe) [8.32]: I trust that the second reading of the Bill will not be carried. The Bill is restrictive in its character, imposing upon Western Australian printers a stipulation which will operate to their disadvantage. To me it seems ridiculous to propose a Bill which provides that printers of labels on hop beer bottles, tramway tickets, concert tickets, and stickers must place their imprints upon them.

Mr. Holman: The "Worker" office in Kalgoorlie did it.

Mr. F. C. L. SMITH: Nothing of the kind. I have had ten years' experience of the printing business, and therefore know something about it. It is within my knowledge that many customers of printers have perfectly legitimate reasons for not having the name of the printer appearing on the work done for them. The editor of a newspaper, or whoever may be responsible for the publication, must put his imprint on it. The same thing applies to election printed matter. The whole argument for this Bill is based upon scurrilous literature, so that the printers and publishers of such literature may bear responsibility. But none of this scurrilous or subversive literature bears the name or address of the per-

son responsible for it. Those particulars are omitted purposely, because the people who print and publish such matter do not wish it to be known who are the responsible persons. In that instance, however, there are other means of taking action against those responsible. There is no need for the Bill, or for the imposition of further restrictions on Western Australian printers. The measure will have no effect whatever by way of inducing local traders and enterprisers to have their printing done in this State. The probability is that the passing of this measure would have the opposite effect. As for printing done in this State for persons resident outside Western Australia—and there is some of that class of business—the Bill will prove highly detrimental. In my own experience I have known of orders for printing to be done in this State on behalf of non-residents of Western Australia. I am quite convinced that such customers would not desire to have the name of the printer placed upon their printing.

Mr. Holman: That class of business represents a very small proportion of the printing done here.

Mr. F. C. L. SMITH: That may be; but what the Bill proposes would have no effect in inducing local firms who have their printing done outside this State to get it done within Western Australia. I am extremely suspicious of this piece of legislation, seeing that a master printer and an ex-printer sponsor and support it so enthusiastically.

Member: An unholy alliance!

Mr. F. C. L. SMITH: Many persons in Western Australia get their printing done on a competitive basis, and have no desire that everybody should know by whom their printing work is done. They have good and legitimate reasons for not desiring to have the printer's name placed upon their printing.

Hon. C. G. Latham: It is surprising where the People's Printing and Publishing Company gets some of its work from.

Mr. F. C. L. SMITH: I have had a number of clients prepared to deal with the People's Printing and Publishing Company on a competitive basis. I go along to them and say, "I am in the printing business, and I wish to deal with you not from a political standpoint but from a business standpoint," I have found those people prepared to do business with me; but they did not want the world to know that they were doing business with me, because some of the public might think there was something political associated with it.

Mr. Holman: Some country papers have the "Worker" imprint.

Mr. Needham: Then they are sensible for once in their lives.

Mr. F. C. L. SMITH: Frequently I could not have got orders from people if the imprint "Worker" had to appear on the printing. I oppose the second reading of the Bill.

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

Ayes	6
Noes	34
Majority against ..	28

Ayes	
Mrs. Cardell-Oliver	Mr. Seward
Mr. McLarty	Mr. Watts
Mr. Sampson	Mr. Holman (*Teller.*)

Noes	
Mr. Abbott	Mr. Nulsen
Mr. Berry	Mr. Panton
Mr. Coverley	Mr. Patrick
Mr. Cross	Mr. Raphael
Mr. Doney	Mr. Rodoreda
Mr. Fox	Mr. Shearn
Mr. J. Hegney	Mr. F. C. L. Smith
Mr. W. Hegney	Mr. J. H. Smith
Mr. Hughes	Mr. Styants
Mr. Johnson	Mr. Thorn
Mr. Latham	Mr. Tonkin
Mr. Leahy	Mr. Triat
Mr. Mann	Mr. Willcock
Mr. McDonald	Mr. Willmott
Mr. Millington	Mr. Wise
Mr. Needham	Mr. Withers
Mr. North	Mr. Wilson (*Teller.*)

Question thus negatived; the Bill defeated.

BILL—NATIVE ADMINISTRATION ACT AMENDMENT.

Second Reading.

MR. DONEY (Williams-Narrogin) [8.45] in moving the second reading said: In my opinion, this measure should commend itself to every member who is in any way interested in the well-being and status of those poor unfortunate folk in this State who, on account of their colour, are regarded as natives. The Bill deals only with Section 48 of the principal Act and is designed to give natives generally a far more healthy regard for the white man's law than is the case with a great many of them at present. Under Section 48 of the Act, a native can with impunity solicit intoxicating liquor and escape the penalty very largely on the

ground that he is a native. Contrary to what most people think, there is this unsavoury fact, that no punishment whatever is provided for the native who offends in this way. That in my opinion is bad, besides being a travesty of justice. It certainly is not in the interests of the native; it certainly is not in the interests of the white community, because the native can, and certainly does, laugh at the law. It is also bad for the type of white man usually concerned in cases of this kind, for reasons I will disclose a little later when I shall read a letter which I have before me. Subsection 2 of Section 48 of the principal Act reads—

> Any native who knowingly receives any such liquor or opium shall be guilty of an offence, and liable on summary conviction to a penalty not exceeding five pounds or to imprisonment not exceeding one month.

That sounds all right, but the weakness of the provision is that no conviction lies against a native unless he can be caught with the liquor actually in his possession. As members know, the native is a shrewd individual, particularly when found in a situation of this kind, when he brings his large stock of shrewdness to bear. The result is, as you, Mr. Deputy Speaker, well know—because there are many natives in the district you represent—that it is seldom indeed that the native is caught. To-day the position is that the native can solicit intoxicating liquor from a white man. He can succeed in that solicitation, that is to say, he can obtain the liquor and consume it, and he can make a nuisance and a danger of himself to his associates and any women and children who may happen to cross his path—to all and sundry, as a matter of fact, and certainly to the police. Later—and this is the aspect of the matter that is frequently not fully understood and that happens to be the aspect dealt with in this Bill—the native can turn round and give evidence (evidence that is not always reliable; in fact it is all too frequently more unreliable than reliable) against the white man who supplied him with liquor. The native is therefore responsible for a conviction of the unfortunate white man. That, in my opinion, is using the native for a very base purpose indeed. Plainly, it is wrong, and I think the native should be taught that it is wrong. That, of course, is the purpose of the Bill. It will be seen that the native would emerge from the court with a queer idea of the corrective effect of the white man's law, and certainly feeling in no way compelled to change his ways. The conviction of the white man quite naturally causes the native to feel that the white man is no better than he. Plainly, it is necessary to correct that impression; particularly is such a step desirable if it can be taken in such a way as to produce a deterrent rather than a punitive effect. I claim the Bill certainly will have a deterrent effect upon the offending native.

We have the purpose of this measure dealt with in a very practical way in a letter which has been addressed to the Minister for Justice, and incidentally to myself also. It has been sent to us by four justices much experienced in the ways of natives in the Williams district. The Williams district is the centre of quite a number of native camps, and naturally the bench in Williams deals with probably as many cases as does any other country bench. I can say this of the four justices, that they are men with a lifelong experience of the native and his ways and that they are well balanced and have a kindly outlook on the natives. Writing to the Minister for Justice and, as I said, to myself, they say—

> Recently two local justices dealt with a case of a white man who for supplying liquor to a native was fined £20 and costs.

Mr. McLarty: That is the minimum fine.

Mr. DONEY: Yes. The maximum fine is £100. The minimum is statutorily fixed at not less than 20 per cent. of that amount; consequently it is possible to inflict a penalty on these unfortunate whites amounting to any sum from £20 to £100. The letter continues—

> The evidence showed that the native solicited the white man to obtain the liquor in the first instance for a consideration of the price of a glass of beer. We hold no brief for the white man, who deserved the penalty, knowing that he was doing wrong. Unless the native is caught in possession of the liquor, we are advised that it is not possible to get a conviction against him; and so we saw in this case the spectacle of the native being brought to give evidence against the white man for wrongdoing and yet the white man's evidence could not be used to convict the native. If a section were put into the Licensing Act making soliciting of liquor by a native from a white man punishable, the native would hesitate to solicit it, knowing that if the white man was caught he also might be caught and

punished on the white man's evidence. Usually the natives involved in these cases are very cunning.

Of course, the Licensing Act was not the Act concerned. The letter continues—

> At present the native can involve a white man in a serious charge and can with impunity give evidence against the white, knowing that he himself is safe unless caught with the goods. An admission that he has drunk the liquor is not sufficient. Some check to prevent the natives from soliciting youths to procure liquor for them (and we can quote here the recent case in Northam before Mr. Read, R.M.) should be provided in the Licensing Act.
>
> We the undersigned justices of the peace make the following recommendation:—
>
> > That in cases of prosecution under Section 150 of the Licensing Act, it is a recommendation from us that there should be provision in the Act to provide for a prosecution of, and penalty against, the natives soliciting and receiving the liquor. If the liquor is solicited from the white man by the native the penalty should be heavier than that inflicted for the supply without solicitation."

Mr. Seward: Who signed that letter?

Mr. DONEY: The names are here, if any member is interested in knowing them. The letter is signed by four justices of high standing, for whom I have the highest esteem. The letter in a very proper way sets out the position covered by the Bill.

Mr. Styants: Would not the native be in possession of the liquor if he were under the influence of it?

Mr. DONEY: There is no doubt about that. The evidence would be visible at first sight, but it would be necessary to prove that the liquor from which the native was suffering internally was the liquor that had been solicited. There is nothing I can add to the letter I have read beyond commending the measure to the earnest consideration of members.

MR. MANN (Beverley) [8.56]: I support the Bill. Recently a case came under my notice of a sub-normal lad who supplied liquor to a native, was convicted and fined £20. He supplied the native with a bottle of beer. The Bill is urgently required for the protection of unforunate whites, and I commend the member for Williams-Narrogin for having brought it down.

THE MINISTER FOR THE NORTH-WEST (Hon. A. A. M. Coverley—Kimberley) [8.57]: I support this short amendment of the principal Act. The matter of supplying intoxicating liquors to natives by white men has been the concern of the department for many years, especially the distribution of liquor among the whiter sections of the natives, that is, the half-castes. The trouble is aggravated when these natives congregate in industrial areas. While I am of opinion that the measure will not assist the department greatly in preventing natives from procuring liquor, yet it may prove of assistance. The department knows of many instances in which natives have escaped scot free. The measure, so the department thinks, will probably have the effect of frightening the natives from approaching the worst class of white people who, for a small consideration, find it advantageous to supply natives with liquor. If the measure has that result, it will have achieved some good; if not, it will not have done any harm. The Bill has my blessing, if that is of any use to the hon. member who introduced it.

On motion by Mr. Seward, debate adjourned.

BILL—MONEY LENDERS ACT AMENDMENT.

Second Reading.

Debate resumed from the 4th September.

THE MINISTER FOR JUSTICE (Hon. E. Nulsen—Kanowna) [8.59]: Very briefly, I intend to support the Bill. I have read it carefully and it seems to me that it will be helpful to borrowers. Quite a lot of exploitation has been going on, and this Bill will tend to check it. Many money lenders are reputable and decent people. On the other hand a number of them exploit the public and the Bill will restrict them to a great extent. There is no legal principle in the measure to which the Government can take exception, but certain aspects might well be taken into consideration. The minimum interest is to be reduced from 12½ per cent. to 10 per cent. The effect will be to bring more money lenders within the scope of the Act. Further, compound interest is to be disallowed. That is a good provision and will afford protection to people who borrow. It will, however, have another effect in that the lender will be likely to

call up his security much quicker when he finds he is not entitled to interest on interest. The member for Canning (Mr. Cross) has suggested that there should be a maximum interest. I do not know exactly what the amount is but I think it is somewhere about 20 per cent. I do not know what the effect will be, but I consider the matter should be investigated more thoroughly, because the provision might detrimentally affect persons who desire to borrow a small amount for some specific and important purpose. If the proposed maximum is fixed, it will probably not be possible to secure a loan because the percentage would be too small. The result of fixing a maximum will probably be to put a number of money lenders out of business. It would be beneficial to formulate a schedule providing for a variation of interest in accordance with the amount required. That would benefit the small genuine borrower from the genuine money lender, because after all a number of people in the business carry on their work legitimately and honestly. At present, if any borrower thinks the interest charge is too high he may, under the Act, approach the Court with an application for a reduction. That privilege will not be accorded to him if a maximum is fixed.

I have not much sympathy for the money lender because he is not a producer in any sense of the term. He is more or less a burden on the people and to a great extent one of the worst parasites we have. The Bill will be helpful to the community in general because there are those who borrow who should never do so as they have not the means of repaying the loan.

Hon. C. G. Latham: The Bill will not prevent them from borrowing.

The MINISTER FOR JUSTICE: But it will restrict them and the money lender will make sure that his security is greater if his percentage is not to be so high. If he is able to obtain 50 per cent. or 100 per cent. he will lend on very little security.

Mr. Doney: The Bill will popularise borrowing.

The MINISTER FOR JUSTICE: If it does, it might still do some good inasmuch as borrowers will be restricted to the payment of a maximum interest. I know of one person who borrowed £30 and when I calculated the amount he had to repay I found he was paying 60 per cent. and it was utterly impossible for him, since he earned only £5 a week, to pay back the interest, let alone the principal. The Bill will have a protective effect and will restrict borrowing. A person who can obtain 60 per cent. on a loan will lend on scant security but if he is to receive only a maximum of 20 per cent. for a small amount, he is likely to consider a man's position as well as his assets.

Mr. Berry: Why should people borrow at 60 per cent. if they cannot possibly refund the money?

The MINISTER FOR JUSTICE: Probably the hon. member and I would not so borrow, but we desire to protect other people who do. I know people who pay 100 per cent. for loans.

Mr. Berry: You can protect them only by locking them up.

The MINISTER FOR JUSTICE: If that is the case, many people would have to be locked up. The member for Canning (Mr. Cross) gave instances to prove that it was utterly impossible for certain people, even if they received twice their present amount of wages, to repay borrowed money in view of the high interest charged. We know ourselves how hard it is when we are borrowing money to repay it when the interest is only 5 per cent. or 6 per cent. The Bill has my support and I hope the House will give it the consideration it is entitled to and that protection will be afforded to those who in many instances cannot protect themselves.

MR. McDONALD (West Perth) [9.7]: With some reservations I am prepared to support the second reading of the Bill. Like the member for Canning (Mr. Cross) and other members of the House, I wish to do all I can to protect people from being imposed upon when they borrow money on occasions when they are in grave distress. As framed, the Bill would have the result of reducing the money lending business. It would restrict a number of transactions and in many instances prevent people from obtaining accommodation. When I first heard the Bill explained by the hon. member I thought—and still think—that it would be a good thing for the community if we did have legislation which would greatly restrict facilities for borrowing money from money lenders. On further consideration, however, I am not sure whether that view cannot be carried too far. There are occasions when people are in very

grave difficulties through the lack of a comparatively small amount of money, and the inability to offer sufficient security for a loan. If we made it impossible for them to obtain an advance from a money lender, we might render them a disservice even greater than if occasionally they were imposed upon by a money lender.

The Bill begins by saying that any person who lends money at a rate exceeding 10 per cent. shall be a money lender within the meaning of the Act. The present legislation provides that any person who lends money at a rate exceeding 12½ per cent. is a money lender within the meaning of the Act. Of course any person who engages in money lending as a regular business comes under the Act whatever rate of interest he may charge; but if I happened to lend money as an isolated transaction, at a rate exceeding 12½ per cent. I would become a money lender, and if I were not registered within the terms of the Act I would incur penalties. I would be liable for a first offence to a fine of £100, and for a second or subsequent conviction to imprisonment with or without hard labour for a term not exceeding three months. I do not favour a reduction of the rate to 10 per cent. because there are occasions when money is borrowed by somebody unable to give security and the rate charged is 10 per cent. or 11 per cent. Such a transaction may be one between people who could be called friends in spite of the high rate charged because the lender would know that he ran the great risk of not having the loan repaid. That might be an isolated transaction, but if the money happened to be lent at a rate of interest exceeding 10 per cent., the lender would, under the provisions of the Bill, be liable to the penalties imposed by the Act. Consequently I consider that the amount might be left at 12½ per cent.

The Bill abolishes simple interest on arrears of interest. If an instalment of interest falls due and is not paid, a lender may at present charge simple interest on the instalment in arrears. I am in agreement with the proposal to abolish interest on interest. The present Act will not allow compound interest to be charged but does allow the charging of simple interest on interest instalments in arrears.

The third point is that the maximum interest is to be 20 per cent. per annum. I understand from the speech of the Minister for Justice that in the case of a small amount this limitation might not be very fair to the money lender, and he proposed the matter should be reconsidered with a view to the maximum interest chargeable being fixed on a sliding scale according to the amount advanced. I think that is the suggestion of the Minister.

The Minister for Justice: Yes.

Mr. McDONALD: And I agree with it. People who borrow very often require small amounts for a short time. If the maximum rate of interest were 20 per cent. per annum and the man went to a moneylender to borrow £5 for a month, the moneylender could only charge him 1s. 8d. by way of interest. If the borrower were not in good financial circumstances, the moneylender would no doubt refuse to lend the money, as the business would not be worth his while. The amount of interest claimed would not compensate for the risk that was being run, in many instances. If £10 were borrowed for a month the interest would amount to 3s. 4d., and if £20 were borrowed the interest would be 6s. 8d. The tendency would be to restrict borrowing. In many ways that would be a good thing, but people who might be in urgent need of a few pounds for a short time to meet cases of sickness or emergency might find themselves unable to get the necessary accommodation. Moneylenders would not think it worth while to do the business. If a scale such as has been suggested by the Minister were adopted, it would be possible to provide that a moneylender might charge something more for a small amount for a short time to compensate for the risk involved, and as sufficient inducement to him to give the necessary accommodation. That might be of great advantage to the borrower. With these observations I support the second reading of the Bill.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Withers in the Chair; Mr. Cross in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 3 of the principal Act.

Mr. McDONALD: I have not been able to satisfy myself that it is desirable to change the rate of interest, and I propose to oppose the clause.

Mr. CROSS: I hope the Committee will endorse this proposal. Many people lending money in this State are charging interest at 10 per cent. To avoid the consequences of charging too high a rate of interest, they impose a fee for procuring the loan, a fee greater than would be charged by a registered moneylender. That was the practice in Queensland until by law the interest was reduced to 8 per cent. That system has had a trial of seven years without creating any outcry. If any person is charging 10 per cent. for lending money we should have some supervision over him.

Mr. ABBOTT: I must vote against the clause. It would not be advantageous to borrowers if we provided that before a person lent them money at 12½ per cent. interest, that person must be registered as a money lender. Some people will gamble in a business of this nature for the reason that they are getting more interest on their money than if they invested it in the ordinary way. By restricting the borrowing of money, we shall limit the market for those who need it. If we drive people to registered money lenders they will have to pay more than 12½ per cent.

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

Ayes	22
Noes	18
Majority for	4

AYES.

Mr. Berry	Mr. Needham
Mr. Coverley	Mr. Nulsen
Mr. Cross	Mr. Panton
Mr. Fox	Mr. Rodoreda
Mr. J. Hegney	Mr. F. C. L. Smith
Mr. W. Hegney	Mr. J. H. Smith
Mr. Holman	Mr. Styants
Mr. Johnson	Mr. Tonkin
Mr. Lambert	Mr. Triat
Mr. Leahy	Mr. Willcock
Mr. Millington	Mr. Wise
	(*Teller.*)

NOES

Mr. Abbott	Mr. Patrick
Mr Boyle	Mr. Sampson
Mrs. Cardell-Oliver	Mr. Seward
Mr. Hughes	Mr. Shearn
Mr. Latham	Mr. Thorn
Mr. Mann	Mr. Warner
Mr. McDonald	Mr. Watts
Mr. McLarty	Mr. Willmott
Mr. North	Mr. Doney
	(*Teller.*)

Clause thus passed.

Clauses 3, 4—agreed to.

Clause 5—New sections; prescribed maximum rates of interest.

Mr. McDONALD: I hope the member for Canning will consider the suggestion of the Minister, and will report progress. I would not mind if the money lending business was closed down altogether, but for the hardships that would be incurred by many people in poor circumstances.

Mr. Fox: Let the Commonwealth Bank take over the money lending business.

Mr. Abbott: At 1 per cent.

Mr. McDONALD: The hon. member would probably be doing a disservice to people if he did not adopt the Minister's suggestion.

Mr. J. H. SMITH: I favour the clause as printed. Many people will not lend small amounts unless they are paid high rates of interest, or the loan is guaranteed by someone in possession of assets. I have been nearly ruined through endorsing promissory notes for different persons. Interest at 10 per cent. is quite sufficient.

Hon. C. G. LATHAM: In these times we should be trying to force down interest. Whilst I admit there are probably a few people who benefit by borrowing money at high rates of interest, in other instances that is only adding to existing difficulties. A man is usually in a desperate position when he has to borrow money at a high rate of interest, and seldom gets out of debt. I do not wish it to be thought that we in this Chamber stand for high rates of interest. We ought to discourage that sort of thing, and do all we can to see that the rates are reduced. Those who are forced into the hands of a moneylender require to get accommodation as cheaply as possible. I agree with the member for Nelson that most money lenders require ample security. We know that some people can borrow on their names alone, but such people can generally borrow much more easily from other sources than can the poorer classes. Fortunately, I have not had the experience that the member for Nelson claims for himself. My advice to every young man is never to sign a guarantee for anyone else.

The Minister for Mines: Why not to old men as well?

Hon. C. G. LATHAM: A person is far better off if he pays the money direct and gives what security is available. I have had experience with banks, and I know that the time when they call up overdrafts is

just when money is least readily forthcoming. One extraordinary thing about borrowing is that many go to the money lenders merely to pay off debts to other people. They might just as well owe the money to the original creditors and allow them to take what action they like regarding collection. For my part, I would like to abolish borrowing altogether. Perhaps when people are sufficiently enlightened they may adopt the ideas of the member for Murchison and for East Perth who advocate getting money without having to pay for it.

The MINISTER FOR JUSTICE: The reason I suggested a schedule is that some people require to borrow small amounts for short periods.

Hon. C. G. Latham: If you fixed a maximum and minimum interest rate I would possibly agree to it.

The MINISTER FOR JUSTICE: If a man wishes to borrow £5 for a month and the money lender is to secure a return of only 1s. 8d., that would make the transaction impossible. If the amount borrowed is £10, and the return to the money lender is only 3s. 4d., there would be little opportunity for any such business to be transacted. The money lender is entitled to a little extra for short period loans, even if there is ample security. On the other hand, if the amount borrowed is £100 or £1,000, the proposition is entirely different. That is getting down to business. An interest rate of 20 per cent. on a small loan of £5 or £10 would be ridiculous, and the effect of such a proposal would be to cut out small borrowings altogether, which would hamper many people. The personal equation is sometimes of greater importance than the security available. I do not by any means condemn all money lenders.

Hon. C. G. Latham: Nor do I.

The MINISTER FOR JUSTICE: I admit that some people have had unfortunate experiences, and naturally we cannot discriminate, with the result that any law passed must have general application. I suggest that progress be reported so that the member for Canning may give further consideration to the point I have raised. I agree that we should take every step possible to cut down interest charges. Interest is a curse. The instrumentalities associated with my department have to face an interest bill of £1,158,000.

Mr. Styants: That is 33 per cent. of your earnings. That is all!

The MINISTER FOR JUSTICE: Yes. I suggest to the member for Canning that we must consider the position of those people who, in the face of an emergency, require to borrow small amounts for short periods.

Mr. ABBOTT: I am not sure that we are not adopting a selfish attitude. Most of us are probably in a better position than the majority of the people, and if we want money we can go to our banks and secure the necessary accommodation. The worker is not so fortunately circumstanced, and sometimes requires to borrow a few pounds. This question was carefully considered by a Royal Commission, yet the Committee, without giving the subject very much thought, proposes to follow a course that may have the effect of eliminating a convenience that has proved of great advantage to the poorer class, for whom I have great sympathy. If the member for Canning were to suggest a system such as operates in France whereby people are able to secure small loans, I would be prepared to support him. If the Committee adopts the proposed course without serious consideration, members will be very foolish. If progress is reported, further attention can be given to the point raised by the Minister.

Mr. CROSS: I intend to adhere to my proposal. One of the reasons is that a man came to me only this week from the North Perth electorate and asked me to do so. He produced documents and receipts which he intends to make available to another place when the debate on this Bill takes place there, in order that hon. members might see what he has had to undergo through securing a small loan and being forced subsequently to continue borrowing, with the result that in a period of three years he has paid back 10 times the amount he first borrowed. He said to me, "If I had been prevented from borrowing in the first place, I would not be in the unholy mess I find myself in to-day." I will obtain those receipts and documents tomorrow and show them to the member for North Perth so that he can see the name of the man and that of the money lender. As a matter of fact, three or four people from the North Perth elec-

torate have approached me on this matter, and told me that they borrowed small loans which they should never have sought. In Queensland a limit of 20 per cent. was imposed seven years ago and there has been no request for an increase in the rate in that State. The Bill provides for the making of regulations fixing a maximum rate of interest, pending which a maximum of 20 per cent is stipulated. I suggest that the measure be given a trial and if at the end of 12 months it is found to have created hardship, it can be repealed.

Progress reported.

BILL—LIFE ASSURANCE COMPANIES ACT AMENDMENT.

Second Reading.

MR. WATTS (Katanning) [9.46] in moving the second reading said: A great number of people in this State and elsewhere take out at various times in their lives policies payable sometimes at death and at other times before they die. Those policies frequently attain considerable value far above the original assured sum, by virtue of bonuses, and in consequence become quite a valuable security which is taken advantage of in more ways than one. The policy holder frequently obtains money from the assurance company itself on the security of the policy. He can, and sometimes does, obtain money from outside financial institutions on the security of the policy. Very stringent provisions have been laid down in regard to the assignment of life assurance policies for the purpose of giving the security I have mentioned and also for the purpose of protecting the proceeds of those life assurance policies against claims by creditors. It is provided in Section 33 of the Act that

> The property and interest of the assured in a policy effected upon his own life shall not be liable to be applied or made available in payment of his debts by any judgment, order, or process of any court, and shall not, in the event of his bankruptcy, pass to the Official Receiver or the trustee or assignee of his estate.
>
> In the case of an assured person dying after the passing of this Act, the moneys payable upon the death of the assured under or in respect of a policy effected upon his life shall not be liable to be applied or made available in payment of his debts by any judgment, order, or process of any court, or in any other manner whatsoever, except by virtue of a contract or charge made by the assured in his lifetime, or by virtue of an express direction contained in his will or other testamentary instrument executed by him, that the moneys arising from the policy shall be so applied.

There are one or two minor exceptions later in the section but they do not affect the general principle that it is not intended that life assurance policies should be made available for debts. That is quite a sound principle because it is not proper that a life assurance policy which is generally taken out with the idea of providing some fund for the dependants of the assured person after his death or, alternatively, of providing some fund for him in his old age, should be subject to the debts of the assured. There is, however, a growing inclination for life assurance policies to be given as security to financial institutions who find that the security on which they originally advanced money has, in their opinion, become deficient, and they look to an assignment of a life policy by way of security to cover that deficiency, with the result that the more straitened the circumstances of the assured, the more difficult does it become for him to provide any fund for his relatives in the event of his death in the manner I suggest he should make provision.

From time to time members on these benches have received numerous complaints from constituents that considerable pressure has been brought to bear on them by those to whom they are indebted, and in cases where the security held is not, in the opinion of the lender, sufficient, to hand over their life assurance policies as collateral security. Many people are not intimately acquainted with the existing provisions of the life assurance company's laws, which restrict, as it were, the desire to make the proceeds of these policies available for the payment of debts, some of which I have just referred to. The provisions of the sections in question, I believe, are quite unknown to a number of people, and in those cases a little pressure of the kind "If you do not do this, things will be all the harder for you" is very easy to apply. I feel it is necessary to impose some restrictions on the assignment of life policies in regard to debts that are past debts. The Bill contains a definition of "past debt."

I realise, as well as most members will do, that to impose an absolute bar against the assignment of policies by way of security for a past debt might be unwise. There are

circumstances in which I have no doubt that the borrower is anxious to assign his policy in order that he might obtain further funds, or even only give security for a past debt, if it will assist him in the carrying on of his business, but I contend that the circumstances in which these arrangements are made should be such that both parties are fully aware of the circumstances in which they enter into these obligations. While I do not propose to interfere with the assignment of policies by way of security for contemporaneous or future advances, I am suggesting that certain restrictions should be placed upon the assignment of policies in respect of past debts, and those restrictions are included in this Bill.

As you, Sir, are aware, no assignment of a life assurance policy is satisfactory unless and until it is registered by the company that issued the policy, and this Bill first of all provides that no assignment shall be registered or be of any validity unless both parties—that is, the assignee and the assignor—have lodged a statutory declaration stating whether the assignment is in respect of a past debt or not. If the assignee is a company, then the declaration may be made by an officer of the company. The Bill provides, that an assignment in respect of a past debt shall be void unless it can be established that a legal practitioner, independently employed—not employed by the assignee—has advised the assignor of the provision of the law as it exists at present in regard to assignments for debt and also in regard to the provision of this measure, and is prepared to certify on the assignment and on the deed of defeasance which goes with it—I shall refer to that presently—that the whole of the transaction has been completed by the assignor freely and voluntarily.

Of course these assignments are registered as absolute assignments of the whole of the interest of the policy-holder in his policy, and are accompanied by what is known to the legal fraternity as a deed of defeasance, which says that while the assignment on the face of it is absolute, if the conditions are complied with and the money is repaid in the stipulated time, it is not an assignment but is only a mortgage. I suggest that if such a document is in existence, as it almost necessarily will be, the certificate of the legal practitioner shall be placed upon that document as well as on the assignment. In the ordinary course, under the Life Assurance Companies Act, a life company has not been obliged to take any notice of any trust deed or deed of that kind. The company simply registers the assignment of the policy and regards the assignee as the owner of the policy.

The Bill provides that there must be the statutory declaration to which I have referred. If the statutory declaration reveals that the consideration for the assignment is a past debt, the company has to see that the requirements of the Bill in respect to the certificates of the legal practitioner are complied with; otherwise it will lose the protection conferred upon it by the existing Life Assurance Companies Act. The Bill provides that if the declaration says that the assignment is for a past debt, the company shall be deemed to have had express notice of that fact. A "past debt" has been defined as meaning any advance of money made by the assignee to or at the request of the assignor, or the sale of goods or property upon credit, or the drawing, accepting, indorsing, making, or giving of any balance of exchange, or promissory note, or the execution of any guarantee, bond, or other similar undertaking by the assignee to, for, or on behalf of the assignor, and antecedent to the execution of the assignment.

I feel that a Bill of this nature is long overdue. I have seen on too many occasions the efforts that have been made by financial institutions to induce policy-holders to assign their policies for further security. I could quite cheerfully have come here to-night and presented a Bill prohibiting the assignment of life assurance policies in respect of past debts. Yet I feel, as I said, there are some people who would resent a prohibiiton of that kind. There are some cases where it might still be of definite value to the assignor to be allowed to assign his policy in respect of an antecedent liability; and it is as well sometimes to hasten slowly. By way of taking a step in the right direction, I present this measure for the consideration of the House. I want to make a start towards protecting policy-holders against the demands of those who are too importunate, and to preserve the function of life assurance so far as the assured is concerned, which, as I have said, is the retention of some hope for his dependants in the event

of his death, or, if it be a policy payable before that time, a fund for himself out of which he might extract some comfort in his old age. If it is found that the restrictions imposed by this measure are insufficient, then this legislation can at some future time receive further consideration. For the moment I am content to offer this Bill to the House, and I commend it to the careful consideration of members. I move—

The Bill be now read a second time.

On motion by the Minister for Lands, debate adjourned.

House adjourned at 10.0 p.m.

Legislative Council,

Thursday, 26th September, 1940.

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

BILL—LICENSED SURVEYORS ACT AMENDMENT.

Recommittal.

On motion by Hon. J. Nicholson, Bill recommitted for the further consideration of Clause 3.

In Committee.

Hon. J. Cornell in the Chair; the Honorary Minister in charge of the Bill.

Clause 3—Amendment of Section 4:

Hon. J. NICHOLSON: Paragraph (b) of Subsection 1 of the proposed new Section 4 reads as follows:—

> Three members, one at least of whom shall be a licensed surveyor, appointed by the Governor on the nomination of the Surveyor General.

As the paragraph stands, it might be construed to mean that only one member would be appointed by the Governor General on the nomination of the Surveyor General. That is not intended.

Hon. H. S. W. Parker: There is a comma after the word "surveyor."

Hon. J. NICHOLSON: That in itself I do not think is sufficient. Any chance of mistake would be removed if the paragraph read as follows:—

> Three members appointed by the Governor on the nomination of the Surveyor General, one at least of whom shall be a licensed surveyor.

I move an amendment—

> That in paragraph (b) of Subsection 1 of proposed new Section 4 the words "one at least of whom shall be a licensed surveyor" be transposed from lines 1 and 2 to the end of the paragraph.

The HONORARY MINISTER: The question is one of correct English. I submitted the paragraph to those whom I considered to be the best authorities in the House. Some took the view that the paragraph was correctly written; others were of the opinion that it might be open to misconstruction. I have no objection to the amendment. The draftsman considers the paragraph as drawn is correct, but there appears to be a possibility of its being misconstrued.

The CHAIRMAN: If it is the wish of the Committee that Mr. Nicholson have leave to move in that direction, I shall allow it.

Leave granted.

The CHAIRMAN: The question is that the words be transposed.

Hon. H. S. W. PARKER: The proposed new section provides that the Surveyor General shall be ex-officio a member and chairman of the board, that three members, one at least of them a licensed surveyor, shall be appointed by the Governor on the nomination of the Surveyor General, and that two members, both licensed surveyors, shall be appointed by the Governor on the nomination of the institute. The provision does not seem to be quite clear. Of how many members will the board consist?

The Honorary Minister: Five, excluding the Surveyor General.

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

Bill reported with an amendment.