Legislative Council

Thursday, 11th December, 1952.

CONTENTS.

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

BILLS (2)—THIRD READING.

1, Workers' Compensation Act Amendment.

Returned to the Assembly with amendments.

2, Cattle Trespass, Fencing and Impounding Act Amendment.

Transmitted to the Assembly.

BILL—RESERVES.

In Committee.

Resumed from the previous day. Hon. H. S. W. Parker in the Chair; the Minister for Agriculture in charge of the Bill.

Clause 22—Reserve No. 1720, King's Park, Perth (partly considered):

The MINISTER FOR AGRICULTURE: A survey has been carried out in King's Park, which is under the control of a reliable board consisting of the Chief Justice, as chairman, the Town Planner and, I think, a representative of the Lands and Surveys Department. It has given the tea-rooms question serious consideration before reaching a decision. The idea is that the building already there is most suitable and it is now proposed to make extensions to that structure. Dr. Hislop thought that the building should be pulled down and moved to another site.

Hon. H. Hearn: This is the best position in the park.

The MINISTER FOR AGRICULTURE: It has a view across the river in two directions. I hope the Committee will agree to the clause.

Clause put and passed.

Clauses 23 to 25, Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

Bill read a third time and *passed.*

BILL—BULK HANDLING ACT AMENDMENT.

Second Reading.

THE MINISTER FOR AGRICULTURE (Hon. Sir Charles Latham—Central) [2.45] in moving the second reading said: The main amendments to the Act, contained in this measure, are to extend the franchise of the company for a further 20 years, increase the toll from ½d. to 1d. and provide for a special port equipment toll of 2d. The parent Act came into force in 1936, giving the company a franchise of 20 years, which would terminate on the 31st December, 1955. This Bill proposes to extend the franchise for a further period of 20 years, to 1975.

C.B.H. is a growers' co-operative company and, after a failure in 1920, further bulk-handling tests were carried out. In 1931-32 the growers agreed to proceed with a full bulk-handling scheme and in that year four sidings were equipped and 1,265,000 bushels of wheat, representing 3.4 per cent. of the harvest, were handled in bulk. Railway wagons equipped for this work were scarce at first and the Government had no money with which to provide more, but the company financed the conversion of 200 steel trucks before an ingenious scheme was adopted under which hessian liners and canvas extensions were used to prevent the loss of wheat from the wooden trucks.

Not only did the company provide the trucks for the conveyance of wheat but also it had to pay freight when the trucks

were being returned to the sidings for further use. Until 1950 the company supplied and maintained those trucks, but the railways do so now. By means of this Bill the company is asking for an extension of its franchise for 20 years and is asking Parliament to agree to a toll for the purpose of raising money with which to install port facilities. The toll will be collected and debentures issued and it is necessary that the debenture holders should have some security. The only way by which security could be given would be to grant the company a longer franchise to ensure that it has a reasonable opportunity to redeem the debentures.

The Bill embodying monoply powers and State guarantee for the loans to be raised was rejected by Parliament in 1933, when the legislation was first introduced. It is remarkable that both the parent Act and subsequent amending legislation were introduced by a Labour Government and were approved of very generously by both Houses at the time. That will encourage members who supported the party at that time to agree to the Bill now before us. Before the original measure was passed, a Select Committee had recommended its passage with amendments.

At this stage of its history there was a great deal of opposition to the company, not only from commercial interests but also from labour interests at the ports. The workers felt that they were going to be deprived of an avenue of employment, but subsequently they were very pleased that the company had been so successful. It is much easier to load ships by mechanical means than to hump 3-bushel bags. I think we are deteriorating as the years go by because in my earlier days they were all 4-bushel bags, and nobody objected. They are now 3-bushel bags and not so long ago there was a suggestion that the weight should be halved.

In the same year, joint action between the trustees of the Wheat Pool and Westralian Farmers Ltd., led to the registration of Co-operative Bulk Handling Ltd., with 100,000 £1 shares, making an authorised capital of £100,000. As a result of the successful 1933-34 season and the growers' acclaim of bulk-handling, a Royal Commission recommended that C.B.H. be permitted to extend and introduce a State-wide bulk-handling scheme for wheat, and the present Act was the result. In 1935-36, the company expanded rapidly. At this time it had facilities at 53 sidings and handled 42.9 per cent. of the total crop. Four seasons later, in 1939-40, it had 207 sidings equipped and it handled 94.8 per cent. of the marketable crop, and today 100 per cent. of the harvest is handled in bulk.

In earlier times, there were not enough facilities for handling wheat in the State and many farmers were putting their wheat into bags, which at that time were exported from Albany. Subsequently, a bulk-handling installation was put in at Bunbury and the wheat was eventually sent to that port. The scheme introduced here was a novel one. Orthodox systems provided concrete silos for the handling of grain, and in this I think Canada led the way. The climatic conditions prevailing in Western Australia materially assisted the company with its installation of bulk-handling facilities at sidings. The installation at Wyalkatchem has been there since 1932. That is 20 years ago, and it is still going strong. At that time a story went around that the installation would not last ten years, but it has proved a great success, not only with regard to the methods of handling grain but also because the activities associated with it have proved to be of great benefit to the farmer.

Anyone associated with wheatgrowing prior to 1930 will remember how difficult it was to handle wheat then compared with its handling under today's conditions. The scheme in this State also aroused great attention in the Eastern States, but the climate on the eastern side of Australia is not so suitable as ours, because the dry summers we have here enable us to store wheat in bins at the bulkheads. The difficulty in the Eastern States is that they have heavy thunderstorms in the summer. They have sent to this State many Commissions of inquiry, and they have returned praising the scheme introduced here.

I might interpolate here that the scheme has not cost the State one penny. Rather did we tax the labour of this company to produce additional revenue at that time. It is probably the most outstandingly successful company in the State, taking everything into consideration. Its activities now embrace other crops, such as oats and barley, and members were very generous the other day when they extended the term of the Barley Board for another three years, which will enable the grain to be handled in bulk. Shareholders of the company are the growers and a £1 share is issued to each grower who delivers wheat, but if he fails to deliver it for two seasons, his share is either transferred to another grower or disposed of in some other manner. In this way only active growers control the company.

The directors total nine, five of whom are elected by growers in each of five districts into which the wheatbelt is divided and four by growers throughout the State. It is necessary for a company of this size to have some indication of what the future holds for it and for this reason it is desired that the franchise be extended now so that the firm can plan accordingly. It is proposed to delete the word "rail" in Section 3 so that the reference will be to wheat carted not

specifically by rail but by other means as well. Members know that during past years deductions could be made for wheat hauled by rail and it is necessary to remove that restrictive word now in order that the wheat may be carted by road. The transport of wheat by road will always be necessary because there are wheat bins established at isolated centres in between railways. For that reason it is proposed to delete the word "rail" and allow the company to cart wheat by any means available to it.

In 1943 the parent Act was amended and in drafting the amending Bill the words, "Until the management and control of the business of the company shall be handed over to the growers in terms of the deed of trust" were inserted in the wrong place as introducing the whole of Section 26 instead of being the commencing words of Subsection (1), to which they refer. It does not make sense for the words to apply to the whole of the section, and this amendment is therefore only a correction. In Subsection (2) of Section 26 the Act provides for the company to make a handling charge, to be approved by the Governor and not to exceed 1½d. per bushel, in return for such services as handling, storage, etc.

With continuing increases in costs it is not desirable to try to fix a ceiling which, under present conditions, will later require alteration, and the proposed amendment seeks to delete the words referring to 1½d. in Subsection (2) and to provide for an amount to be prescribed by the Governor. The position is therefore safeguarded and will prevent the charges agreed upon between the company and the Australian Wheat Board from conflicting with those in the Act. With present trends, adjustments to this charge are necessary each year. Members are aware that last year nearly all the wheat was carted by road and therefore the handling charges were greatly increased.

In addition to the handling charges I have already mentioned, there is a provision in the Act for the payment of a toll which is at present fixed at a maximum of ½d. per bushel. This is really advanced by growers to the company to enable it to fulfil its obligations, pay off its indebtedness and establish country facilities, etc. This is repaid to growers by way of debentures. In order to meet rising costs and in view of the present-day value of money, the Bill proposes to authorise an increase in the toll to a maximum of 1d., but any variation between ½d. and 1d. must receive the approval of the Governor.

Furthermore—and this is a new feature—provision is made for a port-equipment toll to a maximum of 2d. a bushel. The Government intended to provide bulk-handling facilities at Albany and Geraldton, but, owing to the financial position, finds that it cannot proceed with the work. This new toll will enable the growers themselves to provide the revenue to construct those facilities, just as was done when the country bins were installed in the first place. The 2d. a bushel represents the maximum and the actual amount will be fixed from time to time by the Governor. This is similar to the procedure with the normal toll, which is now to be known as the foundation toll. There is a differentiation between the names to permit of distinguishing between the two sets of debentures.

Growers will advance this money to the company and, for every bushel of wheat delivered, the grower will be credited with the amount of the toll. This money will be kept distinct from the proceeds of the other toll and will be used for the establishment of port facilities. The amount collected will be repaid to the growers by way of debentures over a period of five years. Under this arrangement, the work at Albany can be proceeded with instead of being held up on account of lack of Government finance.

I should like to quote some figures to convey an idea of what is proposed. It is estimated that the cost of the installations at Albany and Geraldton will be £750,000. Let us assume that the wheat crops for the next six years will total 30,000,000 bushels a year, although that is on the low side because it will be higher this year and the average for some years has been higher. On the basis that the Albany installation will be completed by December, 1954, and the Geraldton installation by December, 1956, the amount of toll required would be as follows:—

Year.	d.
1953	1
1954	1.4/5ths.
1955	1.3/5ths.
1956	1.3/5ths.

That represents an average for the four years of 1½d. a year. On the alternative assumption that the Geraldton installation will not be completed until December, 1957, the amount of the tolls required would be—

Year.	d.
1953	1
1954	1.3/5ths.
1955	1.2/5ths.
1956	1.2/5ths.
1957	3/5ths.

The average for the five years would be 1 1/5d. This is a very rough calculation, but it should not be far out, and it justifies the proposal that the ceiling of the port-equipment toll should be 2d., always bearing in mind that the amount will be fixed by the Governor-in-Council. Consequently, the 2d. will not be available to the company immediately, but will be advanced

or retarded from time to time and Executive Council approval will be required for any change.

Representatives in the House of farming areas know what a success the bulk-handling scheme has been and no doubt will support the Bill. If there are any issues that need clarification, I shall do my best to enlighten members. We have almost reached the end of the session, and it is desirable that the work of providing these facilities, particularly at Albany, should be proceeded with at once, and all that is needed is the authority of this measure. Plans have been prepared and a substantial quantity of material is available at Albany. It would be advantageous to proceed with the installation there while work is being carried on at the harbour.

Hon. J. A. Dimmitt: Why is an extension of the franchise required before the expiration of this year?

The MINISTER FOR AGRICULTURE: It has only three years to run. Would the hon. member invest his money with so little security?

Hon. J. A. Dimmitt: I was merely asking a question.

The MINISTER FOR AGRICULTURE: The hon. member would require security, and that is all the Bill proposes to give the company.

Hon. J. A. Dimmitt: That is the answer.

The MINISTER FOR AGRICULTURE: It is a sound answer, and I think the question was a very reasonable one. I hope the hon. member did not think I was bouncing him.

Hon. J. A. Dimmitt: I thought you were.

The MINISTER FOR AGRICULTURE: That is an unfortunate habit of mine; I did not intend to be rude. We should be able to give the company some security, such as is proposed in the Bill. The future may bring changes necessitating alterations greater than those that are now being proposed. One never knows what might happen in connection with the conveyance of goods from place to place, or their marketing. New systems might be introduced and other facilities might have to be employed. I hope that the measure will be accorded a favourable reception, and move—

That the Bill be now read a second time.

HON. L. C. DIVER (Central) [3.7]: I find myself in a somewhat awkward position regarding this proposed legislation, and it is due to circumstances that have been brought about largely by those people who represent the wheatgrowers. I think it can be safely said that the vast majority of growers in this State who use bulk-handling desire that they shall own the facilities from the siding to the ship. I do not think there is any question on that point. Under this Bill, however, reference is made to two tolls and a handling charge, and I think it would be to the advantage of members who do not understand the ramifications of bulk-handling if I drew a picture of just how the old toll operated and how the handling charge is spent, and the position regarding the suggested new toll of 2d. a bushel to provide port facilities at Albany and Geraldton.

When Co-operative Bulk Handling Ltd. first started, a toll of ¾d. per bushel was struck on all wheat delivered to the company. At the outset, the sites had to be surveyed and levelled, and the structures to hold the wheat had to be erected. Elevators and weighbridges had to be provided at each centre. That is how the proceeds of the ¾d. per bushel were applied; the money was used to set up facilities throughout the wheat districts. The proceeds of the ¾d. per bushel were put into a revolving fund. This fund does not operate as I understood the Minister for Agriculture to explain it, namely, that the debentures would be redeemed at a certain time.

This is a revolving fund in connection with which certain periods are fixed, and at the end of each period, debentures are issued in accordance with the quantity of wheat a farmer has delivered to the bin. These debentures are credited to him, and he holds the stock. When a new period begins, the growers in the next cycle pay their ¾d. per bushel over the period, and thus are creating credits, and out of those credits each year a certain number of debentures issued during the previous period are paid off. To determine who shall benefit in any particular year, lots are drawn to determine the lucky debenture-holders.

The Minister for Agriculture: Or the unlucky ones.

Hon. L. C. DIVER: Perhaps the Minister means from the taxation angle; but the grower could be quite lucky, as I shall explain later. These debentures are non-interest-bearing. Consequently, I cannot see that anyone is unlucky if the lot falls to him to draw his debentures early.

The Minister for Agriculture: Not with the currency going down in value?

Hon. L. C. DIVER: No. There would be no difference in holding the scrip. The grower would have had an opportunity to invest his money and it would be taken at face value.

The Minister for Agriculture: You have not read this morning's paper.

Hon. L. C. DIVER: That is the setup —one section of wheatgrowers in one period buy out those of the previous period. This Bill has been presented to us at short notice and without the customary intimation of its introduction being given to the wheatgrowers, so they are unaware of what is intended. I say this advisedly

and definitely, because when I mention that the debentures were non-interest-bearing, I recall that when that provision was proposed, meetings were held in all the country centres that had bulk-handling facilities. At these meetings the toll-payers were asked definitely whether it was their desire that the debentures should be interest-bearing.

The Minister for Agriculture: That is what the meetings were held for.

Hon. L. C. DIVER: Yes. I am certain that the vast majority of the farmers then were of the opinion that interest should not be charged because the position was that not every siding had bulk-handling facilities, and it was the desire of the wheatfarmers that their fellow wheat-farmers should benefit by bulk facilities; and by forgoing interest on the debentures naturally there was a lesser call upon the finances of the wheatgrowers, and this would permit the establishment of the installations to go ahead at every siding.

I do not think that in their wildest dreams the farmers who attended those meetings—and a big percentage of them are still operating today—ever contemplated there would be such a Bill as the House has before it, by which they are asked to find the amount of money, free of interest, which will now be required. For this reason, I think that every branch of the Farmers' Union should have circulated to it details of the proposed legislation, and if they decided they wanted it, then it would be our bounden duty to pass the Bill. The present handling charge is 1½d. per bushel, as is shown in the legislation, and the Minister when introducing the Bill, dealt fairly fully with that aspect, and I think it is quite legitimate. It is something we must accept with rising prices.

Hon. E. M. Davies: Who is it paid to?

Hon. L. C. DIVER: C.B.H. It is for the services rendered—the weighbridge and bin attendants, and the receiving and despatch of wheat to and from the bins.

The Minister for Agriculture: The handling costs.

Hon. E. M. Davies: Who collects the money?

Hon. L. C. DIVER: Co-operative Bulk Handling which is the handling agent of the Australian Wheat Board. It receives the wheat at the bulk facilities and delivers it to nominated ports or places determined by the Australian Wheat Board from time to time.

Hon. H. K. Watson: Does it charge the same price for cereals other than wheat as it does for wheat?

Hon. L. C. DIVER: Yes, exactly the same. I asked that of Mr. Braine yesterday, and he assured me that what I say is correct. The oatgrowers and the barley-growers are extremely fortunate because they are using without extra cost, the facility which the wheatgrower has developed.

The Minister for Agriculture: They are nearly all the same people.

Hon. L. C. DIVER: No. We have only to look at the Year Book to know that. There are 9,000 wheatgrowers.

The Minister for Agriculture: But they are the same people. They grow both. Our people do at Bruce Rock.

Hon. L. C. DIVER: Yes, but the Minister will find that while they do grow both, there are many wheatgrowers who produce oats but never deliver them—they use the oats as stockfeed.

The Minister for Agriculture: Many are coming in this year.

Hon. L. C. DIVER: Yes, and I hope they will not have cause to regret doing so. The new port toll of 2d. is to have a different cycle in the rotating period compared with the established toll of ½d. which it is intended to increase to 1d. I take it no one will object to that. The port toll, however, does not appear to be necessary. The amount is excessive. As the Minister said, we are working on an estimate of a 30,000,000 bushel wheat crop for the State. This is relatively low, but even on this figure, 1d. a bushel means a tax on the wheatgrowers of £125,000; and 2d. amounts to £250,000. Over five years—and that is what the Bill sets out—the wheatgrowers of the State will contribute, in the form of a compulsory loan, £1,250,000.

The Minister for Agriculture: You are assuming that the 2d. will be spent. This does not authorise the expenditure of 2d.

Hon. L. C. DIVER: Why ask for it if it is not to be spent?

The Minister for Agriculture: I shall explain later.

Hon. H. K. Watson: That is the point; the Bill does not authorise the expenditure but the collection.

Hon. L. C. DIVER: It would be possible for the directors of C.B.H. to collect, in respect to the forthcoming harvest and the four succeeding harvests, £1,250,000 from the wheatgrowers. Is that a correct statement?

The Minister for Agriculture: It is possible.

Hon. L. C. DIVER : It is quite definite. I got the figures from Mr. Braine, the manager of C.B.H., showing that it is anticipated that the bulk wheat installations at Albany and Geraldton will cost £750,000 spread over the period between now and 1956. If that is the estimate, and if a toll of 1d. will bring in exactly £750,000, I submit that 1d. should suffice.

The Minister for Agriculture: It might, and that may be all that will be spent.

Hon. L. C. DIVER: Mr. Braine has told the Minister and has also informed me that this year the toll will be 1d., next

year it will be 1¾d., the following year 1⅞d. and the year after 1⅞d. and the last year 1⅞d., or an average of 1½d. over the whole period. We must look at the facts as they are. I cherish Co-operative Bulk Handling Ltd., but do not let us get power-drunk.

The Minister for Agriculture: You can reduce the amount or throw the Bill out if you like.

Hon. L. C. DIVER: There is no need for the Minister to speak in that manner. Surely we are here as business men.

The Minister for Agriculture: It sounds like supporting it with faint praise.

Hon. L. C. DIVER: To summarise, I see no advantage to the wheatgrowers in giving C.B.H. power to take from the growers large sums of money for capital expenditure—in fact, they are compulsory loans—to meet all the emergencies that may arise during the next 20 years. We are creating that principle. It may be said that this is not intended, but once a principle is admitted there is great difficulty in altering it. C.B.H. should show that its proposals are necessary and economic.

The wheatgrowers have had no chance to discuss the proposed Bill. They should have been given an opportunity to do so. It is admitted that C.B.H. has done a good job at the expense of the wheatgrower and for the wheatgrower; likewise, the Western Australian Wheat Pool has done an excellent job for and on behalf of the wheatgrower. The wheat pool was the institution that actually enabled Co-operative Bulk Handling Ltd. to see the light of day. The undistributed fractions that were held for the wheatgrowers who had pooled their wheat had built up into a large sum of money which was used, initially, to enable the wheat industry to launch out into bulk-handling.

Westralian Farmers found a certain amount of capital to commence with, but only a limited amount. Much of the sum that was credited to Westralian Farmers was for materials that were transferred to Co-operative Bulk Handling from the old bag-wheat-handling days. These materials were all valued and handed over to C.B.H. I stress the point that all concerned with the introduction of the Bill should have given the rank-and-file wheatgrower the opportunity to voice his opinion, instead of my having to stand here, as an active wheatgrower, and be forced into the position of making as clear a statement as I possibly can on this great facility. Let us not create huge credits. The installations at the sidings in Western Australia cost in the vicinity of £400,000. It is said that to build them today would cost £3,000,000. Yet, to build the two installations—one at Abany and one at Geraldton—£750,000 is required. I realise my responsibility in making these statements.

Hon. L. Craig: Who would do it if they did not carry out the job?

The Minister for Agriculture: They would not be built at all.

Hon. L. C. DIVER: I am not querying the building of these installations; all I am querying is the business proposition as far as the wheatgrowers are concerned and the finding of this huge sum of money in a limited time. Had they said, "We want to build these facilities over the next ten years and we want a port toll of 1d." no one could have taken exception to it. But with this payment of 2d. a bushel for a limited cycle of five years, it is a vastly different proposition. Wheat prices could collapse and bulk-handling users in succeeding cycles would have to pay that 2d a bushel no matter to what level the price fell.

Hon. L. Craig: A maximum.

Hon. L. C. DIVER: Yes, that is so.

Hon. H. L. Roche: Do you think they will impose the maximum?

Hon. L. C. DIVER: In answer to that question, Mr. Braine says that it will average 1½d. There is not much difference between 1½d. and the maximum.

Hon. L. Craig: A matter of 25 per cent.

Hon. L. C. DIVER: One will realise £1,000,000 and the other £1,250,000. I feel that come what may I have given the House the benefit of my experience with bulk-handling and I cannot say anything derogatory about the handling of wheat by the company. It has done a wonderful job and it is an extremely capable and efficient organisation. All I hope is that we will keep it that way.

HON. E. M. DAVIES (West) [3.33]: I rise with a little diffidence to enter into this debate because I do not claim to know anything about the activities of Co-operative Bulk Handling Ltd. However, I believe that the company has performed a wonderful service to this State and has been of wonderful assistance to the farmers.

The Minister for Agriculture: Hear, hear.

Hon. E. M. DAVIES: I notice that it is proposed to extend the lease, if I may call it such, to this company for another twenty years but the present lease does not expire until 1955. In other words, it has another three years to run and I am rather at a loss to understand why we should be expected to deal with this Bill at this particular stage in the session.

To my mind there will be ample time before the lease expires to enable it to be discussed and a Bill brought down before the present lease terminates. The Minister for Agriculture, by interjection, said it was to allow the company to have some security for the buildings they would erect. However, the lease does not expire for an-

other three years and I have no doubt that it would be continued in any case and consequently any buildings erected would be protected. I think it is a little early to deal with this question.

There is another aspect regarding which I would like to have some information. I understand that the Fremantle Harbour Trust cannot levy a wharfage charge for the handling of wheat without first obtaining the consent of the Governor-in-Council. But I have been told that applications have been made from time to time and the consent has not been forthcoming.

The Minister for Agriculture: No Government has given its consent.

Hon. E. M. DAVIES: That is the point on which I want some information. The Fremantle Harbour Trust does not make a wharfage charge but the port authorities in other States do. That means that the people in this State are indirectly subsidising wheatgrowers in other States. A charge is placed on other forms of cargo shipped through the ports of Western Australia and it is remarkable that as the port facilities are used by the company—although I understand that C.B.H. provides a number of its own facilities—it does not pay wharfage. The cargoes of wheat must be loaded at the waterfront into the ships and charges are made on other types of cargo. I believe that for every £1 wharfage Western Australian wheatgrowers do not have to pay, they receive approximately 20 per cent. benefit. I would like the Minister to give me some information on the points I have raised. I do not propose to debate the Bill at any length because I do not profess to know very much about the operations of the company.

Looking at it from a logical viewpoint it is difficult to understand why it is necessary to bring this measure down at this stage when the lease does not expire for another three years. There is also my query as regards port charges and it is rather strange that other port authorities make a wharfage charge and yet we do not. If it is paid in other States it should be paid here or, alternatively, if it is not paid in this State it should not be paid in the other States. I am not declaring my position at the moment but will wait until the Minister has given me an answer to the queries I have raised.

HON. L. CRAIG (South-West) [3.40]: I want to raise one or two points. Firstly, it must be admitted that Co-operative Bulk Handling Ltd. has done a wonderful job for Western Australia and for the wheatgrowers of this State.

The Minister for Agriculture: Yes.

Hon. L. C. Diver: There is no doubt about that.

Hon. L. CRAIG: I think everyone must agree with that point. The wheatgrowers through their fractions provided the original capital, so it can be claimed that it is their own show. Mr. Davies raised the question of extending the lease for another 20 years when the original lease still has three years to run. There is nothing uncommon about that practice. Where credit or capital is required, it is quite common to ask for some security of tenure long before a lease expires. The pastoral leases were due to expire in 1948, but in 1943, or even earlier than that—

The Minister for Agriculture: In 1932.

Hon. L. CRAIG: Many years before they were due to expire, the leases were extended until 1998, so that the banks could, with confidence, advance credit to the pastoralists. If that were not done the banks could say, "You ask us for £10,000 to develop your station, but you have only a five years' lease. That is no good to us. You could not possibly repay the loan in five years. Until there is some security of tenure, we do not feel prepared to finance you."

Undoubtedly money will be raised through the wheatgrowers, but the banks may have to be approached to obtain advances and perhaps they will be made against the wheat toll. Naturally the banks will want some security and so there is nothing unusual about this practice. In my opinion, Mr. Davies has raised an important point on the question of wharfage charges. When the price of wheat was low it was desirable that the export trade should be developed and consequently the non-payment of wharfage charges was a concession extended to the wheatgrowers.

The Minister for Agriculture: It has never been done.

Hon. L. CRAIG: It is done in the case of wool. I claim that every prosperous industry should pay its contribution towards the cost of providing wharf facilities. Mr. Davies has raised an important aspect. How long are the taxpayers of Western Australia going to provide, at their own expense, facilities for the handling of wheat on the wharves and receive nothing in return? It is not as if the growing of wheat was an unprofitable business or it was an industry that could not afford to pay wharfage charges. That used to be the case but those days have gone, and I hate any successful industry being subsidised. The time has come, especially as these people have been able to spend hundreds of thousands of pounds in purchasing city properties, when the wheatgrower should make some small contribution and pay wharfage charges in the same way as everyone else.

Hon. L. C. Diver: That came out of their trust funds.

Hon. L. CRAIG: It was the wheatgrowers' money that purchased these properties, and, like the growers of wool, the wheatgrowers should make some contribution towards the handling of their commodity on the wharves.

The Minister for Agriculture: They cannot do it under this Act.

HON. N. E. BAXTER (Central) [3.44]: I intend to be brief in my remarks but there is one amendment that I do not favour. The Bill provides for the deletion of the words "but not to exceed 1½d. per bushel" from Section 26 of the principal Act. Members know that this 1½d. is a handling charge and, in addition, there are such other charges as may from time to time be approved by the Governor. Although I admit that the company has done a great deal for the wheatfarmers of Western Australia, it does not mean that there will not be laxity in the company in the future, and the cost of handling charges made may be allowed to rise to an unreasonable figure. If there is no limitation in this section of the Act, it may go to any length.

Hon. A. R. Jones: It is grower-controlled.

Hon. N. E. BAXTER: Yes, it may be grower-controlled, but it is controlled by the directors who are appointed by the growers. It seems to me that the directors may not have full control over the officers administering the handling of the wheat, and it could get out of hand. I think there should be a limit. If it could be assessed as far back as 1936, it could be assessed today. Why not assess it at 2½d. and make that the maximum amount that can be collected?

There are charges that can be collected from time to time and it is a little inconsistent with the rest of the Act, under which maximum tolls are provided for. With reference to siding facilities the maximum toll is 1d. and in regard to port facilities there is a maximum toll of 2d. I think there should be a maximum handling charge because that would obviate any risk of handling charges getting out of hand. That is the only objection I have. I would like to comment, however, that, like Mr. Diver, I think that perhaps a toll of 2d. for port facilities does seem a little excessive. It could put into the hands of Co-operative Bulk Handling Ltd. a large amount of money interest free. I do think that the other item should be provided for.

HON. H. K. WATSON (Metropolitan) [3.47]: First of all, the Bill proposes to extend the franchise to Co-operative Bulk Handling Ltd. for another 25 years, and I think that everyone will agree that it should be extended. But it seems to me that it might be pertinent to remind C.B.H. of the basic features of this particular Act and the operations of bulk-handling. Looking at the present Act and having regard to the practical development that has taken place since the parent Act was passed, it seems to me that the parent Act could well be brought up to date in a much more comprehensive manner than is proposed in this Bill.

For example, C.B.H. today handles oats in bulk and barley in bulk and yet in the Bulk Handling Act is found the supposition that the company will handle wheat, and wheat alone. Nowhere do we find provision for the handling of any cereal other than wheat. It seems to me that this is a matter which might have been attended to in the amending legislation to bring the charter of C.B.H. into line with its practical operations.

Hon. L. C. Diver: I think it is intended to do that by amendment later.

Hon. H. K. WATSON: I understand it has been going for a few years and when there is a deviation from the absolute charter, I think the charter should be amended. Another point to be borne in mind is that right in the forefront of the parent Act there is a preamble reciting the reasons why C.B.H. has come into being and also the basic rules which are to govern its operations. One of those recitals is as follows:—

> Whereas it is desirable to regulate properly the conduct of such business in order to ensure that proper service is given to the growers of wheat and to merchants and millers and all other persons concerned in its marketing and disposal.

The point I want to make is that C.B.H. is virtually a public utility; it is a public handler of bulk grain and, as such, it has an obligation to merchants and is in the same category as, say, the Midland Railway Company. This company is a common carrier and has its obligations to merchants and others.

So the whole scheme of this Act is that C.B.H., as a common handler of bulk grain, ought to make its facilities available without fear or favour to any grower or merchant who desires the use of them in respect of any particular cereal handled by the company. The Act sets forth that the company shall not show discrimination against any merchant, shipper or any other merchant handling grain. Yet if reports which have been made to me are correct, it would appear that C.B.H. is inclined to conduct its business so as to exclude the use of its facilities from merchants who may be desiring them. If this Bill is passed, it should be made clear in respect to the port terminal side of it, that it is a public utility and that it is open to any shipper desiring to use its facilities upon payment of the normal charges. The proposal that the port equipment should be owned by the growers rather than by the Harbour Trust Commission does raise a big question.

As a broad principle, I would say that the proper authority to own and control the two installations on the wharves is the Harbour Trust authority. That is the broad principle in Western Australia. We know that in New South Wales, and in Sydney particularly, most of the shippers own their own wharves. Here it has been decided that, for example, the timber merchants have to ship through the Harbour Trust Commission and, as a broad principle, we should not get away from that practice.

Here I understand, the proposal is that on account of the financial stringency in Government circles, the Government is passing the buck to C.B.H. and virtually empowering the company to enforce a compulsory loan on the wheatgrowers of the State. It is a compulsory loan of 2d. a bushel.

The Minister for Agriculture: Not more than 2d.

Hon. H. K. WATSON: The exact wording is—

> There shall be paid to the company in respect of all wheat delivered to it a toll to be known as the port equipment toll of 2d. per bushel or such lesser toll as the Governor may from time to time fix by Order-in-Council.

The Minister for Agriculture: That is not the case at all; it first has to get the authority.

Hon. H. K. WATSON: The provision does not say so.

The Minister for Agriculture: You read it.

Hon. H. K. WATSON: I have read it. So it is 2d. to start off with unless it is reduced by a further deliberative action of the Governor-in-Council. As far as I am concerned I would be guided by the views of the members representing the wheatgrowing districts. But it does seem to me that this is a very extensive and serious power to place in the hands of the company. It may be that the money is required to be raised for port installations at Albany and Geraldton.

There is a suggestion that the money will also be utilised to take over from the Fremantle Harbour Trust certain equipment which is already owned and erected by that trust. That may be a further reason for the discrepancy which Mr. Diver was unable to account for. I understand the estimated cost of the Albany and Geraldton works was in the vicinity of £750,000. Yet we may well find that anything up to £1,500,000 will be raised under this proposed toll. It may be that the other £750,000 will be paid to the Fremantle Harbour Trust or whoever the authority may be for taking over its installations.

Those few points occurred to me when I went through the Bill. Personally, I would like to have had a little more time to consider all its implications. The only other point I would mention is the provision contained in Subparagraph (ii) of proposed new Section 26B (5) (a), which reads—

> The company shall allow persons on payment of the prescribed charges the use in accordance with the provisions of this Act and the regulations, of bulk-handling facilities and equipment controlled by the company at ports in the State.

I think it should be made very clear that it is all bulk-handling equipment and not merely that at the ports; that it will be equipment at the stations as well as the ports that will be available to the merchants. That is perhaps a matter of drafting. I support the second reading.

HON. A. R. JONES (Midland) [3.58]: I will confine my remarks to satisfying those members who perhaps have some doubts as to whether the growers want this Bill and whether they are in agreement with it or not. As Mr. Diver has told the House, no real organised attempt has been made to get any close contact with farmers on these matters. Of course, members in going through the districts have discussed it quite freely with individuals and with groups we have met.

Hon. L. C. Diver: Did you know what the Bill contained before it was brought down?

Hon. A. R. JONES: I did not know exactly, but I had an idea as to its general objective.

Hon. L. C. Diver: The general objective is all right.

Hon. A. R. JONES: Nowhere have I met any objection either from individuals or from groups of farmers. The general opinion held is that, generally speaking, the wheat side of our farming business is in a prosperous state and that while we are able we should try to bring our bulk-handling equipment as up to date as possible so that when prices fall, as they must some day, or the price of production catches up with wheat values, then we will have the best facilities to handle the grain expeditiously and cheaply.

Sitting suspended from 4.0 till 4.22 p.m.

Hon. A. R. JONES: Handling facilities in some ports are obsolete and for that reason the building programme envisaged by Co-operative Bulk Handling Ltd. is of great interest not only to the people who are served by those ports but to every grower. Handling costs are so terrific that growers feel that when the new facilities are available, they will be very well compensated for having to spend the money that will be provided if the Bill is passed. Interest

has been mentioned. I have asked the farmers how they feel about the matter and they consider that the reduced handling costs consequent upon more up-to-date facilities will repay the money they will be called upon to make available.

A doubt was raised by Mr. Watson as to whether the company was giving the service to the public which it should give. I would like to remind members that, so far as wheat is concerned, excellent service has always been rendered, and I have no doubt that when facilities are available for the handling of the other grains, the same will apply. That is a reason why we should strike these tolls so that we can bring about the installation of the best possible facilities, and the company can preserve its good name as an organisation providing a utility which is serving the best interests of farmers and consumers. I have very much pleasure in supporting the Bill.

THE MINISTER FOR AGRICULTURE (Hon. Sir Charles Latham—Central—in reply) [4.22]: I am very pleased at the reception given to the Bill. The few points raised encourage rather than discourage me. Mr. Diver stated that the measure should have been submitted to the farmers first. There have been meetings of the farmers and they are very well represented in an organisation which the hon. member knows. It was their wish, if it were found that the Government could not provide the money, that something should be done to ensure that the work was commenced as early as possible.

They know very well that these installations have been of great benefit to people who export wheat from Fremantle and Bunbury and they desire that the same privilege should be extended to others by providing facilities at Albany and Geraldton. The Geraldton works are about at the end of their tether and something will have to be done in a short period. The shed has outlived its usefulness. I know that usually farmers make their views known if they have any objection to Bills, and there has been a fair amount of publicity given to this measure.

Hon. L. C. Diver: None.

The MINISTER FOR AGRICULTURE: The hon. member has not read the papers.

Hon. L. C. Diver: "The West Australian" is the only one that has given it publicity.

The MINISTER FOR AGRICULTURE: I have not had one objection from any farmer. Furthermore, Mr. Russell, who happens to be chairman of this show, informed me last night that he had been on an extensive tour and every one of the farmers was pleased. Naturally enough they would be, because they have not forgotten that in years gone by it has been almost impossible to obtain bags for wheat. That condition could easily arise again, India has not been very favourable to the white races. It feels that it has been placed in the background by the colour bar and, from a trade point of view, and when it imposed a heavy export duty on bags, we found it almost impossible to secure them. It is dangerous not to provide for what might happen in the future. There only needs to be one insurrection.

Hon. L. C. Diver: There is no objection to the principle, but to the amount.

The MINISTER FOR AGRICULTURE: We must have it, even if it costs 2d. I have the assurance of the company that it will not cost more than 1½d. over the period, and I am prepared to accept that. If the Government did this, it would cost a good deal more.

Hon. L. C. Diver: We do not doubt that.

The MINISTER FOR AGRICULTURE: We should bear that in mind. The work will be done equally well by the company —I will not say better, because that would be wrong—and it will cost considerably less. A fair amount of machinery has to be purchased, and during the time it is being bought the cost will rise. There will not only be the cost of the building, but of the equipment as well.

I wish there had been more time available, but members will know, just as I do, that it is only in recent months that the State was unable to get all the loan money it wanted because the last Commonwealth loan was under-subscribed. We had planned our works on the basis that we would get a considerable amount of additional loan funds. When it was found that that extra money was not available, the Government had to apportion in the best way possible what funds it could obtain.

Even now, if it were a question of providing water supplies for the agricultural areas of this State or bulk-handling, my vote would go to the provision of water supplies, and money that we could secure would be used to provide that essential commodity. I want to assure members that although 2d. is mentioned, that does not give the right to the company to impose it at once, and I shall see that it does not do so. If I am in office long enough, I shall do my best to see that 1d. will be the first amount. It is not in the hands of the Minister alone because he has to have Executive Council approval of the amount he recommends.

I have no complaints to make about Mr. Diver. He is a very efficient farmer and one who farms a considerable distance from the railway. His father knows more than he does, because he was one of the stalwarts of this movement and has rendered very great service to the industry. I would be proud to be the son of a father who has done so much for the people in connection with the bulk-handling of wheat.

Hon. L. C. Diver: You know what he thinks about it, do you?

The MINISTER FOR AGRICULTURE: I thank Mr. Diver for his contribution to the debate. Mr. Davies has treated the Bill generously. He has a perfect right to ask why these people do not make some contribution through wharfage dues on the grain that they export. Right back to 1921 it has been the policy of all Governments in this State to reduce, as far as possible, the costs of the primary producer in the export of his goods, because it has been realised that our oversea credits must come from the soil, either through gold or other products of the mines, or from primary production. In 1932, the Government of the day had to give every possible relief to the primary producers when wheat was sold for as little as 1s. 6d. per bushel.

The only charges of this nature made against primary producers are, I think, those on wool and hides. All other primary products go over the wharf free of charge. I understand that some charge is made in the Eastern States, but it is very small. I certainly cannot advocate that we should load the primary producer with further costs. From his point of view, Mr. Davies's remarks were quite justified, but I believe the farmer is already sufficiently heavily taxed after paying freight on his produce and on the goods that he requires. I thank Mr. Craig for the assistance he has given me, and my reply to him is the same as my reply to Mr. Davies.

Hon. G. Fraser: Is this a thanksgiving service?

The MINISTER FOR AGRICULTURE: It is not often that I receive so much support when introducing a Bill. Mr. Baxter made a complaint, but that is a common occurrence. He always examines a Bill to see whether he can dot an "i" or cross a "t". That shows that he is an observant young member, but as he grows older he will realise that it is the big things that count most. Under the Act that was passed in 1934 and amended in 1936, the 1½d. could not be exceeded, but costs have risen since that time. Mr. Baxter wants to place a limit on the toll proposed here, but the other evening he was not agreeable to a limit being placed on the amount of compensation to be paid to owners of cattle. We must have a straight-forward policy.

Hon. N. E. Baxter: The position there was entirely different.

The MINISTER FOR AGRICULTURE: I wanted a limit placed on the compensation payable because a considerable amount of money, including State funds, was involved. My special thanks are due to Mr. Watson. I got the shock of my life when he spoke, because I know what his views generally are on legislation of this kind. However, he has treated me so kindly on this occasion that I believe his attitude must be due to the approach of the festive season.

Hon. G. Fraser: I was a little bit late, or I might have had a lot to say.

The MINISTER FOR AGRICULTURE: I feel sure that the hon. member will be kindly disposed towards the measure. Mention was made of the Preamble to the Bill. Representatives of the Chamber of Commerce saw me the other day, and informed me that the relationship between the farming community, through its co-operative concerns, C.B.H. and the wheat pool, and the millers and other merchants has been very friendly. During the 11 months that I have been in office, I have received no complaint, and I have been given an undertaking that the friendly feeling that exists will continue.

Hon. H. K. Watson: Will the facilities at the ports and sidings be available to merchants?

The MINISTER FOR AGRICULTURE: Yes, they will be available. Before the passing of the Commonwealth wheat acquisition legislation, a person could use the bulk facilities and then sell his scrip to a merchant and have it handled for him. The farming community cannot succeed unless there is granted an extension covering other grains. I was visited this morning by a representative of the Barley Board, and I believe that the little differences that existed there have been settled. I hope that when I eventually leave office, I shall be known as the person who made peace between the producer and the commercial interests.

Hon. G. Fraser: Why are you singing your swan song?

The MINISTER FOR AGRICULTURE: I can see an election a little way ahead, and I want to have the same friendly relationship there for the incoming Minister.

Hon. G. Fraser: I am pleased to see that you are confident that there will be a change.

The MINISTER FOR AGRICULTURE: Do not run away with the idea that I am confident of that. Another place added a further clause to the Bill. It is not as clear and precise as would seem desirable, but it indicates that the facilities will be available to merchants at the usual charges.

Question put and passed.

Bill read a second time.

In Committee.

Hon. H. S. W. Parker in the Chair; the Minister for Agriculture in charge of the Bill.

Clauses 1 to 4—agreed to.

Clause 5—Section 26B added:

Hon. H. K. WATSON: I propose to move an amendment to subparagraph (ii) on page 4 The words "at ports" would infer that the installations at railway sidings are not included, though the Minister has made it clear that they are intended to

be covered. Would he agree to an amendment the purpose of which would be to include the facilities at sidings?

The MINISTER FOR AGRICULTURE: This deals only with the 2d. toll for port facilities. I can assure the Committee that the facilities at sidings will be available to the merchants.

Hon. H. K. Watson: I accept that assurance unreservedly.

Clause put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

THE MINISTER FOR AGRICULTURE (Hon. Sir Charles Latham—Central) [4.45]: I move—

That the Bill be now read a third time.

HON. E. M. DAVIES (West) [4.46]: In view of the Minister's reply to the question that I asked on the charges that are made at the ports, which was to the effect that exemption from the payment of wharfage was necessary to assist primary industry, I realise that when bulk-handling was first established it was necessary that the Government should provide all the assistance it could. However, C.B.H. is now well-established and we are endeavouring to extend its lease for a number of years.

In view of the fact that charges are made at other ports throughout Australia, can we take it for granted that the authorities in the other States are not so concerned about primary industry as we are? If a small charge is made by the port authorities in the other States, I do not think it would entail great hardship if a similar charge were imposed at the ports in this State. As the matter has been discussed in the second reading debate, I again ask the Minister if there is any intention in the future of a charge being made by the port authority. At the moment we are merely subsidising the wheatgrowers in other States without any advantage to the wheatgrowers in this State.

THE MINISTER FOR AGRICULTURE (Hon. Sir Charles Latham—Central—in reply) [4.47]: I could not commit any future Government by anything that I might do, and I think the hon. member will realise that it would be improper for me to do so. I do not know whether the hon. member has the right conception of the point. It would not be the company that would be paying these harbour charges but the growers. However, I am prepared to submit the suggestion to the Government. It is the desire of the Government that we should produce more food and encourage men to go on the land. It will be the newly-established men who will bear the brunt of these charges and not the farmers in the Eastern States who have been on the land for many years. If the hon. member could have a look around Albany he would realise the problems that farmers have to face in that area.

As a taxing measure the suggestion is probably worth the consideration of the Government. I would be inclined to oppose it, but I cannot say what I could do in Cabinet or what I could not do. I will submit the hon. member's suggestion in an endeavour to see if something can be done. As to the advantage gained by the wheatgrowers in the Eastern States, that only exists at the moment because we are operating under the International Wheat Agreement and the charges are spread among all the wheatgrowers in Australia.

Any advantage gained by cheaper freights or in the lessening of harbour costs would be of benefit to our farmers once that agreement lapses. Of course, the freights in the Eastern States are much higher than ours, with the exception of those in South Australia. In New South Wales the freights are particulary high even although the Government is subsidising the industry in order to reduce the costs of primary producers in transporting their products to the port. I will submit the hon. member's request to Cabinet.

Question put and passed.

Bill read a third time and *passed*.

QUESTION.

INFANT HEALTH CENTRES.

As to Government Assistance.

The PRESIDENT: At an earlier stage of the sitting two members requested replies to questions that were asked at that time. I would like to point out that the Standing Orders have been suspended only to allow Bills to be taken through all stages at the one sitting. However, I understand that the Minister for Transport has obtained the necessary information and wishes to make a statement to the House, but I want it to be distinctly understood that this action must not be regarded in any way as a precedent.

Hon. A. R. JONES (without notice) asked the Minister for Transport:

(1) How much money did the Government find to help with the building of infant health centres in—

(a) Bunbury;

(b) Beverley?

(2) Has the Government made money available to other districts for the same purpose?

(3) If the answer to No. (2) is yes, what districts benefited and to what extent?

The MINISTER replied:

Before furnishing this reply, I might explain that the hon. member asked for this information prior to the House sitting, but it was not possible to obtain the answers in time, though the form in which the question was submitted was clearly understood as between him and myself. I think we both appreciate the courtesy of the President in allowing the question to be asked in that form. In reply to the hon. member, the answers are—

(1) (a) and (b) Nil.

(2) No.

(3) Answered by No. (2).

BILL—WINNING BETS TAX.

First Reading.

Received from the Assembly and read a first time.

Second Reading.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland) [4.52] in moving the second reading said: Members will recall that a previous Bill similar to this one was submitted to the House, namely, the Stamp Act Amendment Bill (No. 1). However, doubt has arisen as to the propriety of submitting a Bill to impose a tax which at the same time provided for the disposition of the tax. To cover any circumstances or difficulty that might arise this Bill is now submitted to the House to provide for the collection only of this tax. As the reason for introducing it has been explained to the House previously, I do not propose to elaborate on what was said then.

The Bill seeks to introduce a new Subsection (1) to Section 108A of the Stamp Act of 1921-1952. Section 108 of that Act covers Sections 104, 105, 106 and 107 under the general heading of "Betting Tickets." They provide for a tax on betting tickets, the means for its collection and the machinery by which the amount is made available to the Government. This addition to the section will enable the collection of this tax to be treated in the same way. It provides that 3d. on 10s. or a fraction of 10s. shall be levied on bets of 5s. or over. All bets under 5s. shall not bear any tax.

Hon. G. Fraser: Did you say 5s. or under?

The MINISTER FOR TRANSPORT: No, not under 5s. Although the Grants Commission made a generous assessment to this State, it pointed out that in view of our heavy commitments and the losses sustained as a result of the rail strike, the State would have to find ways and means of obtaining additional revenue. The general rule laid down is to require what are known as the claimant States to adopt action similar to that which has already been taken in one or more of the standard States. Those States have applied means of getting revenue which we have not adopted, but two of the claimant States, South Australia and Tasmania, have in operation a tax similar to what we now propose, and New South Wales has what is called a turnover tax which is 1½ per cent. on the actual turnover. The winning bets tax obviously applies only to amounts that are won. It does not apply to losing bets.

The anticipated revenue for a full year's operation of the provisions of the Bill will amount to approximately £200,000. In view of the very definite request by the Grants Commission that we should obtain additional revenue—as a matter of fact, it was a direct suggestion by the Commission that it might take this form—the Bill has been introduced. So, as I have explained the provisions in substance previously, I now submit the Bill to the House as being a necessary measure and trust that members will support it in its present form. I move—

That the Bill be now read a second time.

Hon. G. FRASER: I move—

That the debate be adjourned until the next sitting of the House.

The MINISTER FOR TRANSPORT: I have no objection to the consideration of the Bill being deferred for a short while, but there is a possibility that this will be the last sitting, and I suggest that the hon. member should amend his motion to read, "That the debate be adjourned until a later stage of the sitting."

Motion put and negatived.

Hon. E. M. DAVIES: I move—

That the debate be adjourned until a later stage of the sitting.

Motion put and passed.

BILL—ALSATIAN DOG ACT AMENDMENT.

Second Reading.

HON. G. FRASER (West) [5.0] in moving the second reading said: This is a small Bill that seeks to amend the Act in such a way that I feel sure it will receive the approval of all members. The object is to permit Alsatian dogs to be introduced and unsexed in this State, which is something that the Act does not provide for. During recent years these dogs have proved to be very valuable for use as guides for blind people.

It may seem strange that this alteration to the law should be necessary, but Alsatians cannot be bred in this State because we have none of the breed here that is not unsexed. Consequently they have to be brought from the Eastern States. We have in this State a lady who is regarded as an expert in the training of these dogs, and I understand that they must be about

three months' old before they are unsexed. As it is desired that they should receive much of their training before attaining that age, this amendment is necessary.

Breeders in the Eastern States are prepared to supply dogs for training as guide dogs free of charge; the airways have offered to transport them free of charge, and local veterinary surgeons are prepared at the proper time to unsex them free of charge. Thus there is a promise of co-operation all along the line. The cost of unsexing a dog is rather high, and as only one dog out of 10 may prove suitable for training, unnecessary expense would be incurred if they were unsexed in the Eastern States. Further, to leave them there to be unsexed would mean the loss of valuable time in training them.

There are persons who are prepared to enter into a bond of £100 to ensure that the unsexing of these dogs will be carried out as required. Provision is made in the Bill for certain conditions to be laid down by the Minister regarding the bond. All necessary safeguards are provided in the measure. I realise the danger that could arise if these dogs were admitted and allowed to run free in the country, but adequate safeguards are provided and I think members need have no hesitation in supporting the Bill.

Officers of the Department of Agriculture were approached on the question of permitting such dogs to be imported, but in view of the provisions in the Act, they were not prepared to take any risks, and so there is no alternative to introducing amending legislation. I have pointed out that these dogs are very valuable as guides for blind people.

Hon. L. Craig: Do you mean bitches as well as dogs?

Hon. G. FRASER: Dogs are dogs with me. I cannot answer the hon. member definitely because I do not know whether it applies to both sexes, though I assume that it does. I have explained that these dogs cannot be unsexed until they reach the age of three months and that, if the operation is deferred until that time, much valuable time is lost for training them. We are fortunate in having in the community a lady who is an expert in training these dogs. I trust that members will approve of the Bill for, by passing it, they will be doing a valuable service to the blind people. I move—

> That the Bill be now read a second time.

HON. G. BENNETTS (South-East) [5.7]: I support the Bill for two reasons, firstly, because these dogs will be useful as guides for the blind and, secondly, because they may be used for tracking purposes. I have received a letter from the Kalgoorlie Road Board, the contents of which will be conveyed to local governing bodies and probably to their conference, advocating the introduction of these dogs for tracking purposes. I believe that the recently appointed Commissioner of Police is prepared to consider Alsatians for use as tracker dogs.

The Bill contains adequate safeguards. Some years ago, we had dogs on the Goldfields of a type that I would not permit anyone to keep as house dogs because they were very treacherous and caused much damage. If Alsatians were permitted to run at large without being sterilised, I am afraid that they would prove a menace to the farming industry. In view of the safeguards provided by the Bill, I consider that the enactment of these provisions will be a step in the right direction.

HON. C. H. HENNING (South-West) [5.10]: I support the second reading, but I should like to be informed whether veterinary advice has been obtained on the question of spaying bitches. I made inquiries some time ago about the spaying of bitches and was informed that they would have to reach the age of from four to six months before the organs were sufficiently developed for the bitch to undergo the operation, though a male dog could be unsexed at three months. Is it practicable and safe to spay a bitch at the age of three months?

HON. A. L. LOTON (South) [5.11]: I should like to put Mr. Bennetts on the right track. This Bill applies only to dogs that are to be introduced into the State for training as guide dogs for the blind. It has nothing to do with police dogs or bloodhounds. Unless another measure were introduced, it would not be possible under existing laws to introduce Alsatians for police purposes.

HON. C. W. D. BARKER (North) [5.12]: I support the second reading. The measure has been introduced because the Alsatian, or German shepherd dog, as it is sometimes called, is barred from being introduced into the State unless it has first been unsexed. The dogs that it is desired to bring in, I understand, will number only a few and will be used solely by blind people as guide dogs. In other parts of the world, such dogs have proved a great success. So long as their training is started at an early age, they can be taught to recognise right and left as well as traffic signs, and they are of great assistance to unfortunate people who have lost their sight; in fact they have been the eyes of the blind.

Under the control that will be exercised, I cannot see any danger of the dogs' going bush and running with dingoes, because that is the main fear attached to the introduction of Alsatians. As a substantial bond will have to be lodged that each dog will be desexed at the age of

three months, I cannot believe that any danger would arise and we shall certainly be doing a great service to the blind people. If we can in any way help those people, especially nowadays with the additional traffic hazards, we should do so.

HON. J. A. DIMMITT (Suburban) [5.14]: Perhaps I can make some contribution to this debate because I happen to be the founder and president of the Guide Dogs for the Blind Association in this State, which is the only institution of its kind in Australia. A brief account of the history of this movement should be of interest to members.

Arnold Cook, a lecturer in economics at the University of Western Australia, went to England several years ago to do a post-graduate course. He came into contact with the Guide Dogs for the Blind Association established at Lemington-Spa, England, and there acquired a guide dog that had been trained by Miss Betty Bridge. He brought the dog to Australia and has derived tremendous benefit from the possession of it. So great was his use of the dog and the benefit derived by the ownership of it that he induced a group of people to found the institution mentioned. In order to give local blinded persons similar benefits, this association has been incorporated under the Associations Incorporation Act.

Miss Betty Bridge, who trained "Dreena" —the guide dog belonging to Arnold Cook —went to New Zealand for a holiday, and on her way was induced to stop off here and meet this group of people I have referred to. She agreed with us to come back to Western Australia when we called her. She spent about a year in New Zealand, and we raised sufficient funds to justify the establishment of this association. We brought Miss Betty Bridge here, and established a training centre at West Subiaco. As a result of our experience, we have found that dogs in Western Australia are generally speaking, unsuitable. By this I mean we found that a great percentage of the dogs—they were mostly Border Collies and Collies—did not respond to the training. They just did not have the characteristics that are essential for guiding blind people.

Arrangements have been made with some people in the East to obtain Labradors, which are particularly suitable—in fact "Dreena," the guide dog which was brought by Arnold Cook to Australia, is a Labrador, but our training director, Miss Betty Bridge, is very keen on Alsatians which have been found to be eminently suitable in the two training centres in England; that at Lemington-Spa and the other at Exeter, and they are the dogs that are generally used on the Continent. As Mr. Barker said, they are, on the Continent, generally called German shepherd dogs. It is Miss Bridge's desire that this type of dog be introduced here.

The Alsatian Dog Act prevented this, and when I approached the Agricultural Department it refused to be helpful, using as its protection, and rightly so, the Act. This Bill is the result of a conversation between Hon. J. T. Tonkin and our honorary veterinary surgeon. It is desirable that this type of dog should be brought here, and the Guide Dog for the Blind Association will, I think, be the only people who will bring them into Western Australia. The association will provide the necessary bond.

Members can be assured that there will be adequate safeguards and that at the proper time the dogs will be unsexed. In reply to the query raised by Mr. Craig, I would say that the female dogs are generally much better than the male dogs for the purpose of guiding the blind. In answer to Mr. Henning, I might say that the matter was fully discussed with our honorary veterinary surgeon, and he is quite happy about the unsexing of the dogs. He considers they will be sound and safe, and unable to reproduce.

Hon. H. Hearn: At three months?

Hon. J. A. DIMMITT: Yes. I am supporting the Bill, and I hope other members will view it sympathetically because it will give the Guide Dog for the Blind Association an opportunity to bring in a suitable type of dog for the purpose of helping these people to get over their affliction, or at least to have their conditions ameliorated. If the Act is amended, it will greatly help the association. I appeal to members to support the Bill on this ground.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Read a third time and *passed*.

BILL—CATTLE TRESPASS, FENCING AND IMPOUNDING ACT AMENDMENT.

Returned from the Assembly without amendment.

BILL—MEDICAL ACT AMENDMENT.

In Committee.

Resumed from the 9th December. Hon. H. S. W. Parker in the Chair; the Minister for Transport in charge of the Bill.

Clause 3—Subsection (2a) added to Section 11 (partly considered):

The MINISTER FOR TRANSPORT: Progress was reported to allow information to be obtained in regard to Dr. Hislop's proposal to delete the word "constituting" in lines 4 and 5 of subparagraph (ii) of paragraph (c), and to sub-

stitute in its place the words "nominated by." This would allow the faculty to nominate the examiners instead of the faculty being the examiners. I was informed by Dr. Sanders, the registrar of the University of Western Australia, that, whilst there would be no objection to Dr. Hislop's amendment, it means exactly the same as the provision in the Bill. Dr. Sanders said that in all universities the teaching staff and the examiners, including what are known as extra examiners, are regarded for the purpose of examinations as members of the faculty. The extra examiners are those persons appointed as examiners who do not belong to the university staff.

Neither Dr. Sanders nor the Commissioner of Public Health objects to Dr. Hislop's amendment, but they point out that it will make no difference. Another question raised by Dr. Hislop, although he admitted he had no intention of suggesting it should be altered, was that of giving the Medical Board unrestricted power in regard to appointing doctors without examination. This point was examined by the Commissioner of Public Health, the Medical Board and the B.M.A., and whilst they have some sympathy in respect to certain cases, they feel it presents some dangers, and they finally decided they were not prepared to recommend such a policy.

Hon. J. G. Hislop: The Minister also agreed to investigate the question of who was going to pay the costs of a man travelling to the examinations.

The MINISTER FOR TRANSPORT: I also raised this point with these people and they said they were fully aware that the expense would fall on the funds of the board, and that if they were drawn on to any appreciable extent it would have the effect which Dr. Hislop mentioned. They said that Dr. Hislop could rest assured that they were just as interested in the maintenance of the library facilities as he was, and would watch the position carefully to see that no undue draw was made on the funds.

Hon. J. G. HISLOP: This is most unsatisfactory. I shall vote against the Bill on the third reading, and I shall try to make members vote against it too. We have already had to make considerable reductions in the number of journals bought for the library because of the reduced subsidy from the Medical Board, and the profession is considering further voluntary taxation amongst its members in order to maintain the library which is of such vital interest to the State. If we have to send only one new Australian to Adelaide, it will mean a further reduction.

Hon. Sir Frank Gibson: Why can he not pay his own fare?

Hon. J. G. HISLOP: That is what I want to know.

The CHAIRMAN: Order! We are only discussing Clause 3 at the moment.

Hon. J. G. HISLOP: This is a vital portion of Clause 3. I shall vote against the clause and against the Bill unless I am given an assurance that this charge will not come out of the funds of the Medical Board. I will fight this until doomsday because it will wreck the whole of the finances of the library.

The MINISTER FOR TRANSPORT: I can only offer the assurance that was supplied to me. I would say that in the majority of cases, if it were possible to do so, the examinations would be arranged in this State. To do as Dr. Hislop suggests would cast a reflection on the members of the Medical Board. I hope therefore, members will not go to the extreme length of defeating the Bill.

Hon. J. G. HISLOP: This is most unsatisfactory. The Minister now says he thinks the examinations will be held in Western Australia. This will be more costly than ever because we will have to bring examiners from another State, as we have no medical faculty here. To bring competent physicians and surgeons from another State will be more costly than to send one man to Adelaide. I would like to add a new paragraph to the effect that all expenses of examination shall be borne by applicants. I move an amendment —

That a new paragraph be added, as follows:—

"(e) All the expenses of the examination shall be borne by the applicant."

I cannot put a charge upon the people and I think the only way is to make applicants pay their own expenses.

The MINISTER FOR TRANSPORT: The information given to me only went as far as to say that the Medical Board realised that it would be a charge against the fund and they would bear that point carefully in mind. It is only my suggestion that examinations might be conducted in this State because I was under the impression that competent persons lived here and could conduct examinations. I do not want the Bill unduly altered at this stage and I shall report progress in order to inform members as to the attitude of the Medical Board.

Progress reported.

BILL—WESTERN AUSTRALIAN MARINE ACT AMENDMENT.

Second Reading.

Debate resumed from the 9th December.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland—in reply) [5.35]: I thought I had fully explained why dredging contracts had been let to Dutch firms, but Mr. Davies said that it was extraordinary that such contracts

were entered into and he could not understand why Dutch nationals should be masters of the vessels. As I said in my second reading speech, the Dutch firms obtained the contract because they possess the equipment, the experience and the skill to do the work in the quickest possible time at the lowest possible cost. I understand that the great skill of the Dutch in this regard is due in some measure to the experience gained in the reclamation of huge areas of their own low-lying-country.

Australian interests have not the means to carry out the work as efficiently, quickly and cheaply as Dutch firms can. Dutch companies have a world-wide reputation for dredging and, in fact, they are carrying out important dredging works in other Australian States. Mr. Davies also referred to experienced dredging men at Fremantle who might be employed. Apparently he did not hear my second reading remarks that the Dutch contractors desired to obtain half their dredging staff from Western Australia and that the Public Works Department was to ascertain how many accredited dredging men were available here for this work.

During his speech, Mr. Lavery referred to the wide provisions of the Bill. These provisions were based on those in the legislation of New South Wales and Victoria, where the same Dutch firm is carrying out dredging. The wide provisions in the Bill are to cover any other eventuality that may occur in the future. As members know it does happen that unexpected problems arise that require legislative treatment, and it is wise to possess the statutory power to meet such problems without delay by regulation. Also members are quite aware that all regulations have to meet with the approval of Parliament.

In the present case it is desired only to make a regulation exempting the masters and engineers of the Dutch dredges from the provision of the principal Act that states that masters and engineers cannot obtain certificates to work in Western Australian waters unless they are British subjects. It is firmly intended that the vessels and their crews must comply with all other provisions of the Marine Act, such as surveying, etc.

I want to amplify the statement that the Dutch are specially skilled in this type of work. Members may have read where huge areas of the Zuider Zee and the North Sea have been reclaimed to cater for the steadily increasing population of Holland. These have been terrific jobs and the Dutch have done wonderful work in reclaiming areas, desalting them and putting them under intense cultivation. They have done work in that direction far exceeding anything that has been undertaken in any other part of the world.

As a result of years of experience and because they have a special type of machine to do the work, they have become acknowledged as masters of this particular craft. I understand, because of certain works having been completed and there not being work available for these particular firms, or because they wanted to extend their activities, and as they own this specialised equipment, they entered into contracts in Australia—in New South Wales, Victoria and now Western Australia, and they have done remarkably good work.

In one particular instance they were under a severe time penalty, and a monetary penalty too, but they completed the work ahead of schedule and have proved themselves to be efficient operators. They have also tendered at figures considerably below those submitted by other tenderers. I hope members will agree to the Bill because the men are actually at work in this State and we have every confidence that the work will be up to the specified standard. Mr. Lavery raised a point as to why the provisions of the Bill were not brought forward to cover the dredging contractors and the work they have done in Albany. The necessity for this was at first overlooked, but when it was realised that an unintentional technical breach of the Act had been committed steps were taken to introduce this measure to validate the action that would be taken in regard to work at Cockburn Sound.

Hon. C. W. D. Barker: Is there plenty of guaranteed work for the dredge "Sir James Mitchell"? Will it not be tied up and the Dutch firms used at Fremantle?

The MINISTER FOR TRANSPORT: No, that dredge will be employed on the No. 10 berth at the Fremantle wharf.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Read a third time and *passed.*

[*The Deputy President took the Chair.*]

BILL—ELECTORAL ACT AMENDMENT.

Second Reading.

Debate resumed from the 2nd December.

HON. H. C. STRICKLAND (North) [5.42]: I have had a look at the Bill as it affects the North Province and North-West seats and after comparing it with the Act I have no objections to raise.

HON. C. W. D. BARKER (North) [5.43]: I, too, have looked through the Bill and wish to be associated with Mr. Strickland's remarks. I cannot see anything contentious in it or anything that would cause harm to anybody. Therefore, I support the measure.

THE MINISTER FOR TRANSPORT (Hon C. H. Simpson—Midland—in reply) [5.44]: I am glad that the Bill has been favourably received and I will refresh members' minds as to what the measure contains. There are really only two parts in it that count and one is a reduction of the necessary time to enable elections to be held, particularly in relation to Assembly electorates in the North-West. The other point concerns postal votes. The Chief Electoral Officer takes great care in the selection of those who are entrusted with the duties of postal vote officers, but it sometimes happens that irregularities have been brought to light after a lapse of time.

The purpose of the amendment is to ensure that all postal votes are received by the Chief Electoral Officer. It provides at present that where a postal vote is actually cast, the postal vote officer shall provide the voter with the necessary balloting material and, in the presence of them both, the vote and the counterfoil shall be put into two separate envelopes. The voter shall put the two envelopes into a third envelope and they both sign the flap of the envelope. That is sent to the Chief Electoral Officer, or may be to a polling booth if the postal vote officer thinks it cannot reach the Chief Electoral Officer in time.

In any case, it will be received at the polling place and it is still sent on to the Chief Electoral Officer who can make sure himself by an examination of the flap, which is signed by the voter and the postal vote officer, that the vote is in the same virgin state as when it was cast. If that provision did not exist, it could be possible for an unscrupulous person to transfer this to a third envelope or possibly alter the ballot form, because in the case of two candidates it is only necessary to put one on the actual ballot paper, which indicates the choice of the voter.

Thus, an unscrupulous person could put the different names in which ever order he desired. But under this provision the elector will seal the third envelope in the presence of the postal vote officer and it will be sent to the Chief Electoral Officer direct. This is merely a precaution to satisfy those who might be suspicious that votes are not as they should be and it is for them that precautions are taken to ensure the integrity of voting. As we know, a single vote could at times be the means of unseating a candidate or having one elected or possibly of unseating a Government or ensuring its return.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Read a third time and *passed*.

BILL—RENTS AND TENANCIES EMERGENCY PROVISIONS ACT AMENDMENT.

Second Reading.

Debate resumed from the 4th December.

HON. E. M. DAVIES (West) [5.50]: This is a small Bill brought down, I understand, for the purpose of correcting an omission in the Bill which was previously before this Chamber. It seeks to amend Section 22 of the Act by adding a new paragraph to be known as (da). The purpose of this is to bring the wife of a protected person within the interpretation of a protected person and also a person wholly dependent on the person so mentioned. I believe it is necessary because we have protection for persons on military service about to leave the State for oversea and this anomaly exists in regard to the wife of a protected person and also a person wholly dependent on the person so mentioned.

Question put and passed.

Bill read a second time.

In Committee.

Hon. W. R. Hall in the Chair; the Minister for Transport in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 22:

Hon. H. K. WATSON: This is the effective clause of the Bill. As the Minister explained it proposes to correct what he described as an oversight in the previous Bill by which the wife of the protected person was not included in the exemption. I think there is some doubt, even with the law as it stands today, whether the wife is or is not included, and it will do no harm to make sure that the wife is included. That has been the intention of the Act ever since the provision relating to protected persons was enacted in 1950.

The clause proposes to go further than that notwithstanding the decision this Committee made two years ago as to what persons would be protected. It sets out that protection shall also be given to such a person wholly dependent on the person so mentioned as prescribed during the period for which the person so mentioned is a protected person. I suggest that the last provision might well be left out of the Bill. This is no time to be further tinkering with an Act which has worked pretty well during the past 12 months. I understand that even now under the main section which it is proposed to alter—that is bringing the wife of a protected person into the definition—there have only been one or two cases, and that this amendment has been made now to cover one case which has cropped up and which is before the court.

So even with the wife of a protected person the application of the section is very limited and I see no reason to extend it further, particularly when it is extended very definitely. It is not written into the Bill as to what other persons shall be protected; this is left to be dealt with by way of regulation. There is also some curious wording in the last two or three lines which I have difficulty in understanding. The wording to which I refer says a person shall be a protected person "during the period for which the person so mentioned is a protected person or if another period is prescribed during the period prescribed." I find it difficult to follow the meaning of those words.

The parent Act provides that the person on active service shall be a protected person during the period of his service and for whatever period is prescribed. So that is fully covered by the law as it is now. The Bill will have to go to another place because of what appears to be a clerical error and I hope the Minister will accept my amendment. I move—

> That in proposed new paragraph (da) the following words be struck out:—"(ii) such person wholly dependent on a person so mentioned, as is described."

The MINISTER FOR TRANSPORT: There is something in what the hon. member says, namely, that it will be necessary for the Bill to be returned to another place for a small correction. It is a correction which is shown in an amendment I have on the notice paper. On reading the Bill, my impression is that there might be a stepdaughter or some person who is wholly dependent on a protected person and it was the intention of this paragraph to include those persons. If the hon. member requires a fuller explanation and, accepting his view that the Bill must, of necessity, be returned to another place, I will leave it to the Committee to accept or reject the amendment.

Hon. G. FRASER: I hope the Committee will not agree to the amendment. I had expected the Minister to give reasons for the attitude of the Government. Of course, if he has not the notes at his disposal, I can quite understand his position. I certainly do not object to the Bill being returned to another place, but I hope there will be no further tinkering with the measure.

The MINISTER FOR TRANSPORT: I thought I had mislaid the notes, but I have now found them. The notes on Mr. Watson's proposal are as follows:—

> Hon. H. K. Watson proposes to move for the deletion of the provision that any future alteration to the definition of "protected person" may be prescribed by regulation; provided that the person concerned is solely dependent on the protected person.
>
> This proposal was inserted on the advice of the Attorney General, who pointed out as an instance, the widowed mother of a serviceman serving, perhaps, in Korea. The mother might be wholly dependent on this son, who when home would normally live with her. The mother could be evicted from her home, as she would have no protection under the "protected person" provisions of the Act.
>
> As there would be few, if any, cases of this nature, the Attorney General does not think it would be advisable to include mothers, etc., in the Act, but to do so by regulation whenever the circumstances arose. He points out that if Hon. H. K. Watson's wishes are followed, a widowed parent could be evicted while Parliament was in recess.
>
> The amendment in the Bill precludes protection being accorded in a sweeping manner, as it specifies that regulations could only be made to cover a person who was wholly dependent on a protected person.

That is the information I have on the point. I will leave it to the Committee either to accept the Bill as it stands or to agree to Mr. Watson's amendment.

Hon. G. FRASER: I am glad the Minister has been able to furnish the explanation, because I thought what he indicated was the reason. A year or so ago, when the legislation was dealt with I pointed out what would happen and explained how the mother of a soldier who was away fighting in Korea could be evicted from what was actually the soldier's home. I was not successful in securing acceptance of an amendment to deal with the position, but the Bill covers it. Members will realise the seriousness of the matter. If it were to be dealt with in the Act, it might be applied to cover a wider field than we would desire. Therefore I think it is best dealt with by way of regulation.

Hon. H. K. WATSON: I do not agree that such instances as Mr. Fraser suggested have arisen. In any event, as members know, hard cases make bad law. Section 22 covers the classes of persons to whom protection should be extended, and this matter should be dealt with by way of an amendment to that provision rather than by means of regulation.

Amendment put and negatived.

The MINISTER FOR TRANSPORT: I move an amendment—

> That in line 2 of subparagraph (ii) of paragraph (da) the word "described" be struck out and the word "prescribed" inserted in lieu.

The object is to correct an obvious error.

Amendment put and passed.

Hon. H. K. WATSON: Will the Minister tell the Committee what is meant by the last words in subparagraph (ii)?

The MINISTER FOR TRANSPORT: If members look at the Act, they will see that there are references to certain matters prescribed, and it is simply a question of bringing the subparagraph into line with what appears elsewhere.

Clause, as amended, put and passed.

Title—agreed to.

Bill reported with an amendment and the report adopted.

Third Reading.

Bill read a third time and returned to the Assembly with an amendment.

BILL—TRAFFIC ACT AMENDMENT (No. 3).

Second Reading—Defeated.

Debate resumed from the 4th December.

THE MINISTER FOR AGRICULTURE (Hon. Sir Charles Latham—Central) [6.10]: Members should give serious consideration to the Bill which deals with the taking of statements by police officers when an accident occurs. I have followed closely the debate on the measure, and am fearful that we may do some injury to individuals who may be concerned in a traffic accident. If anyone concerned does not make a statement at the time, it may be some months afterwards when he is asked to give one. Such an individual might be placed in a very invidious situation because his recollection might not be clear regarding what actually happened. When a serious accident occurs, I can quite imagine that anyone concerned would be rather excited. In such circumstances, it is difficult for an individual to collect his thoughts so as to give a clear picture of what took place. Persons may be standing around who may have witnessed the incident and they need not make any statement unless they are warned.

Hon. E. M. Davies: They would not be involved in the accident.

The MINISTER FOR AGRICULTURE: Even a person involved in an accident might be asked to make a statement at the time. I know the police usually issue the warning to a person questioned, that any statement he makes may be used in evidence. However, we should be very careful in dealing with the Bill. To date, I have not heard any serious objection to the present arrangement. In most instances the police will ask the person concerned if he desires to make a statement, and I suppose such an individual should be warned. My complaint about such matters is that sometimes any action that is taken is launched a long time after an accident has occurred, and those concerned in the meantime may become hazy about the full particulars.

Hon. A. R. Jones: Action may be taken months afterwards.

The MINISTER FOR AGRICULTURE: Any person who is asked where he was on a certain date at a certain hour some months previously, would find it very difficult to give full details. I think action in such matters should be expedited. I realise that that would not be possible if an individual had been seriously injured and had to be given time to recover. If a man is seriously injured, his mind must be affected to a certain extent.

Hon. F. R. H. Lavery: The Bill has nothing to with compelling any individual to make a statement but only to ensure that a proper warning is given.

The MINISTER FOR AGRICULTURE: I quite understand that.

Sitting suspended from 6.15 to 7.30 p.m.

The MINISTER FOR AGRICULTURE: I was pointing out why I am opposing this Bill. I think the proposed amendments will do a great deal more harm than good. Looking back over the years I think there has been no cause for complaint about police action at the time of accidents. In those circumstances I oppose the measure.

HON. H. C. STRICKLAND (North) [7.32]: I support the Bill. I cannot see how it can do any harm. It is normal procedure, when an accident takes place, for the police to question those involved, and it is quite desirable that the persons concerned should make a statement at the time if they are capable of doing so; that is to say, if they are not injured to such an extent that they cannot. When persons are hurt to the extent that they have to be conveyed to hospital or receive medical attention elsewhere, the police wait until the victims have regained consciousness sufficiently to say what happened.

It is only fair and reasonable that any person involved in an accident should be warned to the extent that this Bill provides, namely, that the statement he makes may be used in evidence against him. The Minister has said that if a case drags on for five or six months and questions are asked of somebody involved, or he is brought before the court, he may have only a hazy recollection of what occurred. We have had one member describe his own experience in that connection. But as it is not compulsory to make a statement, I cannot see how this measure can do any harm.

HON. W. R. HALL (North-East) [7.35]: I support the Bill. Having regard to the fact that it is not compulsory to make a statement to the police, I cannot see that the measure affects the situation very much except that it ties up the magistrate's jurisdiction to some extent. I have been involved in one or two accidents and have

never been called upon to make a statement. If one is injured in an accident and is insured under a comprehensive scheme with the R.A.C. or some other organisation, it is obligatory to make a statement to a representative of the body concerned. If such a statement were not made, the person involved might be entitled to obtain damages. The company decides to some extent whether the insurer or some other person is responsible for the accident. Those statements, however, are not used by the police or a magistrate, because they are private property.

I have never been asked for a statement; and if I were, I do not think I would make one. I have seen hundreds of accidents that have involved tramcars and motor vehicles of all descriptions. I have been concerned with these accidents as a traffic inspector for the Kalgoorlie tramways. One of the jobs of such an inspector is to take statements from any witnesses of an accident. I have had that duty to perform and I cannot say that it was a very pleasant one. I had to go to a private residence and say to the person concerned, "You were in a tramcar which was involved in an accident. Could you give me a statement of what you actually saw?" I always gave people to understand that they could please themselves about giving a statement!

No two accidents are the same. Some people will witness an accident and will walk away rather than make a statement, because they do not want to be involved in the matter. I have seen that occur plenty of times. On the other hand, I have seen people involved in accidents who were not in a fit condition to make a statement even if it had been required of them. Again, there are others who can give a concise statement of what happened, and yet others by whom the salient features of an accident will be recalled three or four days afterwards. That has been the case with some people.

As it is not compulsory to make a statement, I cannot see that much harm would be done in our supporting the Bill. A lot of people do not know that if it comes to litigation, statements they make may be used as evidence. I cannot see much harm in a police constable or a traffic inspector saying to a person involved in an accident, "I must warn you before taking this statement that it may be used in evidence against you." I support the Bill because there is not much wrong with it.

HON. L. CRAIG (South-West) [7.41]: This is a dangerous Bill that might affect the course of justice. The right time to get a statement from anybody is when the matter is fresh in his mind.

Hon. G. Bennetts: You do not have to give a statement now.

Hon. L. CRAIG: I know. When a traffic inspector or a constable says, "Look here, whatever you say may be used against you," the evidence is destroyed at once. If anybody appears in court to give evidence and claims that he was distraught at the time and the statement made on the occasion was perhaps a bit incoherent, the magistrate will take that into account. But the whole course of justice will be defeated and the evidence will be destroyed if the making of a statement is prevented—and it will be prevented—by a constable saying, "Whatever you say may be used in evidence against you." I do not think there is anybody who does not know that he does not have to make a statement.

Hon. F. R. H. Lavery: There are plenty.

Hon. L. CRAIG: I do not think so. If a case went on for some weeks or months the evidence given then would have very little relation to what actually happened.

Hon. C. W. D. Barker: If a man were warned, he would give evidence straight away.

Hon. L. CRAIG: That is the point: he would not. Particularly is that the case with women. If people are warned in that way, they are frightened and if they do not want to make a statement they can say, "I do not want to say anything about this, constable", and that is the end of it. This reminds me of the scene in "The Arcadians", which I saw as a boy, where the policeman said, "Whatever you say will be taken down, altered and used in evidence against you."

Hon. C. W. D. Barker: The object of the Bill is to prevent them from making statements.

Hon. L. CRAIG: That is so, and if they do not make statements on the spot witnesses will not remember, by the time the case is tried, exactly what happened at the scene of the accident. "A" may think that one thing happened, but then "B," who has a stronger character, says that it was something else, and "A" gives way and says, "Yes, I think that is what did happen". Any weak person can be convinced that something other than what really took place did happen. This is a dangerous measure and if agreed to will cause a great deal of trouble. It will stultify the efforts of the police to get a true story of what happened at the scene of an accident.

HON. E. M. DAVIES (West—in reply) [7.46]: I am surprised at some of the statements made by members during this debate, as they would lead one to believe that this was a measure dealing with criminals, whereas it seeks only to protect decent people who may become involved in motor accidents and who may

be thrown off their balance or shocked to such an extent as to be not able to give a correct account, immediately afterwards, of what happened just prior to the accident. Those who know the law and realise that they need not make a statement may refuse to do so, but there are many who do not know their rights in that regard and this measure seeks to protect them.

Hon. H. S. W. Parker: From what?

Hon. E. M. DAVIES: Mr. Parker should know from what it will protect them.

Hon. H. S. W. Parker: Only prisoners or those about to be arrested must be warned that anything they say may be used in evidence against them.

Hon. E. M. DAVIES: Yes, but if a witness to a traffic accident makes a statement it can be used in evidence against him.

Hon. H. S. W. Parker: Why should he not make a statement?

Hon. E. M. DAVIES: The average person, having been involved in an accident, would be upset.

Hon. H. S. W. Parker: That would not make that person a liar.

Hon. E. M. DAVIES: Some members seem to think that if such a person were upset he would tell a lie—

Hon. H. S. W. Parker: I do not suggest that.

Hon. E. M. DAVIES: After being involved in an accident, a person might not be able to give a proper account of what happened, but having had time to think he could probably recall the facts. If he gave the statement while not sure of his facts, straight after the accident, he might incriminate himself or deny himself his rights under the third party insurance. The Bill will protect such persons in that way. Not long ago a lady driver, having been involved in an accident, was so shocked that it was necessary for an ambulance to be called to take her to hospital. A traffic policeman followed her into the casualty ward to take a statement from her. It is people such as that that we desire to protect. I trust that members will agree to the second reading.

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

Ayes	10
Noes	16
Majority against	6

Ayes.

Hon. C. W. D. Barker	Hon. A. R. Jones
Hon. G. Bennetts	Hon. F. R. H. Lavery
Hon. E. M. Davies	Hon. L. A. Logan
Hon. G. Fraser	Hon. H. C. Strickland
Hon. E. M. Heenan	Hon. W. R. Hall
	(Teller.)

Noes.

Hon. N. E. Baxter	Hon. A. L. Loton
Hon. L. Craig	Hon. J. Murray
Hon. J. Cunningham	Hon. H. S. W. Parker
Hon. J. A. Dimmitt	Hon. C. H. Simpson
Hon. L. C. Diver	Hon. J. McI. Thomson
Hon. H. Hearn	Hon. H. K. Watson
Hon. J. G. Hislop	Hon. F. R. Welsh
Hon. Sir Chas. Latham	Hon. C. H. Henning
	(Teller.)

Question thus negatived.

Bill defeated.

BILL—STAMP ACT AMENDMENT (No. 2).

First Reading.

Received from the Assembly and read a first time.

Second Reading.

THE MINISTER FOR TRANSPORT (Hon C. H. Simpson—Midland) [7.55] in moving the second reading said: This Bill is complementary to that dealt with earlier and known as the Winning Bets Tax Bill. The present measure provides for the disposition of the moneys collected and for the machinery by which they are to be collected. There is only one difference between this Bill and that dealt with earlier and it appears in Subclause (5) on page 5, reading as follows:—

> One half of the amount retained by a club or person under Subsection (4) of this section shall be used for increasing the stakes paid by the club or person and the remaining half shall be applied to such purposes as the club or person thinks fit.

The earlier Bill provided for three-quarters of the money to be applied to increasing the stakes and one quarter to be applied as the club or person though fit. Apart from that, this Bill and that which is complementary to it are together the same as the measure previously dealt with. I move—

> That the Bill be now read a second time.

HON. H. S. W. PARKER (Suburban) [7.57]: I trust that the Government will not in future bring down Bills such as this. If one were not conversant with the betting Bill one would never be able to trace under what Act the betting assessment was to be made. This measure is a Bill to amend the Stamp Act, the long Title of which is—

> An Act to amend and consolidate the Law relating to Stamp Duties upon Instruments and to impose certain Stamp Duties and for other purposes.

This measure proposes to add the words "and payments" after the words "stamp duties." The Bill already dealt with relates to a betting tax and has nothing to do with stamps

The Minister for Transport: This Bill has been examined by the Crown Law Department and has been ruled to be valid.

Hon. H. S. W. PARKER: I think it is invalid and, although I will not oppose it, I will give my reasons for saying that Bills such as this should not be brought before the House. We are asked to provide for the assessment of a winning bets tax under the Stamp Act. With all due respect to the Crown Law officers, I consider that it does not come within the scope of the Act or its Title.

The Minister for Transport: Do you think a stamp duty on betting tickets is out of order?

Hon. H. S. W. PARKER: No, because it is stamped on the ticket.

The Minister for Transport: Well, this tax can be applied in the same way.

Hon. H. S. W. PARKER: I would like the Minister to tell me how a stamp can be put on a bet. Many bets are made on the nod. If a man makes a bet on the nod with a bookmaker, he has to account for it and pay 2d. tax on the ticket. But a stamp tax is a duty directly collected by the Government. This proposed tax will not be collected by the Government, but by the bookmaker who will hand it to the officials of racing clubs or trotting clubs, who, in turn, will hand to the Government only a certain portion of it. It is a tax, but not a stamp tax. If a winning bets tax is within the scope of the Stamp Act, we need not introduce a Bill for the assessment of new taxes. All we need do is to provide for it under the Stamp Act because it includes the words, "and payments." We need not have a Totalisator Tax Act; we need not have an Entertainments Tax Act or a tax to provide for harbour dues. We could bring them all under the Stamp Act.

Hon. A. L. Loton: What about the Dog Act?

Hon. H. S. W. PARKER: Yes, we could bring a dog license under the Stamp Act, although I do not know where we would stamp the dog. We need not have legislation to provide for the collection of probate duties. If this principle were followed, we could have all these duties and taxes brought under the Stamp Act. If that were done, however, great confusion would result. It would make the position difficult for lawyers because there would be no index to indicate to them where they would find these various taxes provided in the Stamp Act. I did not rise to oppose a winning bets tax by any means, but to draw the attention of the Government to the fact that it is wrong in principle to impose a tax under the Stamp Act and, in my opinion, the Bill is out of order. I am not going to set myself up against the Crown Law Department, but I want my opinion to be known and I do not want to sit here dumbly when I think something is wrong. For that reason I oppose the Bill.

Point of Order.

Hon. G. Fraser: I ask for your ruling, Sir, as to whether the Bill is in order.

The President: I will defer my ruling for the time being and ask that the debate be adjourned.

Debate Resumed.

Hon. E. M. DAVIES: I move—

That the debate be adjourned till a later stage of the sitting.

Motion put and passed.

BILL—LICENSING ACT AMENDMENT (No. 3).

Second Reading.

HON. E. M. HEENAN (North-East) [8.5] in moving the second reading said: I feel that perhaps I owe an apology to the House for introducing the measure at such a late hour in the session, but the circumstances which have induced me to do so arose only last Sunday and this is the first opportunity I have had since then to submit the Bill for the consideration of members. A perusal of it will reveal that it is very brief. All it proposes to do in the main is to insert the words, "or an Australian wine license" in Section 122 of the Act. The Licensing Act defines an Australian wine lincense and Section 33, which sets out the obligations of a person holding such a license, reads as follows:—

> (1) An Australian wine license, shall, subject to the provisions of this Act, authorise the licensee to sell and dispose of, on the premises named in the license, any wine made in a State of the Commonwealth, produced from fruit grown in the Commonwealth, for consumption on the premises or otherwise: Provided that such wine does not contain more than 35 per centum of proof spirit.
>
> (2) No Australian wine license shall be granted for any premises beyond the limits of a municipal district or townsite.

I think it is important that members remember that. Continuing—

> (3) No Australian wine license shall be hereafter granted or renewed except in respect of premises used for the sale of Australian wine, and in which no goods of any other kind, except aerated waters, cigars, cigarettes, and tobacco are sold, or offered or exhibited for sale, or apparently for sale.
>
> (4) No person holding an Australian wine license shall keep or bring or permit to be brought on his licensed premises any liquor other than Australian wine, the produce of fruit grown in a State of the Commonwealth.

(5) An Australian wine license shall only be issued or renewed in respect of premises of a standard to be prescribed by the Licensing Court.

(6) It shall be unlawful to have or use in any bar-room or saloon of premises for which an Australian wine license is held any partition of wood or other material so as to wholly or partially prevent or limit the uninterrupted view of the whole of the place where the bar is situated or so as to wholly or partially divide such place into two or more compartments.

There are a few more subsections which are immaterial for the purpose of introducing the Bill.

On the Goldfields, the Licensing Act has specific application in so far as the hours prescribed in the licenses are defined. In that part of the State licensees shall not open before 9 o'clock in the morning or remain open after 11 o'clock at night. Those were the provisions of the Licensing Act applying to the Goldfields until they were extended by an Act which was passed last year. Prior to the passing of that amending legislation a custom of some 50 years standing had grown up on the Goldfields, where members know that special conditions of work and climate exist, which had the effect of permitting licensed premises to trade on Sundays. That state of affairs worked very satisfactorily on the Goldfields and policemen and others who have served in that area for many years are unanimous in their opinion that the Goldfields comprises a law-abiding community and, as I have said, this custom which had grown up but which was outside the letter of the law, worked very satisfactorily. However, to correct an anomaly, if I might call it that, last year we passed a measure which permitted hotels and wayside licensed houses outside a 20-mile limit of the metropolitan area to have what are termed Sunday sessions, but somehow or other those people holding Australian wine licenses were not provided for in the Bill and they do not enjoy that privilege.

There are three Australian wine licenses on the Goldfields—two in Kalgoorlie and one in Boulder. One of those in Kalgoorlie in particular is patronised largely by the Italian community and has been so for many years. Members will be aware that we have a large Italian community on the Goldfields. The hard work on the woodline has for years been carried out almost exclusively by Italians and that largely applies at present. A large number of Italians also work in the mines and at places like Gwalia and on the Trans line.

For many years the wine saloon in Hannan-st. has been the meeting place for those Italians. Accommodation is provided—to what extent I do not know—but I should say there is enough for at least 20 to 30 people. Meals are provided and are of such a high standard that on Sundays and special occasions they are patronised also by English-speaking people. The place has been conducted very creditably, and I am informed that when the Licensing Court last sat at Kalgoorlie to renew licenses, the chairman made favourable comments about the conduct of this wine saloon.

As I have pointed out, throughout the years the hours of trading for the saloon have been the same as for hotels. When the unwritten law existed, the privileges enjoyed under it were enjoyed equally by this Australian wine licensee. Although we amended the Act last year and Australian wine licenses were omitted from the provision which permitted licensees to trade during certain hours on Sunday, this saloon has been permitted to carry on apparently in keeping with the long-standing custom or unwritten law. Last week, however, the police visited the saloon and stated that the amendment to the Act did not cover it and that in future it would have to be closed on Sundays.

I feel that a grave injustice is being done, not only to this saloon, but also to a highly respected portion of the Goldfields community. The licensee has assured me that practically every week-end a number of men come in from the Kurrawang woodline. There is no need for me to tell members how unattractive conditions are out there and how avidly workers look forward to spending the week-end in Kalgoorlie. As I have said, most of these men are Italians and they come to this place for accommodation and meals. On Sundays, they have been accustomed to their sessions, which they have rigidly observed. Now, because this saloon is not provided for in the Act, it is to be closed on Sundays.

Some members may know where this wine saloon is situated in Hannan-st. There is a hotel directly opposite, and the absurd situation now exists that the Italians come to the saloon to enjoy their community associations and fraternise amongst themselves, but on Sundays the bar is to be closed. At the same time, they may cross the street to the hotel and drink as much wine or beer as they desire.

I hope that members will see sufficient merit in the Bill to pass it. The only effect will be to put the Australian wine saloon on the same footing as hotels for trading on Sundays. Parliament in its wisdom, has decided that people living outside a 50-mile radius from the metropolis shall be entitled to have a glass of beer, if they so desire, during certain hours on Sunday. It can hardly be argued, therefore, that the people who like a glass of wine should not be allowed the privilege of having it during those same hours.

This injustice is being felt mainly by one saloon on the Goldfields because that is the one that provides a bar, accommodation and meals. There is one saloon in the centre of Kalgoorlie that, I have been told, did not even avail itself of the unwritten law. It does not provide accommodation or meals and its trading did not warrant the expense of putting in a bar. Even if we pass this Bill, I understand that neither of the other two licensees will avail themselves of its provisions, because they are not situated in localities where there is sufficient trade to warrant their opening on Sundays. Australian wine licenses are not granted outside the limits of a municipal district or townsite, but this Bill will have general application throughout the State. We have not differentiated between the hours of trading previously and I fail to see why any alteration should be made now. I move—

That the Bill be now read a second time.

HON. J. M. A. CUNNINGHAM (South-East) [8.25]: I whole-heartedly support the Bill because I consider the circumstances justify the making of this small improvement to the Act. It has been explained that these circumstances have arisen only recently. The one place particularly affected, as has been stated, is the wine saloon in Kalgoorlie, a well-conducted place. It enjoys a reputation beyond reproach, and the licensee has been commended on his well-run and well-organised business by the Licensing Court.

From time to time, Dr. Hislop has advocated in this House sane laws for drinking. Had Dr. Hislop ever been to this wine saloon, he would probably have found that it came more nearly into line with what he had seen in other countries than any other institution in Australia. The cuisine is probably not bettered in Perth; accommodation is good, and drinking is carried on under conditions and environment which we believe are conducive to the best conduct of the trade

By the Bill we are not asking for preferential treatment. We are not suggesting that because this wine saloon is located in Kalgoorlie it should be treated differently from any other wine saloon. We believe that, in any other part of the world, two places so wide apart as Perth and the Goldfields would probably be under different nations. Laws, regulations and Governments would be entirely different and, here, of course the climatic conditions are very different.

The people of the Goldfields are entirely different in character from those of the metropolitan area. Members who have been to the Goldfields will have noticed immediately that the people there are different and there is a good reason for it. Their life is different; their mode of living is different; climatic conditions and everything else are different, and we believe that the laws on the Goldfields should be different from those applying in the metropolitan area. Members have heard from time to time that the Goldfields have been given a name that they do not deserve for a high percentage of delinquency, drunkenness and so forth.

Hon. C. W. D. Barker: Surely that is not so!

Hon. J. M. A. CUNNINGHAM: That has been said time and time again, and it is entirely wrong. Government figures prove the inaccuracy of the statement. I have before me an extract from the statistics for 1951 showing that the cases of drunkenness in Kalgoorlie were 1 in 60 of the population, which is 21,500, whereas in the metropolitan area the number was 1 in 46, and that would mean a considerable number of cases in the aggregate. In some Goldfields districts, the proportion was as low as 1 in 487. We consider that in the case in question, this small amendment should be accepted. This is an institution that has been set up to cater in the best environment for a respectable section of the Goldfields community. Do not get the idea that because this is an Italian place, it is frequented only by the Italian population. It is patronised, I might say, by the best people in Kalgoorlie.

Hon. A. R. Jones: Do you go there?

Hon. J. M. A. CUNNINGHAM: Yes, and I have had very good service—better than I have received in Perth. No one can speak too highly of this place. Also it constitutes an actual community centre for a large group of people. It is not just a drinking place but a community centre for some people who work hard under trying circumstances. I would like to see every wine saloon conducted as this one is, because then we would be able to hold our heads high as being the State with the best drinking laws in the Commonwealth. I commend the Bill to members because I believe it is a step forward. This is something we want to see rather than people having to go across the road to what has been referred to as a trough where they can swill to their hearts' content; and when they do that they must leave their womenfolk behind. I support the Bill.

HON. G. BENNETTS (South-East) [8.32]: On Sunday last a deputation of two of these people came to my place in connection with this matter. I have known this particular saloon for many years. It is one of the best conducted establishments on the Goldfields. It is equal to any hotel. The accommodation is outstanding, and it caters for a section of the people who prefer to be in their own surroundings. If the place is to be closed these people will have to go to the hotel over the road, and will then mix with our sec-

tion of people. They will then drink beer, or they may still drink wine, but they prefer wine as it is part of their food.

Hon. F. R. H. Lavery: It is their standard drink.

Hon. G. BENNETTS: That is so. There is a community of these people at the lime kiln on the Trans line, and they get 36 gallons of wine a week. I know this because I consigned it over a period of years. They drink it in water, and they drink it just as we would drink water. I do not know that the other two wine saloons would bother about opening because they are different altogether. Under the Bill they would have the right to do so but I think I can guarantee they would not. I am glad Mr. Heenan has brought the amendment forward. The proprietor of this establishment is a good type of young man who conducts himself well. The House would be doing a great service by voting for the amendment. I support the Bill.

HON. W. R. HALL (North-East) [8.35]: I support the Bill. As the previous speakers have said, this place is well conducted. It caters for the Italian community to a large extent, and has done so for a very long time. It is quite true that a large number of Italians are domiciled there. In addition, many come in from the Lakewood woodline, and some from the far outback places such as Gwalia, on the week-ends. There is no wine license, as far as I am aware, in Leonora or Gwalia. This establishment seems to be warranted. The other two holders of wine licenses may not avail themselves of the privilege extended by the Bill, if it is passed. They never have catered for the augmented service because they have not the necessary accommodation.

They are just the same sort of wine saloons as we see in the metropolitan area, but the Kalgoorlie wine saloon has had the name it enjoys for a number of years. It has provided accommodation and meals both for the Italians and for the Australians and Britishers who go there. The Italian fraternity are almost invariably wine drinkers. For this reason they seem to congregate together so that they can enjoy themselves by drinking the various beverages they fancy. If they want to indulge in ale, they have only to walk across Hannan-st.—no more than 50 yards—and a hotel is at their disposal. This is not the point, however, because they are practically all wine drinkers and are well catered for by this particular saloon where they seem to be very happy.

I was surprised to learn from Mr. Heenan that the privilege which has been enjoyed there for so many years was to be taken away last Sunday. The saloon provides an opportunity for these people to have a convivial few hours together. Having regard to the number of years that the saloon has been in existence, I think it is really necessary. It conforms to the provisions of the Licensing Act in every other respect. I have much pleasure in supporting the Bill.

HON. J. G. HISLOP (Metropolitan) [8.38]: My name has been raised in the debate, so I had better declare myself. I intend to vote for the Bill, although I am not happy about Australian wine licenses or the actual wine-shop conditions. I have been to the place under discussion, and I would approve of it as coming within the scope of what I mean by a drinking-place. I would give to any restaurant that could produce a certificate of sound conduct, from the Commissioner of Police, and a certificate of sanitation from the Commissioner of Public Health, a license to serve alcoholic liquors at meal-times or whilst meals are being served.

Hon. L. Craig: The Bill has nothing to do with that. It refers to the whole State.

Hon. J. G. HISLOP: The Bill refers to the one place, and I would give it the right, provided it served meals, to serve wines also. I realise that the Bill will apply to the whole State, although, I believe, the metropolitan area will be exempt from it. I feel that wine saloons outside the metropolitan area come under a different heading of behaviour from those within the metropolitan area, and their relationship to the community is different. Therefore I am not unhappy about the measure. If it included the metropolitan area I would be loath to pass it.

The real safeguard would be to include the words "whilst meals are being served" or something of the sort, so that we could be certain that these places would be licensed only while meals were being served. I can see dangers and difficulties in the Bill, but we cannot attempt to make a law to prevent the new Australians from carrying out their national customs at all times. I do not see why these men should be forced to drink beer in a hotel. If they did that they would have to leave their wives outside and join them later in a restaurant, which had been deprived of its privilege of selling wine.

If there is any way of getting over the difficulty I shall be only too happy to agree with it. I think it would be quite sound to give this particular place a license to remain open on Sundays, but I am fearful of allowing an extension of that description to wine-shops in general, and especially in the metropolitan area.

HON. R. J. BOYLEN (South-East) [8.43]: I support the measure. It was probably an oversight that it was not included in the Bill which we considered last year. It was only last week-end that

the wine saloons on the Goldfields did not open—probably because they did not know that the Act did not apply to them. Last week they were given instructions that they were not permitted to open. A few people approached me to see whether anything could be done. I support the Bill which provides that wine saloons shall be included in the Act.

On the Goldfields the licensing hours are from half-past 10 to half-past 12. At present there are three wine saloons on the Goldfields—two in Kalgoorlie and one in Boulder—and they have taken advantage of the licensing hours which now operate. It is a good idea that these hours should apply to the wine saloons. There are many new Australians in these areas, and many of them take advantage of having whatever light refreshment they want, irrespective of whether it is at the week-end or any other time, and for their refreshment they go to the wine saloons. The hotels serve mainly beer, and some new Australians drink beer there, but they are accustomed to having wine during meal times, and they go to the wine saloons for it.

Hon. J. McI. Thomson: They could have wine in hotels, could they not?

Hon. R. J. BOYLEN: Yes, there is nothing to stop them from having it.

Hon. J. M. A. Cunningham: But the environment is different.

Hon. R. J. BOYLEN: Yes, it is the environment that entices these people into wine saloons. People usually partake of beer in hotels and in wine saloons these new Australians have wine and feel that they are among friends. Personally, I think it is a good idea because it makes these people associate with each other. I am not an advocate of their being by themselves all the time, because they should associate with their fellow-Australians, and in a wine saloon they are given a chance to mix with one another. Consequently, I think such places should be given the privilege of opening on Sunday.

I support the Bill because I do not think the licensing hours, as far as hotels are concerned, are particularly applicable to new Australians and they should be given the privilege of being able to go into wine saloons in the same way as they can go into hotels. Wine is rarely drunk in hotels and the privilege of opening on Sundays should be extended to wine saloons, so that people can partake of wine in the same way as others can partake of beer. I think that when the amendment to the Licensing Act was before the House last year, this alteration was omitted through an oversight, and this Bill will remedy the position. I have been told that it was not an inadvertence that Australian wine saloons were not included in the Act, but I think they should be given the same consideration as hotels. I support the Bill.

HON. C. W. D. BARKER (North) [8.48]: I rise to support the Bill. I think that in this case we have a special set of circumstances which do not exist anywhere else in the State. This amendment will cover all wine saloons outside the metropolitan area, and I should say there would not be more than half-a-dozen affected.

Hon. L. Craig: Why do you say that?

Hon. C. W. D. BARKER: Because I think that is all that will be affected.

Hon. L. Craig: But do you know?

Hon. C. W. D. BARKER: There are one or two at Kalgoorlie, one at Bunbury and, I should say, one at Albany.

Hon. L. Craig: Is there one at Geraldton?

Hon. C. W. D. BARKER: No. It is a wine and beer license at Geraldton. That is altogether different.

Hon. L. Craig: What about Manjimup?

The Minister for Agriculture: There is one licensed at Manjimup.

Hon. C. W. D. BARKER: That would make up the half-dozen.

Hon. N. E. Baxter: Is there one at Toodyay?

Hon. C. W. D. BARKER: I should say there are about half-a-dozen at the outside. But the principal point is that these naturalised Australians have found that these wine saloons have been closed to them on Sundays. That is not right or fair and I cannot see why wine saloons were not covered. What is sauce for the goose is sauce for the gander, and if we are to allow our own people to have a drink on Sunday, new Australians who, after all, are our own people, should not be deprived of having a drink in a wine saloon. They are used to going to such places, and why should they be prevented from enjoying that privilege when other people can go to hotels? The sponsor of the Bill assures us that food and accommodation are supplied, and it cannot be compared with anything else in Kalgoorlie. These people are entitled to the same freedom that is enjoyed by the rest of the community, and I support the measure.

The Minister for Agriculture: If you do not talk too long, I will support you, because I represent the grapegrowers and wine-makers.

HON. L. A. LOGAN (Midland) [8.50]: I support the Bill and, in Committee, I intend to ask Mr. Heenan for permission to move a small amendment. Like Dr. Hislop, I am not very happy about wine saloons, but I can see from the evidence given by Goldfields members that there is a set of circumstances up there that needs adjustment. As there is another place in the State where an adjustment is necesssary, I intend to move a small

amendment, and, as everything pertinent has been said, I shall content myself with supporting the second reading.

HON. J. McI. THOMSON (South) [8.51]: I rise to support the Bill, but would like to qualify a statement made by Mr. Barker. There is no wine saloon at Albany.

Hon. C. W. D. Barker: I did not say there was; I said there might be.

Hon. J. McI. THOMSON: I understood the hon. member to say that there was a wine saloon at Albany.

Hon. C. W. D. Barker: I said there might be.

HON. E. M. HEENAN (North-East—in reply) [8.52]: I do not propose to take up much time in replying to the debate, except to thank those members who have spoken in support of the measure. I want to make it clear that the special purpose of bringing forward this measure is to meet a set of circumstances which exists in Kalgoorlie. But I do not want to disguise the fact that the measure will apply to the whole State outside a radius of 20 miles from the metropolitan area.

The Minister for Agriculture: There is no case pending before the court over this, is there?

Hon. E. M. HEENAN: No. I think Mr. Barker's estimate of half-a-dozen Australian wine licenses would not be far off the mark. It must be borne in mind that, although the term "wine saloon" has an unsavoury sound, there are good and bad wine saloons, just as there are good and bad hotels. We have heard the unsavoury name of "bloodhouse" applied to certain hotels that stoop to low practices. But there is nothing inherently wrong with the wine saloon. These establishments specialise in selling wine; they have a larger variety of wines and I think they give a larger measure than do hotels.

Hon. W. R. Hall: Since the price of beer has gone up, they have a larger clientele.

Hon. E. M. HEENAN: Some people prefer wine to beer or whisky and, as we have a healthy wine industry in Australia, I subscribe to Dr. Hislop's view that the consumption of wine could be encouraged without any deleterious effect on the community. But it should be sold in good surroundings and the evil reputation that saloons have should be wiped out. If this measure is passed, the consumers of wine who have never had any differentiation made against them in the matter of hours in the past, will be put back in the position they have always enjoyed.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. A. Dimmitt in the Chair; Hon. E. M. Heenan in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Amendment of Section 122:

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

> That in line 3 of paragraph (b) before the word "or" the words "an Australian wine and beer license" be inserted.

My reason for putting these words before the amendment Mr. Heenan has included in the clause is because that is how they appear in the definition in the parent Act. This amendment will apply to only one premises in Western Australia that is outside the Act at the moment. I think it was left out last year through an oversight. The Licensing Court has granted a license and I do not see why the premises should not be open on Sundays in the same way as hotels.

Hon. L. Craig: Does it provide accommodation?

Hon. L. A. LOGAN: No, but who are we to say it should provide accommodation if the court is prepared to give it a license? This is the Murchison Inn, and the only other comparable place is the Alhambra Bars in Perth, and that does not come within the scope of the Bill. A number of hotelkeepers in the Geraldton district are not too happy about it, because they say they have spent a lot of money on additions, etc., but if the Licensing Court is prepared to grant a license for the Inn to remain open in the same way as hotels during the rest of the week, why should it not receive the same consideration on Sundays?

Hon. C. W. D. BARKER: I support the amendment. I know the Murchison Inn very well. There has been so much said in glowing terms of a certain wine saloon in Kalgoorlie that I do not think we can say too much in favour of the Murchison Inn. It has been trading for 50 years in Geraldton and that should be sufficient qualification. During the week in Geraldton several customers have enjoyed dealing with the Murchison Inn but on Sunday they have to walk down to one of the other hotels.

Hon. L. CRAIG: The Bill has received a much better reception than I thought it would in this Chamber. A wine saloon is quite different from a wine and beer saloon. The wine saloon is a direct competitor of hotels and the Licensing Court is most definite about adequate accommodation being provided. It will not allow the accommodation in the smallest hotels to be occupied by the owner and his staff. Quite recently some hotelkeepers have been told that they must supply more sleeping accommodation otherwise they will lose their licenses. This amendment will kill the Bill. When it gets to another place my guess is that it will be thrown out because there is tremendous opposition from

licensed premises, from hotels which have to keep staff and provide accommodation, meals and all the rest. Now we propose to give a license to a competitor in the beer and wine lines to sell those commodities on Sundays.

Hon. L. A. Logan: They get it all the week.

Hon. L. CRAIG: Yes, but it is extending a concession to the competitor of the hotels. Drinkers of wine are mainly not drinkers of beer. That is why I believe a concession has been given to a community which is not Australian so that those constituting it may have the right to drink on Sundays—but this will be thrown out.

Hon. H. C. Strickland: You are guessing.

Hon. L. CRAIG: These people are to be given the same privilege as that at present enjoyed by hotels.

Hon. H. C. Strickland: What about clubs?

Hon. L. CRAIG: They are available only to people staying there. In the club to which I belong, unless one is a member one will not get a drink.

Hon. H. C. Strickland: What about Kalgoorlie?

Hon. L. CRAIG: I warn the mover of the Bill that if he includes beer under a wine license to get special privileges not enjoyed in the past—and he has been dealing with a wine saloon, that has had this privilege in the past and wants to retain it—I think the Bill will be thrown out when it reaches another place.

The MINISTER FOR AGRICULTURE: I cannot agree with Mr. Craig. All hotels that sell beer, wines and spirits are open for a certain period on Sundays. This Bill, which I support, is giving authority to wine saloons in Western Australia to sell wines on Sundays. There might be a man and his wife who want to drink on a Sunday. He would have to take his wife to a wineshop and go to a hotel himself to have a glass of beer. As there is only one license like this outside the metropolitan area, why not extend that privilege to the premises concerned? It is no different from the ordinary country clubs because there are no residential qualifications attached to them. One can go to any country town and one will get a drink at the times the hotels are open. I think Mr. Craig is adopting a threatening attitude. I depend upon members in another place to exercise commonsense. These people should have the right to go into hotels and have a drink of light wine. I want to encourage the consumption of light wine, of which more is being drunk today.

Hon. H. C. STRICKLAND: I support the amendment. I cannot see any logic in debarring one hotelkeeper from trading for two hours on Sunday in one particular town as against all the other hotelkeepers for the simple reason that they provide for boarders. When we amended the original Act, I think the idea was to provide people who desire to have a drink on Sundays with limited time in which to do so. It was not the intention that they should go and stay at the place and book in. I think the intention was to see that people outside the metropolitan area could drink on a Sunday.

That was to bring conditions into conformity and to avoid the case of one hotelkeeper who was trading under the lap all day long while the other man was trying to do the decent thing and get his customers a drink before a meal. The boarders in a hotel can get a drink any time on the premises. They do not come into it at all. This place has its own particular customers, as does any other hotel in the town. Why those particular people should have to go to another hotel on a Sunday is beyond me; it does not make sense. When the amendment was made to the Act, it was merely to provide a drink and had nothing to do with accommodation at all.

Hon. E. M. HEENAN: I think Mr. Strickland has put the case very well and it will be difficult to answer. For the reasons he has put forward and those I submitted I cannot oppose the amendment. I am not unmindful of the fact that an effort has been made in another place to deal with that particular situation and it ended in dismal failure.

Hon. L. Craig: That is what I was trying to point out.

Hon. E. M. HEENAN: I hope we are not adding the extra straw that will ruin this Bill. As has been pointed out, Parliament decided that people outside the 20-mile radius of the city should be allowed a drink during certain hours on Sunday. If we adopt that principle, we must bestow the same privilege on the drinkers of wine as that given to the drinkers of beer and spirits. There is only one such license in Geraldton, and I hope we are not doing something which will spoil the Bill.

Hon. L. A. LOGAN: I hope my amendment will not have the effect suggested by Mr. Craig. If I thought it would, I would ask leave to withdraw it. The Bill has received the sanction of this Chamber and, as Mr. Heenan seems quite happy about the amendment, I will leave it to the Committee to decide.

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

Title—agreed to.

Bill reported with an amendment and the report adopted.

BILL—BRANDS ACT AMENDMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to the Council's amendments.

BILL—LOAN, £19,627,000.

Received from the Assembly and read a first time.

BILL—STAMP ACT AMENDMENT (No. 2).

Second Reading.

Resumed from an earlier stage of the sitting.

Point of Order.

The President: When the Order of the Day was adjourned, my decision had been requested by Mr. Fraser on a point of order, on the question of whether I considered the Bill was in order. Before I give my decision, seeing that the matter has also been raised by Mr. Parker in further discussion of the point, I propose to give an opportunity to any member who considers the Bill is not in order, to give his reasons.

Hon. G. Fraser: I am very pleased, Mr. President, that you have adopted this attitude because I think it is really better that it should be discussed by the House before a decision is arrived at. In asking for your ruling, I did so because it is stretching the imagination too far altogether to justify what is a winning bets tax being brought under the heading of stamp duty.

When I read the definition of the word "stamp" in the Stamp Act and then deal with the provisions in the Bill, I think members will require very vivid imaginations to enable them to agree to the Bill being regarded as an amendment of the Stamp Act. In that Act the definition of "stamp" is as follows:—

> "Stamp" means as well a stamp impressed by means of a die as an adhesive stamp for denoting any duty, fine or fee.

Then we also find the following:—

> "Stamped" with reference to instruments and paper applies as well to instruments and paper impressed with stamps by means of a die as to instruments and paper having adhesive stamps affixed thereto.

The Bill deals with a winning bets tax and there is also provision, as members know, for a tax on betting tickets. If a man goes to a racecourse and bets with a bookmaker, when he makes the bet he is handed a card with a stamp impressed on it.

If we turn to the Bill we find that under it certain persons are brought into the collection of the tax. First of all, the bookmaker is under an obligation to make a deduction of so much according to the value of the ticket. Further on—I shall not quote the clauses but merely refer to their contents—we find that within a certain period stipulated by way of a regulation, the bookmaker has to pay the amount in respect of the ticket to the club or the person conducting the race meeting.

Within another certain period the club or the person receiving the amount from the bookmaker within a specified time, has to remit to the Commissioner the amount set aside, which is quite apart from the amount that may be retained by the club or the person conducting the meeting. That is the only reference in the Bill to the amount of money collected. At no stage of the proceedings is any stamp impressed. It is definitely a tax pure and simple.

Hon. L. Craig: It is neither pure nor simple.

Hon. G. Fraser: We shall find out about that later on. It definitely is a tax and surely cannot be linked up with the Stamp Act. Without going into the merits or demerits of the Bill, I claim it is out of order, and I hope the House will rule that way. I hope members will discuss the matter not from the standpoint of the merits of the Bill but from the consideration of the point I have raised.

Hon. H. K. Watson: I do not know whether it is the Christmas spirit, but I find myself in accord with Mr. Fraser!

Hon. G. Fraser: It must be that.

Hon. H. K. Watson: In my view, the Bill is not one that relates entirely to the Stamp Act under which stamps must be affixed to a document. The mere fact that one of the documents mentioned in the Stamp Act happens to be a betting ticket furnishes no reason, in my opinion, why this extensive machinery for the collection of the betting tax should in any way be incorporated in the Stamp Act. The Bill for the imposition of a tax on winning bets is clearly what it declares itself to be. It is not a stamp duty but merely a betting ticket tax collected by bookmakers. It is a straight out tax and in no way can be regarded in other than the same light as income tax or land tax. It is a tax on winning bets, to be paid over in hard cash or by cheque to an officer of the Crown at stated periods.

The fact that the officer of the Crown in this instance happens to be not the Commissioner of Taxation but the Commissioner of Stamps is still, in my humble opinion, no reason at all why the machinery provisions relating to the tax on winning bets should be included in the Stamp Act. We have on the statute book the Death Duties (Taxing) Act, the

amount payable under which is also paid to the Commissioner of Stamps. I suggest that the Stamp Act would be a pretty sorry picture if the machinery provisions for the collection of death duties were included in it as well. But there is a special section of the Administration (Probate and Administration) Act which relates to death duties.

It seems to me that the tax on winning bets is something that has many special characteristics of its own and that it should be covered by a betting tax assessment Act just as we have the Income Tax Act and Income Tax Assessment Act, a Land Tax Act and a Land Tax Assessment Act. That is the only way of providing machinery for the collection of the betting tax. Certainly it should not be provided for in a wholly inappropriate Act such as the Stamp Act. It is true that the Act provides for a duty on betting tickets, but also provides for a stamp duty payable on bills of exchange.

Is it to be argued that because the Stamp Act provides for a duty on bills of exchange, the whole of the law relating to bills of exchange should be included in the Stamp Act? Similarly there is no reason why the tax on winning bets should be included in the Stamp Act, particularly as in this instance the whole of the tax collected does not go to the Commissioner of Stamps because a large proportion of it is retained by the racing club itself. It is only a matter of commonsense and certainly it would make for the convenience of the general public that matters relating to the tax on winning bets should be found in a Bill dealing with the tax on winning bets and should find no place in the Stamp Act.

The Minister for Transport: We have heard the opinion of three members regarding the propriety of the introduction of the Bill. Two were lay members and the other a legal man. The legal member, if I remember rightly, two years ago wanted to introduce an amendment to the Housing Act whereas it should more properly have been provided for in the Municipal Corporations Act.

Hon. H. S. W. Parker: I still think I was right.

The Minister for Transport: On that occasion the proposal was ruled out of order. At that stage the hon. member was not preparad to concede the point that the Bill was proper, whereas at the moment he appears to be very finnicky about the propriety of dealing with this matter under the Stamp Act. As I pointed out, stamp duty and tax are two terms that really mean one and the same thing. The crux of the matter is to be found in the final four words of the long Title—"and for other relative purposes."

The point relating to this measure, which is now pronounced by laymen to be out of order, was raised by the Acting Under Treasurer and referred by the Premier to the Solicitor General, who ruled that it was properly within the compass of the Stamp Act. That is why the Bill was submitted to Parliament in its present form. The Solicitor General is the Government's highest legal authority on points of procedure, and I can assure members that that officer's views were sought and given due consideration before the Bill was submitted in another place.

Hon. G. Fraser: They all make mistakes.

The Minister for Transport: At any rate, the Solicitor General is our auththority. It was his opinion we sought, and that is what we stand by. Undoubtedly the subject matter of the Bill is related to the provisions with regard to betting tickets that appear in Sections 105 to 108 of the Stamp Act.

Hon. G. Fraser: That is a different item. That tax is already paid when the person makes his bet.

The Minister for Transport: It could be, as a matter of procedure, actually done by an officer of the department embossing the tickets or forms or whatever might be provided. It is a matter of machinery. There is no physical difficulty.

Hon. G. Fraser: He would have a job!

The Minister for Transport: The question of stamp duty on cheques is also part and parcel of the Stamp Act. Members will recall that last year we passed a Bill obviating the necessity for each cheque being embossed. While the provision is in the Stamp Act, actually the stamps do not appear on the cheques paid. I can only say that the Solicitor General has given his ruling that, on the points raised, the Bill is in order as being an amendment to the Stamp Act.

The Minister for Agriculture: I want to draw attention to the fact that Section 104 of the Stamp Act deals with betting tickets and it says that stamp duties on betting tickets shall be chargeable upon all betting tickets issued by a bookmaker. This Bill provides for something similar, except that for any bet under 5s. there will be no tax.

Hon. H. S. W. Parker: Pardon me, yes. A winning bet of 10s.

The Minister for Agriculture: Every winning ticket over that, whether the bet is on the nod or not, will be taxed. Because of the confusion that would otherwise be caused, it is much better to have the whole situation controlled under one Act. We already control one portion now—the betting tickets themselves—by having them stamped and issued to the bookmakers. The interpretation of "bet" is that it "includes wager and 'betting' includes wagering". The interpretation of "betting ticket" is that it—

means and includes any document or thing purporting to be or serving the purpose of or usually or commonly known as a betting ticket or giving or purporting to give or intended to give or usually or commonly understood to give any right, title, chance, share, interest, authority or permission to or in connection with a bet.

That interpretation is so well set out that it can have a great application to the Bill now before the House.

Hon. G. Fraser: As far apart as the poles! The bookmaker pays his tax when he buys his betting tickets.

The Minister for Agriculture: How can he pay before he wins? It is foolish for the hon. member to suggest that the bookmaker will assume what he will collect on behalf of the Government from the men who win sums of money over 5s. He could not do it. The simplest way is that at the end of the day he will total the amount paid out in winning bets and pay the tax over to the officer receiving it and the probability is that the officer will give him a receipt with a stamp on it. That will bring it under the Stamp Act.

Hon. H. S. W. Parker: I presume you mean a rubber stamp!

The Minister for Agriculture: Not necessarily. It may be an embossed stamp. The bookmaker has to do the collecting, but he does not issue a stamp for Brown or Smith. The whole of the amounts are totalled up and he gets a receipt for the tax with a stamp on it. There is already provision in the Stamp Act for betting tickets and if we are to have a separate measure, in this connection, there will be confusion as to which Act it comes under—the Winning Bets Tax Act or the Stamp Act. The hon. member was here when the Stamp Act was passed with relation to betting tickets. Why did he not object then?

Hon. G. Fraser: I did.

The Minister for Agriculture: The hon. member was not as highly educated in these legal matters then. I have pointed out that at the end of the day the whole amount will be totalled up and paid over to the receiving officer who will issue a stamped receipt.

Hon. H. S. W. Parker: He hands over only half. He hands it to the club and the club hands over half.

The Minister for Agriculture: It does not matter. The Act authorises him to distribute it. The hon. member is trying to confuse me and I refuse to be confused.

Hon. G. Fraser: You have been confused all along.

Hon. H. S. W. Parker: You mean, confuse you more!

The Minister for Agriculture: He does not hand over half. An amount of 20 per cent. will be handed over to the club and half of that is to be used for increasing stakes and the other half for any other purpose.

Hon. H. S. W. Parker: You are right. It is 20 per cent.

Hon. F. R. H. Lavery: Government departments do not stamp receipts.

The Minister for Agriculture: It does not matter how he disposes of the money. He is the collector. There is no doubt about that; and he can collect the money under the Stamp Act or another Act if the House gives him authority to do so. This assessment Act is to give the bookmaker authority and power and imposes upon him the obligation to collect all the tax set out in the taxing measure. On those grounds, Mr. President, I contend you have a right to rule the Bill in order.

Hon. H. C. Strickland: I see no relationship between this Bill and the Stamp Assessor. I cannot see where he comes into it at all.

Hon. G. Fraser: He is never mentioned.

Hon. H. C. Strickland: There is no mention in this Bill of where any person will impress a stamp or give a receipt or issue a duty stamp of any kind. As a matter of fact, the stamp is not mentioned except in the long Title and in two or three places in the Bill. As far as I can see, the Bill is quite in order because it makes the procedure obligatory. It says that the bookmaker shall make deductions and shall pay these amounts within a certain time and that he shall do all these things. But nowhere does it say that he shall be issued with a receipt of any kind. I have read the measure from one end to the other, and I do not see where the issue of a stamp or receipt comes into it in any provision at all.

The President: I wish to refer to a Bill that was introduced in this House, partly discussed and then suspended, while these two Bills were brought forward to take its place. If it had not been suspended, I would most certainly have decided that it was out of order for a very important reason. It provided first of all, for the imposition of a tax and, secondly, it contained machinery for the collection of the tax. If members refer to the Constitution Act, they will see that it was a contradiction of the Act, which says that if a Bill imposes a tax and contains other matters, the other matters shall be of no effect. A very important principle is involved.

This House cannot amend a tax Act. It can amend, and has on occasions amended, an assessment Act. It is very important, because this House must have the power to take any action it desires on assessment Acts. Of the two measures which have been brought before us tonight, one

is simply a taxing measure and it is one that we cannot amend; we must accept or reject it. The Bill under discussion now may be defined as an assessment measure. It defines the machinery and methods whereby this tax shall be imposed and collected. If members will refer to the Stamp Act they will see that it covers very many activities and many important documents. It provides for the imposition of stamps on many documents, even so far as to the imposition of stamps in connection with salaries.

Under those circumstances it will be seen that there is a distinct relationship between it and this Bill, which seeks to make use of the machinery under the Stamp Act in order to collect the tax imposed on winning bets. Under those circumstances, and also because, as the Leader of the House has pointed out, the Stamp Act is one "to amend and consolidate the law relating to Stamp Duties upon Instruments and to impose certain Stamp Duties, and for other relative purposes" I contend that this Bill comes within the "relative purposes" for which the Stamp Act has provided. The Stamp Act and this measure are simply the machinery whereby the winning bets tax is to be imposed and collected. For that reason I give my ruling that the Bill is in order.

Dissent from President's Ruling.

Hon. G. Fraser: In order to get a decision from the House, I move—

> That the House dissent from the President's ruling.

I cannot understand many parts of the ruling. How it is possible to link up a tax as being a "relative purpose" under the provisions of the Stamp Act is beyond me. I shall not go into the pros and cons of the debate prior to your delivering your ruling, Mr. President, except to say that the Minister for Agriculture was stretching the thing a long way when he tried to link up betting tickets with a winning bets tax.

As to Consideration of Dissent.

Hon. J. A. Dimmitt: On a point of order, Mr. President, I would call attention to Standing Order No. 405, which states—

> If any objection be taken to the ruling or decision of the President, such objection shall be taken at once, and in writing, and Motion made, which, if seconded, shall be proposed to the Council, and Debate thereon forthwith adjourned to the next sitting day, unless the matter requires immediate determination.

In those circumstances I do not think Mr. Fraser is free to debate the question at this stage.

The President: The hon. member must proceed to state his objection in writing.

Hon. G. Fraser: I shall do so, Mr. President.

The President: The hon. member has moved that the President's ruling be disagreed with. The question may now be deferred or, if it is desired, it may be determined immediately.

The Minister for Transport: I move—

> That the matter be decided immediately.

Motion put and passed.

Dissent Resumed.

Hon. G. Fraser: I was aware of Standing Order No. 405, but the only way in which I could bring the matter to the attention of the House was to rise, expecting someone to raise the point and give me an opportunity of putting my objection in writing. Fortunately, Mr. Dimmitt obliged. I will not go over ground already covered and I think the House has made up its mind as to how it will vote on this question.

I am not dealing with the contents of the Bill and will not at this stage say whether I will support or oppose it. What I have in mind is that the proper procedure is not being followed and that is the point I desire members to consider. We have endeavoured to thrash out many points that we thought had to do with the question and a lot of matter has been brought into the debate. The Minister for Agriculture tried to say that betting tickets and a winning bets tax are similar, but they are as far apart as the poles. When the Minister makes a bet he is handed a ticket with a stamp branded on it.

The Minister for Agriculture: Not if I nod.

Hon. G. Fraser: I am speaking of the average racegoer who must produce his cash, in return for which he is handed a ticket with a stamp printed on it. Those tickets are bought by the bookmaker before going to the course and the tax is paid on them.

Hon. L. Craig: That is the ordinary stamp.

Hon. G. Fraser: I am speaking of a betting ticket, under the Stamp Act, and that is in order under the Stamp Act because it is a stamp and is paid for before the ticket is issued.

Hon. L. Craig: A duty and a levy are relevant matters in connection with this Bill.

Hon. G. Fraser: I do not think so. One could say that any tax is a stamp duty matter.

Hon. L. Craig: A duty is a tax.

Hon. G. Fraser: Then why not bring in all taxes under the Stamp Act? The definition that accompanies this is sufficient to say that it is not a stamp duty. We would not need a tax Bill, for the majority of matters that come under the Stamp Act, but we do need it for a tax and for an assessment Bill, and that is what these two Bills are. It is impossible to link an assessment and a tax Act up with the Stamp. Act. I will leave it to the House to decide the matter as I do not think it should be your responsibility, Mr. President.

The Minister for Transport: I ask members to view this motion with a sense of responsibility. As the President has rightly indicated, when the matter arose out of what would have been a query in regard to the validity of the original Bill, which covered the matters now before us, the Government decided that a point was presented which might have been upheld and so it has put forward the matter in the form of two Bills and I take it that the propriety of that course, in principle, is not disputed. The Government also consulted the Solicitor General, our highest legal authority, as to the validity of the Bills, as presented, and it was on his advice and recommendation that they were brought down in their present form. I can understand the attitude of the Leader of the Opposition in this Chamber, because it is his duty to oppose the Bills—

Hon. G. Fraser: There is no Opposition here.

The Minister for Transport: Did not Mr. Fraser suggest that an earlier Bill should be dealt with at the next sitting of the House, when there was a possibility that there would not be a next sitting?

Hon. G. Fraser: The Minister mentioned the Leader of the Opposition, but there is no Opposition here.

The Minister for Transport: I think the House understood what I had in mind. It is the duty of Government supporters in this House to see that the intention of the Government is not frustrated.

Hon. G. Fraser: Whether right or wrong?

The Minister for Transport: It is right, because the Solicitor General ruled it to be right. He has stated unequivocally that it is right and under those circumstances I ask members not to waste time, but to try to settle this matter and allow the Bills to proceed, in accordance with the best legal advice that we could get.

Hon. H. S. W. Parker: With all due deference to your ruling, Mr. President, I fear that you have received advice that was not as sound as it might have been. I have not raised this question merely to see the Bill defeated, but to prevent this from being a precedent. As has been pointed out, if that be so, members need not worry about any tax assessment Act in future, because all such things could come under the Stamp Act.

The Minister for Transport: If they are relevant.

Hon. H. S. W. Parker: I cannot understand the argument. The wording is, "and for other relevant purposes," and if that is so, why is it necessary to insert the words "and payments" in the Title? It is suggested that those words bring the measure within the ambit of the Stamp Act, but I say they can refer only to stamp duties and no one would suggest that this is a stamp duty.

I am satisfied that this is not relevant to the Title of the Act as it stands or as it would be if amended in the way suggested. The Minister said that members should not take any notice of what I said because on a previous occasion I suggested that a certain Bill should be amended. The reason why he received that opinion was that the wrong proposition was put to the officer concerned. The opinion I expressed was right then and it is right now, but I would like to know what was said to the Solicitor General. If it is in writing we will know and we will know what the reply was, and the reasons for it. The mere fact that the Crown Solicitor says a thing is right does not postulate that he was given the facts. His attention may not have been drawn to certain matters.

The Minister for Transport: Do you think that a Bill when withdrawn and resubmitted would not be fully submitted to the Crown Solicitor?

Hon. H. S. W. Parker: It might be, but it was submitted on one point only and that is why the Government has brought down two Bills. I was pleased to see a measure brought down and called a Winning Bets Tax Bill and I expected to see also a Bill for Winning Bets Tax Assessment Act, which I would have supported. I will not support this measure because it will make for all sorts of confusion. In 1950 it was necessary to bring in an amendment of the Constitution Act to validate certain Bills that had been passed by both Houses of Parliament and which had become Acts, but which were invalid, and we had the same Solicitor General then. Like anyone else, he can make mistakes. If we allow your ruling to stand, Mr. President, we will be creating a dangerous precedent.

Hon. C. W. D. Barker: For once I agree with everything you have said.

Hon. J. G. Hislop: I have been astonished at what has been put forward during this debate. My mind has been made up mainly by what has been said by the two Ministers and as we go along I am becoming more and more convinced that the Bill is not in its place within the Stamp Act. I regret that while the Minister asks us to view this matter seriously he says he expects the Leader of the Opposition to oppose it and that we should not express

our judgment on it, but accept that of Cabinet and the other people that Cabinet has consulted.

Hon. G. Fraser: Notwithstanding that I am one of its greatest supporters!

Hon. J. G. Hislop: That is an astonishing attitude to adopt. It is one that is being adopted in an increasing manner in the last few years. I view this question very seriously indeed. There should be no slipshod passing of legislation and the Bill should be introduced in a proper manner. My interpretation as a layman of a Bill to impose a tax such as this is that a stamp should be affixed as provided under the Stamp Act. It either must be produced directly or a document presented at the Stamp Office to be franked. A stamp must be affixed to the value of the tax.

The Minister for Agriculture: That does not apply to cheque forms today.

Hon. J. G. Hislop: It still applies under the word "relative." That word means all that has gone before and can mean nothing beyond that to which the original Act refers. Nowhere in the Bill is it provided that the amount of tax shall be paid by means of a stamp affixed by anyone. The bookmaker will pay a lump sum to the racecourse officials. They are not charged with affixing stamps to the value of the tax, nor is the bookmaker, and the mere fact that he will stamp a receipt for money received is stretching the point beyond all reason. If I vote against your ruling, Sir, it is not that I have any personal feeling in the matter, but I have a very deep sense of responsibility for the authority of this House.

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

Ayes	13
Noes	16
Majority against	3

Ayes.

Hon. C. W. D. Barker	Hon. E. M. Heenan
Hon. N. E. Baxter	Hon. J. G. Hislop
Hon. G. Bennetts	Hon. F. R. H. Lavery
Hon. R. J. Boylen	Hon. H. C. Strickland
Hon. E. M. Davies	Hon. H. K. Watson
Hon. G. Fraser	Hon. H. S. W. Parker
Hon. W. R. Hall	*(Teller.)*

Noes.

Hon. L. Craig	Hon. Sir Chas. Latham
Hon. J. Cunningham	Hon. L. A. Logan
Hon. J. A. Dimmitt	Hon. A. L. Loton
Hon. L. C. Diver	Hon. J. Murray
Hon. Sir Frank Gibson	Hon. H. L. Roche
Hon. H. Hearn	Hon. J. McI. Thomson
Hon. C. H. Henning	Hon. F. R. Welsh
Hon. A. R. Jones	Hon. C. H. Simpson
	(Teller.)

Question thus negatived.

Debate Resumed.

HON. J. G. HISLOP (Metropolitan) [10.7]: I oppose the second reading of the Bill because I cannot see any justification for a Government making a present of £40,000 to racing clubs, especially at present when it says its funds are so low that it cannot continue with some of its loan programme. There is not the slightest need to give racing clubs £40,000 to increase their stakes.

The Minister for Transport: Fundamentally, they will do all the work in collecting the tax.

Hon. J. G. HISLOP: Fundamentally, I pay income tax, but I do not get some of it refunded in order to pay my admission to the theatre. It is senseless to speak like that. From the newspapers it is noted that something like £50,000 will be paid in stakes during the Christmas racing meeting in the metropolitan area. Therefore, is there any need to further increase the stakes?

The Minister for Transport: The country clubs will benefit.

Hon. N. E. Baxter: By how much?

Hon. J. G. HISLOP: Are we, as a Parliament, to encourage racing or to raise its standard? On every platform we hear the Government saying today, "We cannot do so and so because of lack of funds." Even in connection with a Bill brought before us this afternoon the Government could not do something for farmers because it has not enough money. When one goes abroad one hears that Australian economics is governed by racing. Surely in a country such as ours there is no need for a Government to pay £40,000 to racing clubs. The volume of racing news that is broadcast every Saturday is tremendous. Many important broadcasts are interrupted in order that such racing news can be put over the air. It is about time that we, as a people, paid more attention to work and matters of greater importance than horse-racing. I am opposed to the Bill and to giving £40,000 to the racing clubs from the people's money.

Hon. L. Craig: It is the betting people's money.

Hon. J. G. HISLOP: Are they not the public?

Hon. L. Craig: Not all the public.

Hon. J. G. HISLOP: All sections of the public are taxed, but all the taxes go into Consolidated Revenue for the benefit of the people as a whole. What astonishes me is that an important structure such as the medical school which would prove of benefit to the people cannot be built because the Government cannot advance the £40,000 or £50,000 needed for its erection. However, in the next breath it proposes to say to the racing clubs, "Here is £20,000 to increase your stakes and another £20,000 to increase your amenities and enable people to attend the racecourses more freely than ever before." What sort of a community are we developing into? I have received already letters from people saying that they are disgusted with a Parliament that will allow a Bill such as this to be introduced.

Hon. G. Bennetts: The Government will be losing some of its votes.

Hon. J. G. HISLOP: I would not be surprised because we must have reached the stage of being forced to express our feelings very forcibly. Surely we have all the racing we need now. We have race-meetings conducted on Saturdays and mid-week. Racing news is printed in all papers throughout Australia and there must be literally millions spent on the racecourses and on s.p. betting. Every sane man in the community should rise in disgust. I did not think the day would arrive when the Government would descend to this sort of thing. What it is saying is this: "We need money badly and we want to tax you, but in order not to make it fall too heavily on you, we propose to give back to you £40,000." The Government should be ashamed of itself, as I am ashamed of it.

HON. C. W. D. BARKER (North) [10.14]: I oppose the second reading. If the Government was so anxious to bring down a Bill to impose a tax on betting, it should have gone about it in a different manner and viewed the subject more broadly. It should tax betting as a whole. It should give some consideration to s.p. betting and legalise it and thus be in a position to tax every bet laid and not tax only winning bets made on the racecourse under a Bill such as this. I could never agree to £40,000 being given back to the racing clubs to increase stakes. That, in my opinion, would be saying to the owner of the winning horse, "We have taken this money from those persons who have made a winning bet and we will give it to you. We will give you some more in addition to the stake money you have received." We have a number of charities that could well do with that £40,000. Dr. Hislop remarked that we could not provide money to build a medical school but we could make it available to improve racing.

A few years ago, I was speaking to a visiting conductor of opera, and we were discussing the merits of Western Australia and how we could advance its cultural standard, and he replied, "You have the greatest opera in Australia at Gloucester Park and headquarters, but while you have that, you cannot expect to have any other." Horse-racing is not regarded as culture; it is regarded as a disgrace on account of the proportions it has assumed. Yet the Government wants to assist its growth by providing £40,000, which will be public money. The winning owners are going to be told, "You have won a race and will receive the stake and here is something extra for you." I can see neither rhyme nor reason in that, and I cannot agree to the Bill.

HON. F. R. H. LAVERY (West) [10.16]: I think I made my attitude clear on this subject when the other measure was before us a few nights ago. I am opposed to this type of sectional taxation. I am entirely in agreement with what Dr. Hislop said. I have stated that what is wrong is this: Every time we want a few shillings for something—and by a few shillings, I mean a few hundred thousand pounds—we have to go to people who already are paying more than a reasonable amount of taxation for their pleasure.

Hon. C. W. D. Barker: You would tax all types of betting.

Hon. F. R. H. LAVERY: Yes; if we are going to permit betting, let us tax all forms of it. I do not believe in sectional taxation, especially when applied to a sport which, according to Christian standards, is illegal.

I am going to suggest something other than a medical school to which this money could be applied. We have in this State an increasing number of slow-learning children, whom this Government and previous Governments have not seen fit to take under control and provide education for.

Hon. L. Craig: That is being done.

Hon. F. R. H. LAVERY: It may be the intention but it is not being done at the moment, and that is the aspect I am concerned about. The same thing might be said about hospitals. If we are going to present the racing and trotting clubs with the enormous sum of money indicated in the Bill, what are we going to give the bookmakers who will have to provide extra staff to keep their records? They will not get anything. If members are desirous of imposing a betting tax, let the Government and Opposition get together and devise a method of taxing each and every one who thus spends his leisure and derives his pleasure. It gives me pleasure to oppose the second reading.

HON. J. M. A. CUNNINGHAM (South-East) [10.20]: In saying that I am not one of those who are interested in racing in any shape or form, I fear I am declaring myself out of step with probably 70 or 75 per cent. of the population of Australia. However, that is the position, but notwithstanding, I see considerable justice in the disposal of this £40,000.

What has been said in opposition to the measure has been mainly coloured by conditions and circumstances prevailing in the metropolitan area, but I believe that this measure will be the means of literally saving the lives of some of our country clubs. The Boulder club for years maintained one of the most attractive racecourses in the State.

The Minister for Agriculture: And Kalgoorlie, too.

Hon. J. M. A. CUNNINGHAM: That is so. But the club has had to abandon its race meetings. It has joined up with the Kalgoorlie club. We hope that what was one of the most attractive spots for the entertainment of the people of that district will be maintained, and I hope that this measure will prove of considerable help. When these clubs were in their hey day, there was quite a little industry dependent upon them. There were horse-breeders, trainers and growers of green-feed, and the club provided amenities that people were able to enjoy. Though as I have said, I have no particular interest in racing, the people of the district regard it as one of the best and most pleasing forms of amusement. It is only since sports that have gambling associated with them have been curtailed to any extent on the Goldfields that the fields have gone down as regards the attraction they had to offer to people who otherwise would have made their homes there permanently.

THE MINISTER FOR AGRICULTURE (Hon. Sir Charles Latham—Central) [10.25]: I wish to point out to members that this measure does not refer to city clubs only. Apart from the W.A.T.C. and W.A. Trotting Association, there are the Fremantle Trotting Club and all the country clubs. A little while ago, in order to enable clubs to obtain more revenue, we authorised the W.A.T.A. to hold two special meetings a year. This was done to assist them to carry on.

Hon. J. G. Hislop: You are going to give them Consolidated Revenue.

The MINISTER FOR AGRICULTURE: We are not. This money will be contributed by people who frequent racecourses —the sport-loving people—and will be a voluntary form of taxation.

Hon. C. W. D. Barker: Not at all.

The MINISTER FOR AGRICULTURE: If a man does not want to bet, he would not pay the tax. Mr. Barker made a very voluble though not very convincing speech, and I hope he will permit me to make a few remarks. I repeat that this will be a voluntary form of taxation. A person who decides to bet at a racecourse and wins will pay the tax, but he knows that he will have to pay tax in proportion to the amount of money he wins. I am not a racing man, but I love horses. Not long ago, there was a time when I was fearful that we would not have any sporting horses outside of racecourses, and not many of those. The encouragement given to this sport has revived the breeding of horses, and at most of the shows we find horses providing attractive events. I wish to encourage that.

We propose to provide £40,000 for the clubs, and if that amount is spread amongst the various clubs from Murchison to Albany, there will not be a large amount for each of them. This money will not be provided by people who normally are compelled to pay taxation. There is less fuss outside than inside this Chamber about the imposition of this tax. I have discussed it with a lot of people who patronise the races, and their attitude is, "If the Government is hard up, it must have the money." The same thing applies to the lotteries, which is another form of voluntary taxation. We deduct 50 per cent. from the money subscribed to lotteries and use it for charities. Now, objection is being raised because we propose to hand this money to the sporting bodies from which we are taking it.

Hon. G. Fraser: You will not be taking it from the sporting bodies at all.

The MINISTER FOR AGRICULTURE: The sporting bodies consist of people who patronise the races. If there were no betting on or off the racecourses, would there be any interest in racing? Would the hon. member go to Belmont to see horses run a race if there was no money on it? The desire to get hold of money from somebody else is the atttraction. I repeat that I love the sport, though I am not a betting man. At the same time, I do not like to see cruelty to animals, but I believe that the horse loves racing just as much as I do.

There is no justification for the opposition raised to the Bill. I repeat that this will be a voluntary form of taxation, and if a person does not wish to pay it, he will be under no compulsion to do so. The imposition of the tax, however, will enable clubs to pay higher stakes and provide better amenities.

Hon. H. S. W. Parker: Apparently they are all anxious to pay the tax!

The MINISTER FOR AGRICULTURE: This is a reasonable method of raising revenue. It will provide the Government with additional funds, and will enable the clubs to cater better for patrons and provide bigger stakes for those who own and train the horses.

HON. L. C. DIVER (Central) [10.29]: I support the second reading. It has been rather amazing to hear opponents of the measure speaking along the lines they have followed. At present, there is a considerable amount of money leaving the State every week to provide taxation in the Eastern States. This is collected on starting-price betting on Eastern States racing.

Hon. G. Fraser: They do not collect on that.

The Minister for Agriculture: A lot of money is underwritten by the Eastern States.

Hon. L. C. DIVER: The big wagers are laid off, at any rate, to a large extent. The remarkable thing is the fabulous sum of money involved. I would say that a considerable amount of money finds its way, as a result of midweek and Saturday

racing, to the Eastern States by being laid off through various channels here. This money is going down the drain as far as society is concerned.

Sitting suspended from 10.32 till 11 p.m.

Hon. L. C. DIVER: I was endeavouring to demonstrate to those members who oppose the Bill the position we occupy in Western Australia in regard to betting. There is a very limited number of people who gamble on horseracing with their money going into bets on our local courses. I would say the majority of their investments were on races in the Eastern States.

Hon. G. Fraser: Some £34,000 went through the tote at Gloucester Park.

Hon. L. C. DIVER: That is nothing. The hon. member has no idea as to the dimensions of starting-price betting in Western Australia.

Hon. E. M. Davies: It is not in this Bill.

Hon. J. G. Hislop: You would not encourage it.

Hon. L. C. DIVER: I want people to be realistic and harness the business. Instead of the money going to starting-price bookmakers we should see that portion of it finds its way into the revenue of this country.

Hon. C. W. D. Barker: How much goes to the Eastern States.

Hon. L. C. DIVER: No man can even hazard a guess at that. We know that a considerable amount does.

Hon. C. W. D. Barker: Would you say £34,000?

Hon. L. C. DIVER: That would be a fleabite.

The Minister for Agriculture: In some cases there is more than that on a single race.

Hon. L. C. DIVER: Exception has been taken to the clubs being handed back a sum of £40,000. Seeing that they are the bodies that carry on racing and create the wherewithal to get this tax, they should be recompensed in return and when they are being recompensed the legislation will have certain tags to it. There will be certain responsibilities put upon those racing clubs.

Hon. G. Fraser: Where does it say so in the Bill?

Hon. L. C. DIVER: The hon. member knows as well as I do that the Bill was redrafted for a certain reason.

Hon. R. J. Boylen: What is the reason?

Hon. L. C. DIVER: That those requirements could not be listed in the Bill; that is why. For the benefit of country racing, I can see some merit in a certain amount of this money being handed back to the clubs. I sincerely trust that those members who all of a sudden have become moralists and point out the shortcomings of this legislation, will realise that we have a long way to go as regards starting-price betting before we are in a position to take exception to handing back this amount of money to the racing clubs. I support the second reading of the Bill.

HON. C. H. HENNING (South-West) [11.7]: As one who likes watching races, but who has learnt the error of his ways and now very seldom bets, in my opinion most of the opposition to this Bill would be described by Shakespeare as "much ado about nothing." We have a Bill under the provisions of which the racing clubs will be permitted a sum of money for collecting taxes on winning bets. There is nothing for the Government to do in that respect at all. They will within the appointed time render certain documents and require authorised sums of money, according to the tax on the winning amount.

We have heard that this money is coming from Consolidated Revenue. I cannot see in any way how this can come from Consolidated Revenue because the Bill specifically states that 20 per cent. of the money shall be retained by the clubs. That money would be utilised for the benefit of the club to improve the courses or to increase the stakes. But if it goes for the benefit of the club, surely it is for the benefit of patrons; and the patrons are those who utilise the bookmakers and are trying to make winning bets. They are the people who pay.

In certain respects it is the same as the petrol tax where a portion is put back on to the road. Those who use the roads pay indirectly in rates throughout the length and breadth of Australia. In this case they are paying for increased stakes and improvements to amenities on the courses. The amount is 20 per cent. or, as we have heard it said, £40,000. It is estimated that £200,000 will be collected, of which £40,000 will go back, but there is nothing to say that that £200,000 is correct. It is purely and simply an assumption. I do not think that it is going to affect in any way the amount of money invested on racecourses.

Hon. E. M. Davies: A good thing if it did.

Hon. H. Hearn: It would not make much difference if it did.

Hon. C. H. HENNING: I do not think it would. I see no reason at all why we should deal with starting price bookmakers or those permitted to operate by the clubs. As far as I know, under the law both are illegal. We have heard of the size of the bookmaking industry in Australia. After all, it is those people who are gullible enough to think they can beat the books that keep them going, and a few more pence either way will not affect the position. I read recently that next to wool, bookmaking had the greatest turnover of

any industry in Australia. If a man has a £1 bet, is the bookmaker going to pay him 19s. 6d. or is he going to carry it himself? I cannot see a bookmaker carrying the small change to deduct this 6d. in the £. I believe the Government is doing the right thing. It was started in the other States and it has been successful there. The argument is a political one and I support the Bill.

HON. H. C. STRICKLAND (North) [11.12]: I do not agree with Mr. Henning when he refers to precedent.

Hon. G. Fraser: We tried to get them to agree to precedent the other night, but they would not.

Hon. H. Hearn: You agree to it when it suits you.

Hon. H. C. STRICKLAND: Because this was done in the Eastern States it does not mean that we should be so foolish as to adopt the same thing here.

Hon. C. H. Henning: Not foolish, wise.

Hon. H. C. STRICKLAND: I would say foolish, because I really think that the Government is imposing this tax upon a section of the people; it is only sectional taxation.

Hon. H. Hearn: Most taxation is more or less sectional.

Hon. H. C. STRICKLAND: This is a sectional taxation on people who are lucky enough to beat the bookmakers.

Hon. C. H. Henning: Should we tax losers as well?

Hon. H. C. STRICKLAND: The loser is taxed when he pays his admittance fee; he has to pay entertainment tax. If a man is fortunate enough to pick a winner, he is to be doubly taxed; he is going to be taxed again. He may pick a first winner or a second winner, but it does not mean that at the end of the day he is going to be a winner.

Hon. C. H. Henning: He should go home after the second winner.

Hon. H. C. STRICKLAND: I could tell a little story about that. A person may go on for six races and lose on them and then back the winner on the seventh; he still loses.

Hon. C. H. Henning: Then he goes to the trots.

Hon. H. C. STRICKLAND: Mr. Henning is evidently a gambler; he would pursue the impossible to the end. I have been trying to beat bookmakers for over 30 years and I am still behind. I know bookmakers that have been there for that period and they are still there. They have been there since I was a boy. To get back to the Bill there is not the slightest doubt about the measure being sectional. If the Government has got to scratch for finance—

The Minister for Transport: It has to.

Hon. H. C. STRICKLAND: —by imposing taxation on a very small section of the community who pick winners, I think it is high time that Parliament wanted to know what it is all about. If the Government is short of £200,000, why does it not try to prune some of its expenditure instead of heaping tax upon tax?

Hon. C. H. Henning: You would not suggest it cuts out the State Shipping Service.

Hon. H. C. STRICKLAND: Not any more than I would suggest that it cuts out the irrigation service to farmers. If the South-West irrigation service can afford to lose £25,000 a year, to raise blood stock, is it going to raise it here on this racecourse and tax somebody who is lucky enough to pick a winner? I say the Government is getting on the wrong beam altogether. We are commencing to scratch around and tax people who cannot afford it.

Hon. H. Hearn: Many bet who cannot afford to do so.

Hon. H. C. STRICKLAND: That may be all right from Mr. Hearn's point of view. It means that in his opinion those who go broke through betting are those who cannot afford it. We know very well there are people living in circumstances where they cannot get ahead of it and the only hope they have of doing so is of their being lucky by striking a win in the charities consultation or in picking a winner. Those are the people that the Government intends to tax under the Bill. It is intent upon levying taxation upon the little people but is taxing less heavily those who can afford to pay.

If members read the Bill, they will find that the individual who can afford to bet only in 5s. and who will probably win 5s. or a few shillings more is to be levied with a tax at the rate of five per cent., or 3d. in the 5s. The man who can afford to bet in hundreds is to be taxed only at 2½ per cent. If I know the racing game, the men in that class are not going to pay the tax at all. Such an individual will nod his head in his club and the bookmaker will take the bet.

The Minister for Agriculture: But he will make a note of it in his book.

Hon. H. C. STRICKLAND: He will do nothing of the sort; he will keep a note of it "in his nut" to use a racing phrase. If I know anything about it, these men are not going to pay any taxation, just as no betting tax is paid in Victoria.

The Minister for Agriculture: You know that?

Hon. H. C. STRICKLAND: Of course they do not pay any tax in Victoria.

The Minister for Agriculture: You will not say they are not paying it here; you are too careful for that.

Hon. H. C. STRICKLAND: But the papers in the Eastern States have been high-lighting the fact for the past year or two. They have high-lighted what is

termed black-market in Victoria. That is why Victorian racing is going back. Because of the betting tax, bets there are put through the blackmarket. We all know that. Then again it has been said that a lot of money goes from Western Australia to the Eastern States. I take it that means that the money invested with the bookmakers here is reinvested with the bookies in the Eastern States. Perhaps that is so. Certainly that money would not find its way to the racecourses, but would be placed with the s.p. bookmakers. Something of that sort may take place, but in my opinion it will level out throughout Australia because the men in the s.p. betting game have a setup that I do not think anyone can get at.

Hon. J. A. Dimmitt: The hon. member seems to be very well informed in this matter.

Hon. H. C. STRICKLAND: I take the trouble to read. I have no interest in the game, but I am interested in the point of view of the public. If members do not believe my statement that does not concern me. To substantiate my statement I would say that to suggest that the money goes from Western Australia to the Eastern States and is placed with bookmakers on the racecourses is just too silly. Racing ceases in the Eastern States at about 3 p.m. Western Australian time. People in the Eastern States can still be here until about 1 a.m. in the morning. It is all too silly and ridiculous.

Hon. C. H. Henning: There are such things as telephones.

Hon. H. C. STRICKLAND: But the money could not get through to the racecourse. Racing goes on for two hours here after it ceases there and the trots for four or five hours later still.

Hon. H. S. W. Parker: I do not think there are many bets that would be made on the racecourse.

Hon. H. C. STRICKLAND: No money goes back to the racecourse. The trouble with the Bill is that it is attacking the weak in the betting game and does not attack the strong. That is like a lot of laws in this country that attack the weak and let the strong go by. From time to time we hear of people being prosecuted for obstructing traffic. Who are the individuals that are prosecuted? They are the little fellows.

The Minister for Agriculture: They are the little fellows!

Hon. H. C. STRICKLAND: Yes.

The Minister for Agriculture: Do you think they pay the fines?

Hon. H. C. STRICKLAND: They are the people who are prosecuted. Their names appear in the paper and they are the men who are fined.

The Minister for Agriculture: You know they do not pay the fines, which come out of the pool.

Hon. H. C. STRICKLAND: But the men are prosecuted in the courts and they are fined.

The Minister for Agriculture: And do you really think they pay the fines? You know the money comes out of the pool.

Hon. H. C. STRICKLAND: I do not know. I am expressing my opinion or what I see and know.

Hon. A. L. Loton: You know that there are stooges.

Hon. H. C. STRICKLAND: I know nothing about stooges.

Hon. A. L. Loton: You have read about them.

Hon. H. C. STRICKLAND: That may be so.

Hon. A. L. Loton: Then you know there are.

Hon. H. C. STRICKLAND: I am not a stooge.

Hon. A. L. Loton: I did not say you were.

Hon. H. C. STRICKLAND: That is what the hon. member would infer.

Hon. A. L. Loton: I did not infer it at all.

The PRESIDENT: Order!

Hon. H. C. STRICKLAND: It has been suggested that the Government is in need of revenue. As Dr. Hislop quite rightly said it cannot afford to impose taxation of any kind to raise revenue for a medical chair or something equally essential.

Hon. L. Craig: You mean for a medical school.

Hon. H. C. STRICKLAND: Only the day before yesterday I went to the Housing Commission with a very sad case of a person who is looking for a house.

Hon. J. A. Dimmitt: Has that anything to do with the amendment of the Stamp Act?

Hon. H. C. STRICKLAND: But the Government has no money. I was told that the State Housing Commission could not do anything because the Government has no money.

The Minister for Agriculture: And now you want to stop it getting a little of it.

Hon. H. C. STRICKLAND: A little!

The Minister for Agriculture: A matter of £160,000 would help.

Hon. H. C. STRICKLAND: In another instance the Government is handing over £20,000 to the race clubs. It is said that the country racing clubs will suffer. My experience of country clubs is that theirs are picnic meetings and it would not matter what the stakes were.

Members: Oh, oh!

Hon. H. C. STRICKLAND: It would be different in such centres as Boulder, Kalgoorlie and probably Albany.

Hon. C. H. Henning: And what about Esperance?

Hon. H. C. STRICKLAND: I can remember being told about the first race meeting at York. If I understand the position properly the old man who cleaned up the field had a cartload of pumkins and of pigs as black as the ace of spades dumped on his property.

The Minister for Ariculture: You were not born then.

Hon. H. C. STRICKLAND: I said that was the position as far as I could learn. As I say, country meetings are mostly picnics.

Hon. H. S. W. Parker: But this would not affect those meetings:

Hon. H. C. STRICKLAND: Of course it would.

Hon. H. S. W. Parker: Only if bets are made with bookmakers there.

Hon. H. C. STRICKLAND: It will keep a lot of people away from the meetings. If the W.A.T.C. is in favour of this legislation it will make a big mistake. It will drive a lot of money away from the racecourse.

Hon. H. S. W. Parker: It has not had that effect in Melbourne.

Hon. G. Fraser: Too right it has.

Hon. H. C. STRICKLAND: Mr. Parker says it has made no difference in Melbourne. That is a totally different proposition. Melbourne has a large population to work on. That is not the position here. That is why racing has not been so popular, except, during the war period.

Hon. H. S. W. Parker: What about trotting?

Hon. H. C. STRICKLAND: That is different because it caters for the people and is cheaper for them.

Hon. H. S. W. Parker: But the same tax will have to be paid.

Hon. H. C. STRICKLAND: Night trotting is spectacular and much cheaper.

Hon. H. S. W. Parker: But the same tax will apply.

Hon. H. C. STRICKLAND: I cannot imagine how this legislation will improve the position. If the W.A.T.C. is in agreement with the Bill, it means that its numerous leger patrons will be penalised.

Hon. C. H. Henning: Has the W.A.T.C. expressed that opinion?

Hon. H. C. STRICKLAND: I do not know. It has not expressed an opinion against the Bill and therefore we can only come to the conclusion that it favours the legislation. The effect will be to penalise the weaker section of the race patrons because it means that persons who have small bets and cannot afford to do otherwise will be penalised to the extent of five per cent. whereas the individual who can bet in his hundreds will only pay on the basis of 2½ per cent. It is sectional taxation and I think the Government could look elsewhere to save money.

Hon. J. A. Dimmitt: Where?

Hon H. C. STRICKLAND: Mr. Dimmitt and I will always disagree on the point but I think the Government could save £20,000 on Air Beef.

Hon. J. A. Dimmitt: What again!

Hon H. C. STRICKLAND: There are several other directions in which money could be saved. Let the Government give consideration to the Tourist Bureau and see what it has done for Western Australia and for the Treasury. There are many institutions in respect of which money could be saved. Cut out the railways and save £3,000,000! Why not? We can get along without them in the North-West. Why worry about them here? This is an imposition upon members of the community who already pay to enter a racecourse. They pay what is called an entertainment tax and then, after they have been entertained, they are to be required to pay another tax. I oppose the Bill.

[*The Deputy President took the Chair.*]

HON. N. E. BAXTER (Central) [11.31]: I expressed myself fairly freely on the Bill that was introduced earlier, and I will not speak at any great length on this occasion. I want to point out the unfairness of this tax. Though I sympathise with the Government in its need to raise money, I would have preferred it to do so by legalising all forms of betting, by which means it would probably gain a lot more money than in this way, and without having to give so much to the clubs. I would draw attention to the position of a man who goes to the races and pays 17s. entrance fee. If he is lucky enough to win £20, he pays a further 10s. to the club, which increases his entrance fee to 27s. Or rather, the club gets 2s., making the entrance fee 19s., and the other 8s. goes to the Treasury. The following week he loses £20 and so he is out of pocket.

Hon. H. S. W. Parker: Through his own foolishness.

Hon. N. E. BAXTER: I would not say that. Some people like races and others like football. I heard someone express the opinion that broadcasting of races should be cut out. If that should be done, why not equally cut out the broadcasting of cricket matches and other forms of sport? Mr. Diver referred to the amount of money that goes from this State to the Eastern States.

From information I have had, more money comes here for racing than goes to the Eastern States. Fielders here hold up money on the Eastern States races for the reason that the average bettor does not bet until a few minutes before

the race. They are not so foolish as to put big sums on over here in this State and let them get back to the Eastern States, simply because it would reduce the price they would get. The punter is not so foolish as that. The same applies to money invested on Eastern States races and sent here as a starting-price job.

Hon. L. C. Diver: The bets are laid.

Hon. N. E. BAXTER: Betting men do not put money on races beforehand unless they take a set price.

Hon. G. Fraser: The big commissioners distribute money throughout Australia.

Hon. N. E. BAXTER: Not hours beforehand, but only a short time before the race. So Mr. Diver's assertions in that respect are absolutely without foundation. I would like to ask the Minister a question before I conclude. He did not explain the alteration to Clause 4, which has to do with the clubs receiving 20 per cent. of this tax money and then with its distribution by the clubs. In the original Bill, 75 per cent. was to be allocated to stakes and the other 25 per cent. for other purposes. Now the clubs will put half towards stake money and the other half will be used for any purpose the club requires. There is probably a good reason for the alteration, but I would like to know what it is. I am not going to support the Bill, but I will see what happens during the Committee stage.

HON. G. FRASER (West) [11.35]: I intend to oppose the measure. We have reached a remarkable stage. For many years Parliament has absolutely refused to legalise betting either on or off the racecourse. Yet we find that same Parliament proposing to pass a Bill to tax racing. What a ridiculous position!

The Minister for Agriculture: You must blame the other House. There has been an attempt several times to license starting-price betting.

Hon. G. FRASER: This House is not free of blame. Attempts have been made in this Chamber but both Houses have refused to legalise betting. Now we have a Bill to tax something that we will not recognise. What a ridiculous position! The time has arrived to take the matter seriously and deal with it as a whole instead of tinkering with it in this way. As Mr. Strickland said, all we are going to touch is a very small part of the betting.

I think I know a little about betting because I have been one of those silly punters since 1909. I think I saw Glue in the Bendigo Cup and liked its name and have stuck to punting ever since. They say that confession is good for the soul and I will admit that I have bet with s.p. bookmakers as well as on the racecourse. I know members will laugh at this suggestion, but I consider that this Bill will do nothing else but drive more money into s.p. betting and away from the racecourse.

Hon. J. McI. Thomson: You can always tax them.

Hon. G. FRASER: How? Parliament will not touch the question.

Hon. H. Hearn: Your Government had a good many years to tackle it.

Hon. G. FRASER: It was tackled and a Bill was brought down but members of the hon. member's party were successful in having it defeated. We did attempt to do something about this question.

The Minister for Agriculture: A lot of the followers of the hon. member's party did not support the move. I happened to be there and I know.

Hon. G. FRASER: There were some religious men in our party who would have nothing to do with it.

The Minister for Agriculture: The late Hon. Phil Collier was one.

Hon. R. J. Boylen: What about the Royal Commission?

The DEPUTY PRESIDENT: Order! Mr. Fraser has the floor and I would ask members not to interrupt.

Hon. G. FRASER: This Bill will not achieve what the Government wishes; that is, to get a large sum from taxation. No one denies that it will raise a certain amount, but it will receive a dwindling revenue from this tax because the Bill will drive more money from the racecourse. How ridiculous it is to say that the Government requires money when having invented a tax to obtain funds, it hands 20 per cent. back to the clubs, for doing practically nothing. It is not to be handed to those who collect the money because the collectors will be the bookmakers and they will get nothing. But merely for taking money from the bookmakers and transferring some of it to the Government, the racing clubs will receive 20 per cent. So we find that in the Estimates there is a present of £40,000 to the racing clubs for doing practically nothing.

Hon. J. G. Hislop: It is out of Consolidated Revenue.

Hon. G. FRASER: I would say it would be, because once a tax is struck and paid, the money belongs to Consolidated Revenue. So we are making a present of 20 per cent. of the money collected to the racing clubs merely for handing a certain portion to the Government, and that money is being handed over by a Government which pleads poverty and which is so poor that it could not even gravel a schoolground in my district, work which was included in the Estimates last year.

The Minister for Agriculture: Look at past events in that respect!

Hon. G. FRASER: The Government is making this present of £40,000 to the racing clubs but it cannot do a little job like that! I am prepared to support equitable taxation, but I do not see how by

any stretch of the imagination one can call this equitable. Take the person who pays the tax.

The Minister for Agriculture: It will be paid by the wealthy people who go to the racecourse.

Hon. G. FRASER: It is possible for a person to go to the races and lose on six bets and probably drop £40 or £50; then he wins at two to one on the last race and he is taxed on his winning bet. Although he is £30 or £40 out of pocket on the day, he is taxed because he happens to fluke a winner. I am not going to hold up the House, because I do not think all the talking we may do will alter members' minds. It looks to me as though the voting will be on party lines, irrespective of the merits of the Bill; and that is wrong.

The Minister for Transport: Will that apply to members of your party, too?

Hon. H. Hearn: Not on the Stamp Bill.

Hon. G. FRASER: No, nor on this Bill either. Members of my party can please themselves what they do. That is how it should be with regard to the majority of legislation brought down here. Unfortunately, however, it does not seem to be the case with some other parties that I will not mention. I am hoping that a decision will be reached on the merits of the Bill.

HON. H. K. WATSON (Metropolitan) [11.44]: If this were a Bill to assist impoverished racing clubs, I could understand some of the remarks addressed to it, and we could simply say that the whole £250,000 that is proposed to be collected should be distributed to such clubs as were in need. Then we would be dealing with the matter quite frankly. But it is not a Bill to assist impoverished racing clubs. Its express and avowed purpose is to assist an impoverished State Treasury.

We are told that when last year we received something like £8,000,000 from the Grants Commission, the Commission reminded the State Treasurer that he was not taxing in this State with the same measure of severity as was shown in the standard States upon the revenues of which the claim of this State is measured, and he was virtually given the tip in very clear terms to increase the revenue of Western Australia by imposing a betting tax, inasmuch as such a tax was being imposed in the standard States. In those circumstances, I feel that if the tax is to be imposed, there is something wrong if 20 per cent. of the money collected is to be used up in the cost of collecting it.

I will support the second reading but if, when the Bill is in Committee, an amendment is moved to reduce the 20 per cent. that the clubs are to retain to a reasonable figure, perhaps 5 per cent., I will support it. We are told that this is a machinery measure and that payment is not to be made from Consolidated Revenue. The entertainment tax is a sectional tax, like this one, but every penny of it goes into the Treasury. That principle should apply here, although I agree that the collecting person should not be out of pocket. That is my view also in regard to the payroll tax, or any other tax of that nature. I believe that the person collecting it should be repaid any expenses in which he is involved, but 20 per cent. is too much of a good thing.

HON. E. M. DAVIES (West) [11.47]: I will vote against the Bill because I think it is the height of hypocrisy, if the Government desires to raise money by taxation, to tax something that is illegal. I understand that it is no more legal to bet on a racecourse than it is anywhere else. As things are, some sections of the community are able to attend race meetings within an enclosure and bet with impunity, but other sections of the people, who for some reason are unable to attend race meetings and yet desire to invest a few shillings in an endeavour to show a profit, are regarded as breaking the law.

For my part, I am not greatly concerned about the amount of money that is to be paid to the race clubs. If the Government is prepared to use this source of revenue and this machinery for collecting the tax, those called upon to provide that machinery should be recompensed. A source of revenue that has for many years been overlooked is what is known in this State and elsewhere as s.p. betting. Betting in Australia has reached enormous proportions, though it is no more prevalent here than in other parts of the world, including the United Kingdom. Racing is very popular in the United Kingdom.

Hon. H. Hearn: So are football pools.

Hon. E. M. DAVIES: That is so, and certain people advertise them throughout the United Kingdom in the weekly papers. It is useless to say that s.p. betting can be eliminated when we know that, irrespective of what is done, it continues to thrive. The Government is endeavouring to obtain taxation through the imposition of fines, but the people concerned are not fined for betting off-the-course. Betting on racecourses is also illegal and so these men are charged with obstructing the traffic, although no charge is made against people who sleep all night on the footpath waiting to book seats in a theatre or on a train.

If the Government requires extra money, it should legalise betting in this State and put the whole business on a proper footing. I would have no objection to the licensing of s.p. bookmakers, if the Government desires to secure revenue from that source. The municipalities, or some other authority, could be enabled to install totes so that those who cannot attend racecourses would be able to invest their money by that

means. We have heard a lot of talk about the level betting has reached in Australia, and yet public utilities such as the telephone and radio are being used day and night to broadcast the racing information that enables the bookmakers to operate. I oppose the Bill because what the Government is doing is simply hypocrisy. If it desires to raise money in this way, it should legalise betting and not tap an illegal source of revenue.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland—in reply) [11.55]: I think members have made up their minds how they will react when they are asked to vote on the Bill, but I repeat that the Grants Commission did indicate to the Treasurer that he would have to find ways and means of raising money, and it did indicate to him some of the means that might be employed. Obviously, if the money does not come from this source, it will have to be raised from some other field by the imposition of taxation. Those who attend racecourses need not bet and, if they do not, they cannot be taxed under this measure, which applies only to those fortunate enough to have winning bets.

The psychology of the man who wins money is such that he will not object to a small percentage of it being taken in this way, because he is so pleased at having won. It has been said that the imposition of the tax might cause a drift from the racecourses to s.p. betting, and that may be so, but I think the punter who wants to have a bet on the course will realise that a deduction of 2½ per cent. from a winning bet is not a heavy imposition.

Hon. G. Bennetts: What about country places, where there is no racing, but where people still want to bet?

The MINISTER FOR TRANSPORT: I assume that betting will occur at country fixtures just as at metropolitan meetings. One of the objects of the refund to the clubs is to assist those in the country to improve their stakes and bring about better wherewithal to improve amenities or reduce the price of admission, so that patrons will get some benefit from it. Lotteries are a form of gambling—

Hon. G. Fraser: But they are legalised.

The MINISTER FOR TRANSPORT: The principle of deriving revenue from a form of gambling is the same in both cases. When the Lotteries Commission was first established, 60 per cent. of the collections were taken back and distributed worthily. After administration expenses were deducted, the surplus was distributed among charities that are well known and, although when that legislation was introduced there was great opposition to it, the continuance measures from time to time have brought from all parts of the House expressions of appreciation of the good work the Lotteries Commission is doing. We get a considerable amount of revenue from the liquor business.

Hon. J. G. Hislop: Do you give some of it back to the hotels to improve their amenities?

The MINISTER FOR TRANSPORT: We use some of the revenue to provide amenities.

Hon. J. G. Hislop: For hotels?

The MINISTER FOR TRANSPORT: Not necessarily for hotels, but for the good of the community, some of that revenue flows back into the hotels indirectly. We obtain a great deal of revenue from the tobacco business, but I do not know whether that encourages people to smoke more or whether the tax on liquor encourages people to drink more.

Hon. H. K. Watson: The hotelkeepers get nothing back from the six per cent. they have to pay; they have to pay the full amount.

The MINISTER FOR TRANSPORT: Does the hon. member contend that they should have something returned to them?

Hon. J. G. Hislop: If you do it for one, why not do it for others?

The MINISTER FOR TRANSPORT: Not necessarily.

Hon. J. G. Hislop: Why not?

The MINISTER FOR TRANSPORT: Because the racing clubs make it possible for racing to continue and for the racecourse patrons to exercise their desire to have a bet. The staging of the tax, as it were, is the responsibility of the clubs and they will incur considerable expense.

Hon. J. G. Hislop: The hotels stage a great deal of the tax, too.

The MINISTER FOR TRANSPORT: But the hotelkeepers do so mostly for their own needs. The racing clubs provide entertainment for people who are interested in that sport. I do not think any hotel would do it except to make profits. Whether we like it or not people will indulge in gambling and the clubs who fundamentally provide the means of obtaining this revenue are, in my opinion, entitled to some consideration.

Hon. J. G. Hislop: So the Government is justified in increasing racing?

The MINISTER FOR TRANSPORT: If the amenities were not there and this form of betting did not exist, this means of imposing a tax would not be available nor the form of collecting it. So there is some logic in saying that these people are entitled to be returned some of the tax which may be used to cheapen the admission charges so that those people who patronise racecourses will get some benefit from it.

Hon. J. G. Hislop: It is really curious, is it not?

The MINISTER FOR TRANSPORT: If the hon. member cares to criticise something in an abstract way he can praise or blame as he wishes. This tax will be imposed and in these days I think we can reckon, on experience, on realising the target we aim at. If we get £160,000 back in the form of assistance to meet our budgetary liabilities and a quarter of that sum is returned to the clubs to help increase the stakes and to provide amenities, it seems to me, on the whole, a very fair proposition.

Hon. J. G. Hislop: So the end justifies the means.

The MINISTER FOR TRANSPORT: The hon. member can put it that way if he likes. I consider we have had enough debate and I recommend to members that the Bill be supported.

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

Ayes	....	17
Noes	....	11
Majority for	....	6

Ayes.

Hon. L. Craig	Hon. J. Murray
Hon. L. C. Diver	Hon. H. S. W. Parker
Hon. Sir Frank Gibson	Hon. H. L. Roche
Hon. H. Hearn	Hon. C. H. Simpson
Hon. C. H. Henning	Hon. J. McI. Thomson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. Sir Chas. Latham	Hon. F. R. Welsh
Hon. L. A. Logan	Hon. J. Cunningham
Hon. A. L. Loton	*(Teller.)*

Noes.

Hon. C. W. D. Barker	Hon. W. R. Hall
Hon. N. E. Baxter	Hon. E. M. Heenan
Hon. G. Bennetts	Hon. J. G. Hislop
Hon. R. J. Boylen	Hon. F. R. H. Lavery
Hon. E. M. Davies	Hon. H. C. Strickland
Hon. G. Fraser	*(Teller.)*

Question thus passed.

Bill read a second time.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Minister for Transport in charge of the Bill.

Clauses 1 to 5—agreed to.

Clause 6—Section 108A added:

Hon. H. C. STRICKLAND: I move an amendment—

> That in line 6 of paragraph (a) of Subsection (1) of proposed new Section 108A. after the word "than" the word "five" be struck out and the word "ten" inserted in lieu.

As the Bill is printed a tax is proposed to be placed on a bet of 10s. or part of 10s. provided it is not less than 5s. which means that a person winning 5s. will be taxed 3d. which amounts to five per cent.

Hon. A. R. Jones: You do not think a bookmaker would pay a winning bet of 4s. 9d.?

Hon. H. C. STRICKLAND: If he did, such amount would not be taxed. The Bill definitely states that the tax will be 3d. on every 10s. won unless the winning amount is less than 5s. which means that if 5s., 5s. 1d. or any amount up to 10s. is won, a tax of 3d. will be imposed. It means that a person who is betting in small amounts will pay 5 per cent. on his winnings whereas one betting in large amounts will pay only 2½ per cent.

The Minister for Agriculture: He pays that amount on money he collects.

Hon. H. C. STRICKLAND: He pays that on winnings. This Bill drives at the poorer people; those who can least afford to pay. My idea in amending this is that 3d. will be paid on every 10s; that will be 2½ per cent. all round. As there is another Bill which should come along in conjunction with this one I will also have to amend that. I know that I cannot speak on another Bill but we could request another place to amend it.

The MINISTER FOR TRANSPORT: I oppose the amendment. There must be some minimum below which we cannot go. How many will there be at 5s. or less? If it is less than 5s. there will be no tax at all.

Hon. G. Fraser: Why is it there?

The MINISTER FOR TRANSPORT: Because we have got to have some basis and work upwards. The majority of the betting transacted will be taxed at the rate of 2½ per cent. The minimum on 2½ per cent is 10s. Then it goes down to 5s. and anywhere between 5s. and 10s. the tax is 3d. That is less than the cost of a postage stamp and it is too trifling to worry about. I oppose the amendment.

Hon. H. S. W. PARKER: This small bettor we have heard about tonight should go to the tote where he will lose 14 per cent., and that is obviously out of winning bets. The winners get all the money in the tote plus 14 per cent. Let this man go to the tote. He will get better odds and he would not have to pay any tax.

Hon. H. C. STRICKLAND: It is ridiculous to say that better odds are obtained on the tote than from the bookmaker. We know that horses go out at all sorts of odds and are backed down to short odds. So Mr. Parker is not right in what he says. A person may get a horse at 10 to 1 which will start at 2 to 1. The people who go to the leger reserves do so because they cannot afford to go inside. They go because they can bet in 5s., and there are many people who would have winning bets of between 5s. and 10s. and would be taxed at the rate of 5 per cent.

Hon. L. Craig: It is still less than threepence.

Hon. H. C. STRICKLAND: That has nothing to do with it. The point I want to make is that the person who bets in small amounts is taxed at 5 per cent.

whereas the man who bets in large amounts pays three pence on each 10s., which is 2½ per cent.

Amendment put and negatived.

Hon. G. FRASER: I move an amendment—

> That in line 2 of paragraph (a) of Subsection (4) of proposed new Section 108A the word "twenty" be struck out and the words "two-and-a-half" inserted in lieu.

I do this because the club will have a little expense in collecting from the bookmakers and transmitting the money to the Government. I consider 2½ per cent., which is sixpence in the £ would repay it amply for the extra expenditure incurred in collecting the tax. So I am doing this because I want the best part of the £40,000 tax to go into Consolidated Revenue.

Hon. L. Craig: You will not get in free in future.

Hon. G. FRASER: That does not deter me. I do not want the clubs to be put to extra expense through collecting the tax. But let the Government get some benefit out of the tax if we are to have one. I do not like the idea of subsidising racing and trotting clubs at all. If the Government considers it should reimburse these people it should not impose a tax to do so. If a racing club or the trotting association is in financial difficulties, let it put up its case to the Government like any other body does, and a grant may be made to them.

Hon. H. L. Roche: Maybe is the word.

Hon. G. FRASER: It depends on the strength of their case. If the country clubs are in difficulties and the Government considers they should be subsidised, they could do the same. To me the proposal to raise money by taxation and then give 20 per cent. of the proceeds to the clubs is repugnant.

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

Ayes	11
Noes	17
Majority against	6

Ayes.

Hon. C. W. D. Barker	Hon. J. G. Hislop
Hon. G. Bennetts	Hon. F. R. H. Lavery
Hon. R. J. Boylen	Hon. H. C. Strickland
Hon. E. M. Davies	Hon. H. K. Watson
Hon. W. R. Hall	Hon. G. Fraser
Hon. E. M. Heenan	*(Teller.)*

Noes.

Hon. N. E. Baxter	Hon. A. L. Loton
Hon. L. Craig	Hon. J. Murray
Hon. J. Cunningham	Hon. H. S. W. Parker
Hon. L. C. Diver	Hon. H. L. Roche
Hon. Sir Frank Gibson	Hon. C. H. Simpson
Hon. C. H. Henning	Hon. J. McI. Thomson
Hon. A. R. Jones	Hon. F. R. Welsh
Hon. Sir Chas. Latham	Hon. H. Hearn
Hon. L. A. Logan	*(Teller.)*

Amendment thus negatived.

Hon. H. C. STRICKLAND: May I move to insert 10 per cent. in lieu of 20 per cent.?

The CHAIRMAN: The Committee has decided to retain the word "twenty," so it is not open for the hon. member to move for the insertion of another word.

Hon. H. S. W. PARKER: I move an amendment—

> That Subsection (5) of proposed new Section 108A. be struck out.

The proposal is that one-half of the amounts retained by a club shall be used for increasing stakes. Assume that there is £1,000, there is nothing to show what the stakes would be. Would the stakes be those of the previous year? There is no datum and the proposed subsection is not practicable. The use of the 20 per cent. should be left entirely in the hands of the club committee. Clubs will naturally increase their stakes in order to get better fields and therefore better attendances. Why should we compel clubs to add 50 per cent., and to what would it be added? Would it be per annum or per meeting?

Hon. H. C. STRICKLAND: I oppose the amendment. I cannot understand Mr. Parker's contention that the subsection is not clear. Surely the statement that one-half of the amounts retained by a club shall be used for increasing stakes is clear enough! If a club collects £1,000 it is expected to distribute £500 in stake money. That is all it means. I oppose the amendment.

Hon. N. E. BAXTER: I agree with Mr. Parker. Take the Beverley Racing Club, which conducts two meetings a year. Suppose the stakes were £500 for each meeting. That would mean that the club would have to find £1,000 each year. Suppose that the amount it received from the tax was £120. It would have to allocate £60 to stakes. That would increase the stakes the following year to £1,060. The year afterwards, from the £120 collected it would take a further £60 and again would have to increase the stakes and put £60 of its own money towards them. The club would have to increase the stakes from year to year.

Hon. L. Craig: It does not mean that at all.

Hon. N. E. BAXTER: It says so. What is the meaning of the word "increase" if it does not mean from year to year? If the stakes this year are £1,060 they must be increased next year. That is as clear as it can be. The country clubs should have freedom to use the money in the best interests of the clubs.

Hon. H. L. Roche: Do you think this money would benefit the country folk?

Hon. N. E. BAXTER: Only in a very small way. I do not want to see the country clubs penalised by having to find further money out of their own finances to increase the stakes.

Hon. L. Craig: Suppose they had no revenue. Would they still have to find £1,000?

Hon. N. E. BAXTER: Yes, according to this Bill. If they have not the money they must find it from somewhere.

Amendment put and negatived.

Clause put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

Bill read a third time and *passed.*

BILL—FREMANTLE ELECTRICITY UNDERTAKING (PURCHASE MONEYS) AGREEMENTS.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to the amendments made by the Council.

BILL—RENTS AND TENANCIES EMERGENCY PROVISIONS ACT AMENDMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to the amendment made by the Council.

BILL—ABATTOIRS ACT AMENDMENT.

Received from the Assembly and read a first time.

BILL—WINNING BETS TAX.

Second Reading.

Debate resumed from an earlier stage of the sitting.

HON. H. C. STRICKLAND (North) [12.39 a.m.]: We cannot amend this Bill, but I had intended to move a motion that we request another place to amend it. However, now that the Stamp Act Amendment Bill has gone through without the amendment I moved, there is no point in submitting my motion. I still maintain, however, that this measure will penalise the small bettor much more than the large bettor. The punter who goes into the leger on the racecourse and wins a small amount between 5s. and 10s. will be taxed at the rate of 5 per cent., whereas the man who can nod his head for "ponies" and "monkeys" will pay only 2½ per cent. It is rather unfortunate that we have arrived at the stage where it is absolutely impossible to make this a uniform tax. As I said earlier, it would have been a uniform tax had my previous amendment been agreed to. I am not going to support the Bill. I oppose the second reading.

HON. G. FRASER (West) [12.41 a.m.]: The only comment I wish to make is that we should amend the Title of the Bill to read, "A Tax on Winning Bets and for Bolstering up Racing Clubs."

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Read a third time and *passed.*

BILL—STAMP ACT AMENDMENT. (No. 1).

Order Discharged.

On motion by the Minister for Transport, Order discharged.

BILL—ABATTOIRS ACT AMENDMENT.

Second Reading.

THE MINISTER FOR AGRICULTURE (Hon. Sir Charles Latham—Central) [12.45 a.m.] in moving the second reading said: The Bill is being introduced so early this morning in order that members may be able to study it. When the House meets again later in the day they will know what it contains. I do not propose to make a long speech but shall stick to my notes as closely as possible. The parent Act was first introduced in 1909 and abattoirs in this State were placed under the control of a controller. However, with the increase in population in the metropolitan area and the consequent demand for meat, it is necessary to change from the open hall solo method of meat preparation and processing to the accepted factory-operated system.

Experience has shown that the open hall solo system can economically cater for a limited population—in the vicinity of 150,000—but Perth passed this figure many years ago. With a population in the metropolitan area of over 300,000, it is necessary that the factory method of operational routine be put into effect. To do this, the abattoir authority must assume industrial responsibility undertaken by the master butchers in the matter of employing labour to handle stock, slaughter them, and later arrange for delivery to the retail shops.

Accordingly, the administration, and accounting and bookkeeping system must be geared and adjusted to co-ordinate with the accepted commercial and industrial trade practices of the meat industry. It is obvious that the meat industry, because of its wide ramifications, could not be expected to change its commercial and industrial methods to suit the civil administration of the Department of Agriculture. Commercial requirements call for a daily balance in stock and other matters, and the abattoir authority will be

required to adjust its administration and routine to produce a similar daily balance for completing co-ordination with the industry.

It has been found in metropolitan abattoirs of other capital cities in Australia that this brings about considerable responsibilities, and as an assistance in this administration, boards have been established. The Bill now under consideration proposes to establish a board in this State in respect of the abattoirs and saleyards at Midland Junction. Instead of being under the Controller of Abattoirs, they will be controlled by a board. It will be known as the Midland Junction Abattoir Board. The present Controller will, in respect to the Midland Junction abattoirs, be the general manager, and will be the chief executive officer of the board. Although this Bill changes his designation in regard to the management of the abattoirs at Midland Junction, he will still be the Controller as regards Kalgoorlie and all other abattoirs coming under the Abattoir Act.

The Bill provides for a fund to be known as the "Midland Junction Abattoir Fund." It sets out how this fund may be augmented, but should the board at any time be unable to meet its commitments, an advance will be made by the Treasurer. This money will be advanced at interest, but the principal will be a first charge upon the fund. If the board has sufficient funds at its disposal, it can invest them in a manner approved by the Minister.

The board, which this Bill proposes, will be appointed by the Governor and will consist of three members. One will be a chartered accountant who will also represent the consumers of meat; one will represent the butchers, and the other will look after the interests of the producers. One of these members will be the chairman of the board and he will be appointed to that office by the Governor. Each member will be appointed for a period of five years, and at the end of that period, will be available or eligible for reappointment.

Provision is made for the Governor to appoint deputies, and when a member is absent through incapacity or some other reason, a deputy representing the same interests can take his place with similar powers. No remuneration is laid down under the Bill, but provision is made for each member or his deputy to be paid an amount to be determined by the Governor.

The position is the same as regards leave of absence. Each member of the board will have one vote, and at a fully attended meeting a majority decision will prevail. Two members are sufficient to form a quorum, but should a difference of opinion arise, the matter in question will be postponed until the three members are present.

While certain powers involving finance for the purchase of land, plant or equipment and the erection of buildings are given to the board, it must have the approval of the Minister if the amount exceeds £1,000. The board comprises a few members only, and this will ensure that competent men will be found and any suggestion of unwieldiness obviated. I move—

That the Bill be now read a second time.

On motion by Hon. E. M. Davies, debate adjourned.

ADJOURNMENT—SPECIAL.

THE MINISTER FOR TRANSPORT (Hon. C. H. Simpson—Midland): I move—

That the House at its rising adjourn till 2 p.m. today.

Question put and passed.

House adjourned at 12.53 a.m. (Friday).

Legislative Assembly

Thursday, 11th December, 1952.

CONTENTS.