House agrees to the Bill going through in its present form, no one will contribute anything towards the mopping up programme.

Mr. Yates: You will still have to extend the period of the legislation after three or four years.

The MINISTER FOR AGRICULTURE: Only perhaps for mopping up operations. On the committee there are representatives of four separate local authorities and only one Government officer. That commitee will control the funds. The bodies represented are the City of Perth, the Local Government Association, the Country Municipal Councils Association of Western Australia, and the Road Board Association of W.A. When the committee was formed to go into ways and means, which eventually led to the introduction of this iBl, it discussed the question of whether the Government could guarantee to complete the whole of the scheme within five years. No one was so silly as to suggest that it could.

The programme might be completed in four years or in five years and one month. It cannot be provided for certain that the ant will be eradicated in five years. The Government therefore considered that this provision was necessary, as did the local governing bodies, because they said that the Government of the day could not dictate as to whether this scheme should continue or not. It is not a question of the Government breaking faith with local authorities; it is a question which the representatives of the local governing bodies themselves will decide, namely, as to whether the scheme will be extended or not. I do not think they appreciate that point. The Government cannot order the continuation of the scheme unless first of all the representatives of the local authorities make such a request.

Mr. Yates: What was the idea of the view expressed in the news item?

The MINISTER FOR AGRICULTURE: I have not the faintest idea, and I do not know on what authority Mr. Fellows is speaking.

Mr. Yates: He mentioned approaches that were going to be made to you. Evidently they did not make them.

The MINISTER FOR AGRICULTURE: I am not certain whether the letter has come through or not, but I do not know what is in the mind of Mr. Fellows. I do not think he knows the purport of the Bill.

Hon. A. F. Watts: He knows all right, because he is a member of the Agriculture Protection Board and a member of the Road Board Association.

The MINISTER FOR AGRICULTURE: That makes it all the more difficult to understand, because in that newspaper cutting Mr. Fellows said that if there were a continuation of the scheme, it would be a breach of faith on the part of the Government. How could it be when the proposed continuation of the scheme was not at the request of the Government at all, but at the request of the committee with four local government representatives. I do not think Mr. Fellows knows what the Bill means.

Hon. A. F. Watts: I think he was interested in Parliament deciding whether it should go on or not.

The MINISTER FOR AGRICULTURE: I suggest that the hon. member inform his advisers that this committee will be responsible for any continuation of the scheme, not the Government. If it is not done in accordance with the Bill, it will mean that the Government will not contribute towards any mopping-up programme after the five years, and I think it should. I think it would be in the interests of the local authorities and the public generally that the Government should continue to contribute its share, and should not cut out when two or three months' work is still necessary. I leave that thought with members, and perhaps the member for South Perth could indicate in the Committee Stage what is desired.

Question put and passed.

Bill read a second time.

House adjourned at 10.53 p.m.

Legislative Council

Wednesday, 20th October, 1954.

CONTENTS.

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

BILLS (3)—THIRD READING.

1, Physiotherapists Act Amendment. Transmitted to the Assembly.

2, Administration Act Amendment. *Passed.*

3, Health Act Amendment (No. 1). Returned to the Assembly with amendments.

BILL—DOG ACT AMENDMENT.

Second Reading.

HON. C. W. D. BARKER (North) [4.37] in moving the second reading said: I want to say firstly that in explaining the Bill I shall be using the words dogs and bitches, but I do not mean to refer to any living person in this House or outside. In introducing this Bill I am making an attempt to rectify a serious position that has arisen in this State through the infestation of domestic dogs into the country areas and their breeding with dingoes. The offspring cause a great deal of damage and harm to pastoral properties, particularly in sheep and cattle stations. I have received numerous letters from my constituents commending the Bill. Since I first considered bringing down the Bill I have received a host of letters from the farming community as well as people in the metropolitan area. From these it will be seen that there is trouble with dogs not only in the North-West but in other parts of the State. I received this letter from a station owner in the North in September last. It reads—

> You could do a great service to this country, the North-West, in fact the whole State, if you could do something to amend the law regarding the keeping of dogs. The whole thing is becoming farcical. The natives have so many dogs now that sheep are being destroyed wholesale, and even in the towns, dogs are roaming about loose everywhere and raiding the different properties around the town.
>
> A native is allowed one dog without a licence, but can keep as many as he likes providing he takes out a licence for them.
>
> When the natives go on holiday they go by plane or car these days and leave the dogs to roam around the camp and are now even hunting in packs in daylight. Something must be done about this problem Don, and am trusting you can help us.

I am informed that dogs have done a considerable amount of damage on that station. Everyone is aware that the Agriculture Protection Board is doing a good job in controlling the dingo menace, but that department has enough to do in trying to control the dingoes that enter the populated areas from the inaccessible spots where they breed, without having to deal with the heavy infestation of domestic dogs in country areas. The domestic dog bred with the dingo produces a type of dog which, when let loose with cattle and sheep, does a great deal of damage. Some people have said that it is cruel to poison dogs but there is nothing as cruel as the type of dog bred from a dingo and a domestic dog, and in this connection I produce a photograph showing a sheep, still alive, after it had been dealt with by dogs. With your permission, Mr. President, I wish to show it to members. Once and for all it will answer the question of cruelty. It might interest members to know that during the past three years the bounty has been paid on 33,022 dog scalps in Western Australia; 50 per cent. of the scalps being from dingoes and 50 per cent. from domestic dogs.

Hon. H. K. Watson: That is 50 per cent. of 33,000.

Hon. C. W. D. BARKER: Yes. For every dog that is destroyed and in respect of which a scalp is handed in, it is safe to say that another five or six are still alive in the bush. Members can appreciate, therefore, the menace these dogs are in the country where we run sheep and grow wool and, in fact, depend for the best part of our living on sheep. When this menace interferes with our economics, it is time to drop sentiment and do something about it. I shall quote the districts from where these 33,000 scalps came. For the benefit of the department, the State is divided up into divisions. The figures are as follows:—

	1951-52	1952-53	1953-54
Northern Agricultural	80	149	66
South-West	92	143	79
Great Southern	107	124	106
Eastern Goldfields	477	1107	512
Northern Goldfields	2220	2215	1904

The North-West is divided up into three subdivisions. The north-western subdivision extends from Carnarvon to a boundary south of Port Hedland, and in 1951-52 it turned in 1,482 scalps; in 1952-53 it turned in 934 scalps and in 1953-54 it turned in 1,298 scalps. The southern sub-division, which covers the country round Nullagine, Marble Bar, Port Hedland, etc., in 1951-52 handed in 672 scalps; in 1952-53 it handed in 522 and in 1953-54 it handed in 837. The northern subdivision which takes in Hall's Creek, West Kimberley and Wyndham had the following figures:—1951-52, 6739; 1952-53, 5680; 1953-54, 5388. These figures should give members a fair idea of the widespread and serious menace that these dogs constitute.

In the last 29 years, the department has paid in royalties for scalps the sum of £382,539, and to this must be added the amount of £177,584 for wages paid to trappers. I might say that trappers have been engaged by the department only since 1930. At the present time the department has several doggers and inspectors in its employ. In the northern agricultural division it has one inspector and 12 doggers; in the Goldfields division

it has one inspector and five doggers; in the North-West it has one inspector and nine doggers; and in the Kimberleys one inspector and four doggers. In spite of all this, the dogs have caused serious setbacks to the pastoralists and farmers throughout the State. During the past few years huge sums have been spent on aerial baiting. These amounts have been distributed as follows:—

	1951-52	1952-53	1953-54
	£	£	£
Northern areas	6,675	6,224	12,856
Southern areas		330	499

In the past 29 years, the problem of controlling dingoes has cost the State well over £500,000 in actual cash apart from the loss through the destruction of sheep. The only thing we can blame is the laxity of the Act which enables people to keep dogs too freely—particularly natives. I admit that the aborigines are the worst offenders. Section 29 of the Act states—

> Any adult male aboriginal native may register one male dog free of charge, the collar and disc for which shall be supplied free of charge by the registering authority, but such dog shall be kept free from mange or other contagious disease. Upon representation being made by any person to a justice of the peace that such dog is a dangerous dog or is liable to spread disease by reason of its neglected state, the justice may order the destruction of the dog.
>
> Whenever the number of dogs found in the possession of one or more natives shall be in excess of the number of adult natives in such party, such dog or dogs in excess, except such of the said dogs as are duly registered, shall be liable to be destroyed.

This, to my mind, means that an adult male native can have one male dog free of any registration fees; but he can have as many dogs as he likes so long as he registers them. That is the farcical position which exists throughout the North. Recently a station manager was having difficulty because of dogs in his flocks. One morning he counted 330 dead sheep. He sent for the police, and when they arrived, they found that there were five dogs per adult male native in the camp, and every one had a license tag on it, so the police could do nothing. They actually have to catch these dogs in operation and prove they are the murderers before they can do anything. That is just making a farce of the position.

My proposed amendment to Section 29 removes the protection given to registered dogs and allows the destruction of any excess dogs, whether they are registered or not. This might seem harsh, but the problem is so acute that it has begun to interfere with the economics of the country, and as a result we must cast all sentiment aside. Anyone who knows anything about natives is aware that the great weakness of the native is his dogs. I have seen natives with more than 60 dogs.

Hon. H. Hearn: Will they sleep in the hotel room with them?

Hon. C. W. D. BARKER: They might; I would not know. This is a matter that should be rectified. Anyone who owns a property and is competing with the elements and everything else has enough on his plate without having to battle against a mob of wild dogs, too. A dog does not even have to kill in order to do a lot of damage. If a dog gets into a mob of sheep, particularly lambing ewes, and chases them around the paddock, nipping at their heels, it causes enough damage without worrying about anything else. A person loses half of his sheep because they are frightened by the dog. Natives are not the only offenders. Since I have taken this matter up I have been amazed at the number of letters I have received from people in the metropolitan area. I did not think that dogs caused so much trouble here, but I find, from the letters I have received, that they cause just as much trouble in the metropolitan area as anywhere else.

Hon. W. R. Hall: Are you going to read the letters?

Hon. C. W. D. BARKER: No, I will not weary members by reading them.

Hon. H. L. Roche: Did you receive any letters from Nedlands?

Hon. C. W. D. BARKER: Yes, I received one from that district. I also have some cuttings taken from the newspapers. I did not save them; they were sent to me by some person who realises that uncontrolled dogs are a menace in the metropolitan area. I suppose most members have read the cuttings, but there are such headings as, "Morley Park and the Dog Problem," "Dog Snaps and Injures a Boy's Eyes," "Dog Problem" and many others. I shall not read them because it would only weary members and most of them know that the problem exists. In the early mornings dogs go running and howling through our park lands, barking and galloping over gardens and destroying everything. People who own them should look after them, but the best way to rectify the position is to make it harder for people to keep more than one or two dogs.

The Minister must realise that the only way to make people look after their dogs is to make it harder and more expensive for them to keep more than one or two. After all, who wants to keep more than one dog? A dog can be licensed for 7s. 6d. and a bitch for 10s. and I propose to make it prohibitive for a person to keep more than two dogs. I repeat, who wants to keep more than one dog?

Hon. J. J. Garrigan: Who wants to keep one?

Hon. C. W. D. BARKER: It is impossible for a person properly to look after more than one or two dogs.

The Chief Secretary: The second one might be the one that bites children's eyes.

Hon. H. K. Watson: Your proposal is to restrict the number of dogs.

Hon. C. W. D. BARKER: My first proposal is in reference to natives keeping dogs and the second is an amendment to the Third Schedule which covers licensing fees.

Hon. H. K. Watson: You have no objection to any other person owning as many dogs as he likes.

Hon. J. J. Garrigan: Bring them all under the same rule.

Hon. C. W. D. BARKER: I am trying to make it prohibitive for a person to own and license more than one or two dogs. I intend to make the license fee for the second male dog £1 and for the second bitch £3, instead of 7s. 6d. and 10s., and increase the fees progressively. If members want to make the Act read in such a way that a person can keep only one dog, that would suit me, too. My intention is to try to limit the number of dogs that a person keeps by making the license fees higher where more than one dog is owned. This will ensure that people will look after their dogs and not allow them to go bush and so join up with the dingoes, which are such a menace to the sheep population of this State. By increasing the fees people will realise that they can keep only one dog; if they keep more it will cost them a considerable sum of money each year.

The Chief Secretary: How would you get over the position of one dog for the father, one for the mother and one each for the children?

Hon. C. W. D. BARKER: By making it only one to each family. This is a serious position and something needs to be done about it quickly. At least I have had the courage to introduce a Bill and if members can do something to improve it I will welcome their suggestions. In Committee members can do what they like so long as they do not defeat my intention.

The Minister for the North-West: Have you provided for the Hunt Club?

Hon. C. W. D. BARKER: Dogs in that category are provided for in a special section and it includes working dogs and guide dogs for the blind as well as registered dog breeders.

The Chief Secretary: Have you a definition of "working dog" in your Bill?

Hon. C. W. D. BARKER: No. Section 11 refers to "working dogs" by providing for dogs used in or about the droving or tending of cattle. In my Bill the fees are increased for additional dogs.

The Chief Secretary: What about the butchers' dogs?

Hon. C. W. D. BARKER: I do not know anything about them.

Hon. W. R. Hall: Have you any dogs?

Hon. C. W. D. BARKER: Yes, I see them round the corridors here every day. I think members should take a serious view of this matter and do something about it.

Hon. E. M. Heenan: Your aim is to reduce the dog population.

Hon. C. W. D. BARKER: My aim is to reduce the dog population to a stage and to within limits which will enable people to keep them under control. Dingoes are a menace and it is a heart-breaking job to control them. Many of them live in inaccessible breeding places and the stage has been reached where it is almost impossible to control them unless some action is taken. Domesticated dogs are joining up with them, and my Bill will attempt to do something to control the dog population in that regard. It is all right for townies, who depend on people in the bush to grow wheat, wool and cattle, to laugh about this matter, but it is reaching serious proportions. The least we can do is to help by controlling the number of dogs. If we increase the license fees and make it almost impossible for people to keep more than one dog we will be going a long way towards overcoming the problem.

The Chief Secretary: Would you exempt the metropolitan area from the provisions of this Bill?

Hon. C. W. D. BARKER: No, not after all the letters I have received from the metropolitan area. People are screaming blue murder about the dog menace, and in a civilised community do we want a mob of howling dogs to run over our gardens? There is not one lamp post in the city that is not marked. When the Bill goes into Committee, I hope members will put forward any ideas they have and help me out, so long as they do not intend to defeat my intention.

Hon. H. K. Watson: Section 29 provides for one dog one native in any party. Have you any idea of the average number of a party?

Hon. C. W. D. BARKER: That generally constitutes a family; there may be a man, a woman, and any number of children. In the past it was necessary for a native to have a dog to hunt food, but that necessity no longer exists.

Hon. H. L. Roche: They do not hunt.

Hon. C. W. D. BARKER: That is so. There is not a handful of bush natives in Western Australia. They are all working

on stations and have plenty of food; they are cared for and are paid wages by the station-owners. Those who do not live at stations, live at the missions, and to say that a native needs a dog to hunt food is just so much rot. Nowadays when he goes on holidays, he does not take off his clothes and get out his spears and boomerang; he goes by plane or truck and leaves his herd of dogs running wild in the camp. That occurs all over the State and as a result those dogs link up with the dingoes. I know that on the Goldfields, particularly, people are having a lot of trouble with dogs. The number of scalps that have been handed in from the Goldfields division will indicate to members what a menace dogs are in that country. Farmers and others in the agricultural areas suffer enough from drought and so on without having to contend with wild dogs. I think everybody in the metropolitan area, too, knows what a nuisance they are and that we should do something about them.

I think my Bill is clear enough. As I said before, it exempts dog breeders, and working dogs; and guide dogs for the blind are provided for in the Act. My intentions are to try and and make the licensing fee prohibitive so that people can keep only one dog and one bitch; and further, to restrict natives to one dog only. It is proposed to do this by taking out a few words from Section 29. If we pass this measure, we will be doing a great service to the pastoral community and the people generally. Directly or indirectly, we all depend upon these people for our living, and when this menace goes so far as to interfere with the economy of the country, it is time we did something about it. I ask members to vote for the second reading, and, if anyone has any ideas, they can be dealt with in the Committee stage.

The Chief Secreary: Have you any dog statistics?

Hon. C. W. D. BARKER: No, all I know is the number of dead dogs. I do not know how many dogs there are in Western Australia, but from all accounts there must be a howling mob of them. I move—

> That the Bill be now read a second time.

HON. A. R. JONES (Midland) [5.1]: I have pleasure in supporting the hon. member, and I congratulate him for having brought this matter before the House. There is no doubt in my mind that dogs are certainly a menace, not only in the country, or the agricultural or pastoral areas, but also in the city. It can clearly be seen that the hon. member does not wish to bar dog-lovers from keeping domestic dogs; it can also be seen quite clearly that he does not wish to stop people from breeding dogs, or to restrict the breeding of good working dogs. Apart from this, it is his intention to provide that the natives shall own only one dog. In the existing circumstances it is quite sufficient for natives to own only one dog. Having had some years of experience—like many other members—in the country areas, and having from time to time seen at first hand the damage that can be caused by dogs, I have every reason to believe that members who know of those instances will support the Bill.

In my early youth I lived within a mile of a small township and it was not uncommon to find, once a week, that dogs had been amongst our sheep, killing up to 20 of them in one night! These days when sheep are valued at a possible average of £3 a head—and that is not excessive—a great loss could be sustained in one area in a 12-month period, particularly by those people who live adjacent to townships, or native camps. My own brother and sister are next to a native camp in Moora, and every day of their lives they are troubled by the natives' dogs.

The hon. member has said that he has received several letters from people living in the city, stating what a menace straying dogs are. If I had thought of it, I could have written him one myself, because I live opposite a park, and it is nothing for me to have to listen to the yapping of 10 or 12 dogs, or to see them galloping across lawns and damaging property. I have taken the trouble to have a look at these dogs, and I find that only half of them in the area in which I live have a registration disc on a collar around their necks. Whether the others are registered and do not carry discs, I do not know. But it seems to me that the inspector concerned has not done his job, because if he had the dogs would be carrying the registered discs. Too many people will take in a dog, or buy a dog, or have a dog given them by somebody else only to throw it scraps and let it run wild in the district and make a nuisance of itself. The contention is that they must have a dog for the little child. Nobody would deny a little child or any family, a dog, but it should be encumbent on these people to look after the animal; it should not be permitted to roam at will and mix with other dogs and create a nuisance.

I have every intention of supporting the hon. member, and I propose to place a couple of amendments on the notice paper which I trust will meet with his approval. I would like to refer to the statement made by Mr. Barker when he said he was making it prohibitive for people to own dogs. He is not making it prohibitive, rather is he making it more expensive for them if they wish to own more than one dog. I cannot see anything but reason in that. I support the second reading.

HON. J. D. TEAHAN (North-East) [5.6]: I support Mr. Barker and, like the previous speaker, I think he has great courage in bringing this matter forward in a private Bill. Many of us feel as he does, though not all of us have, perhaps, the energy, or we may call it the courage, to do the job. Accordingly he deserves all the support he can get.

The argument that will be used against the measure will be that the native must have his dogs because it is necessary for him to hunt. However, that criticism has already been answered, and those days are gone. Now the native is provided for, and that necessity no longer exists. Very often these natives have four or five dogs and when they move their camp, they let the dogs loose where they have been camping and they run wild and mix with the dingo and become a worse menace than the dingo itself. As has been described, they are murderous dogs once they go bush. What is proposed will also be an act of kindness, and I feel the R.S.P.C.A. should support this measure, because one dog is plenty for a native. After all, the native is barely able to feed himself properly, with the result that these dogs go bush. It is wicked and unkind to see these half-starved creatures following the natives through the bush, and it would do no harm if they were permitted to have only one dog.

Because of the harm that is done to the sheep, I am quite certain that most of the cities, and towns in country areas, would desire that the numbers should be reduced. I know that the local governing bodies on the Goldfields are bothered with this nuisance all the time. The Boulder Municipal Council—and I can speak also for Kalgoorlie—were prepared to pay any price to mitigate the nuisance. People who love dogs would pay the amount asked, even though it were large, to have them properly registered and fed and looked after. Those who permit dogs to roam at will are not really dog lovers. The price should not be made prohibitive, but it should be made costly so that those who want to own dogs will be the ones who will keep them properly. It is not our desire to interfere with the dog-breeder, or with the man who wants a dog to help round up sheep; nor is it our desire to interfere with those who require them for guide dogs. The intention is to control those people who do not look after their dogs but permit them to roam at will. I support the second reading.

On motion by Hon. W. R. Hall, debate adjourned.

BILLS (3)—FIRST READING.

1, Fauna Protection Act Amendment.

2, Mines Regulation Act Amendment (No. 2).

3, Traffic Act Amendment (No. 2). Received from the Assembly.

BILL—CATTLE TRESPASS, FENCING AND IMPOUNDING ACT AMENDMENT.

Discharge of Order.

Hon. A. R. JONES: I move—

That Order of the Day No. 12 be discharged from the notice paper.

My reason for this motion is that the amendments included in the Bill I intended to submit to members, are to a great extent, fully covered in the Local Government Bill, and until that measure is dealt with it would, perhaps, be wrong to go ahead with them.

Question put and passed.

Order discharged.

BILL—BUSH FIRES.

Second Reading.

Debate resumed from the previous day.

HON. L. A. LOGAN (Midland) [5.14]: This Bill is an attempt to draw up a satisfactory bush fires Act. To my mind, however, it seems to constitute the redrafting rather than the consolidation of the Act. There is a lot of new matter in this measure, however, and I am afraid I do not agree with a number of its provisions. We know that some form of control is necessary, but it seems to me that as soon as we provide for one form of control it leads to another, and the culmination of these controls is regimentation. That is what I am worried about in relation to the provisions of this Bill. It is a retrograde step not to preserve the volunteer spirit that has pervaded the agricultural areas over the years. I will admit there have always been one or two snags; we have always found that there are one or two farmers who do not co-operate. But, generally speaking, 99 per cent. of them are ready to put down their tools, stop the work they are doing, and make themselves and their equipment available to help not only their neighbours, but other people who may be living in areas 10 or 15 miles away. If we impose too many controls or too much regimentation, we shall run the risk of losing this voluntary assistance.

Quite a few definitions are included in the Bill, but I think it would have been better had the measure prescribed different areas. There are different types of country according to which districts could be classed, firstly, the forest country; secondly, the heavily-timbered country; thirdly, the lightly-timbered country; fourthly, sandplain and scrub country, and fifthly, the cleared and grass country. The fire prevention measures necessary and the methods of extinguishing fires in those areas differ, and it would have been better to have tackled the problem under a system of areas rather than as is proposed in the Bill.

Apparently, the intention is to divide the State into zones and in each of those zones the bush fire brigade board will be required to appoint a warden. Certain duties are laid down for the warden, and with most of them I agree, but when it comes to taking away the right of the local bush fire control officer and putting him under the direction of the warden, I must disagree. We must bear in mind that in the Great Southern zone, there are something like 25 local authorities, and a majority of them have a good fire brigade. It would be almost impossible for a warden to have an intimate knowledge of the conditions prevailing throughout all the districts, and to say that the warden must exercise complete control and that the bush fire control officer must be under his direction is wrong. If the warden were directed to co-operate with the bush fire control officer and he agreed to the warden's taking charge, that would be an entirely different matter, but to empower the warden to take control in the first place is the wrong way to go about it because that could lead to a breaking down of the voluntary spirit.

There is a difference in this Bill as compared with the Radioactive Substances Bill and I should like the Minister to give the reason for it. Under the other measure, the chairman of the board may exercise a casting as well as a deliberative vote, but under this Bill the chairman will have only a deliberative vote. There also seems to be a clash of authority under this Bill. Four different authorities are mentioned, each capable of overriding the other. In one portion of the Bill, provision is made to the effect that the bush fire control officer shall be in supreme command. According to other parts of the measure, however, he is to be subject to the control and direction of the bush fire warden. Although the bush fire control officer is supposed to be in supreme command, he could be overridden by the forestry officer. Further, if the Minister declares an emergency in any particular area, he himself has the right to appoint somebody to take charge in that area. How is all this going to work? We have the voluntary bush fire brigade and the bush fire control officer, and irrespective of whether there is an emergency or not the Minister has the right to appoint somebody to supersede him. Surely, a bush fire control officer who has been nominated by the local authority to do the job and who has an intimate knowledge of local conditions is the man who should be in charge and should not be subject to the direction of somebody else! I hope that the Minister will consider those matters.

There are cases where a bush fire control officer residing in the district would not care to be placed in the position of having to take certain active measures against a resident of the district. I know that this happens, but I think that if we provided for the warden to co-operate with the bush fire control officer, the bush fire control officer could delegate control to the warden, who could then carry on with the job.

The Minister for the North-West: What if he were not available?

Hon. L. A. LOGAN: Then his lieutenant would carry on. A forestry officer may take control even though the fire is not on forest land but is adjacent to it. It could easily happen that a bush fire control officer was on the job, had summed up the situation and had given instructions to the bush fire brigade, but nevertheless the forestry officer could come along and take charge. If we make it mandatory for these people to take control from the bush fire control officer, it will lead to confusion.

Another impossible provision in the Bill is that empowering the Minister to declare an emergency period by notification in the "Government Gazette." How will this enable people in the area to know that an emergency has arisen. One morning there might be a blazing sun and a hot wind blowing, and somebody advises the Minister to declare an emergency in a certain area. The Minister does so. What is the good of publishing that in the "Government Gazette," which may not be published for a week after and may be read by only a few people in the country. It is silly to include a provision like that in the Bill.

Under the measure, it is proposed to penalise a man to the extent of £100 even though he complies with all the conditions and requirements laid down in the Bill. When he has done everything required of him, something might happen to cause a fire to get away, and the man is liable to a fine of £1,000. That is not fair. If a fire gets away, the man is liable under common law. A neighbour's property might be burnt out and he could take the man to court and claim damages. There can be no objection to that, but why should we turn around and make him liable for a penalty of £100 for the expenses of the bush fire brigade? I think we are making that provision altogether too hot. If a man infringes the Act by deliberately lighting fires, let him by all means be penalised, but when a man goes to all the trouble to comply with the whole of the conditions required of him, he should not be subject to such a severe penalty. Employees of the Railway Department can start a fire without incurring liability, and it is clear that we are placing too much onus on one individual and not enough on others.

It has been reported to me that on one occasion locomotives started 20 fires within a distance of 10 miles. If the people concerned had not taken the time and trouble to follow the train, those fires could have got out of control and no-one would have

been held responsible. Yet when an individual complies with all the requirements, if a willy-willy comes along and carries the sparks a couple of hundred yards away, thus causing a fire, he is liable. I have seen railway gangs burning between firebreaks along the line during the day when a searing north-easterly wind has been blowing. It would be much better for all concerned if the gangers were instructed to cease operations for five or six hours and resume burning about four o'clock for a matter of two or three hours.

I should like the Minister to give an explanation of the duplication of powers under Clauses 39 and 45. Under Clause 39, a bush fire control officer shall have certain powers, and authority to perform certain duties. Clause 45, which deals with the powers of a junior officer of a brigade, such as the captain or the next senior officer, confers on these officers the same powers as are contained in Clause 39, with the exception that they may not exercise the powers of a fire officer under the Fire Brigades Act of 1942-51. If my interpretation is correct, we do not require two and a half pages to do that, as one simple clause would cover it. There is a lot of unnecessary verbiage in another portion of the Bill, which I think is senseless in this respect; that under the measure it is mandatory that when a fire occurs the bushfire control officer in that area must immediately go to the telephone and inform every neighbouring bush-fire brigade in the district of the fire. It is also mandatory for him to take all the fire prevention equipment and apparatus to the fire immediately.

We do not need to be told to do that, so why put it in the Bill? All that sort of thing is part of the daily lives of these men, and I say it is senseless to include such verbiage in an Act of Parliament. What is more, it appears to me to savour of regimentation. I repeat that we do not need to be told what to do, because we already know. There are 30 odd amendments to the Bill on the notice paper and I feel that the measure is essentially one to be dealt with in Committee. I realise that a great deal of the Bill is supposed to have been drafted by country members of the bush-fire boards but I am afraid that a lot of it must have slipped through without their knowing what it contained. I support the second reading.

HON. H. L. ROCHE (South) [5.32]: As Mr. Logan has just said, this is a Bill which lends itself to deliberation by members during the Committee stage rather than in general debate, but there are one or two points which I think it as well to mention at this juncture. The Bill, of course, is a necessary one and I am not opposed to it although I have always been somewhat concerned at any amending legislation in respect of the Bush Fires Act in this State, because it must be borne in mind that the fundamental principle behind the bush fire fighting brigades throughout the State is voluntary effort and co-operation on the part of the people concerned. If there is any marked attempt to put the operations of these brigades into what I might call a legislative straightjacket it will have the result of killing the enthusiasm of all concerned.

I would remind members that without enthusiasm and co-operation these brigades will not function or at best, will function, half heartedly. It is as well to bear in mind that when the late Hon. M. F. Troy introduced the original Act in 1937, the main purpose behind it was to provide a legislative framework upon which it would be possible to build up a voluntary firefighting organisation in country districts. In some districts advantage has been taken of that legislation and very effective organisations have been built up. One point that I wish to emphasise to metropolitan members and others who are not in everyday contact with the fire problem is that fire is absolutely essential to the development of this country and to certain of our farm practices. While uncontrolled fire or fire under adverse weather conditions is a menace and can do tremendous damage, the necessary publicity given to that danger in order to bring it home to the uninformed public tends, I believe, to influence people in the direction of thinking that all fire is a menace. The fact is that fire, properly controlled and used, yields benefits which outweigh the losses occasioned by the odd fire that gets out of control.

I do not wish it to be thought that I am in any way decrying or criticising the publicity given to the danger of fire because I know it is necessary, but members should bear in mind that fire has its uses as well as its hazards. In my own road board district there are anything from 100 to 150 controlled fires every summer. Not a burning season passes without my having to attend at least half-a-dozen fires in my own neighbourhood. There are at least 100 power pumps privately owned by members of the volunteer bush-fire brigades in that district and so we have there considerable experience of fire and also of the use that can be made of the existing legislation to build up adequate firefighting organisations.

One disability that we are under in dealing with this legislation is its wide scope. Here we are trying to cover the whole State with one Act in spite of the fact that conditions in different parts of the country vary tremendously. Although I am not looking forward to more legislation of this kind, but, if in the future we are called upon to consider further measures of this nature, I hope the Government of that day—or the bush fire advisory committee advising the Minister

concerned—will give some thought to drafting legislation that will apply to the various areas of the State. It seems to me that if we drew a line, perhaps from Pinjarra to Albany, all country south-west of it would be deserving of a special type of legislation, and similarly with the Great Southern country, possibly as far north as Gingin. The endeavour to embrace the whole State in legislation such as this makes it difficult for us to arrive at a practical measure and some of the clauses of the Bill are, to my mind, not practicable. I fear that the practical men on the advisory committee were possibly not consulted as fully as they might have been before this legislation was drafted.

The people of whom the volunteer brigades are comprised are all neighbours. They know each other and work together, and their co-operation and voluntary effort is the keynote of the whole structure. It is the only thing that can keep the brigades together and make them work effectively. Nothing should be done, either departmentally or by the legislature, to impair in any way the co-operation and voluntary working together of these men for the common good. Just as I am prepared to go miles today to help a neighbour in trouble, I expect him, should the occasion arise, to help me in like manner. In the application of the powers that this legislation will confer on the board and its officers, when they are appointed, I hope nothing will be done to restrict or impair the work that the brigades are doing, by trying to tell them how to operate, particularly in view of their years of experience and their obvious readiness to provide their own means of defence against fire. I hope members will appreciate the position and that they will approach this legislation from that angle.

I would like the Minister, before the measure reaches the Committee stage, to discuss with his advisers the question of a definition of what is a bush fire. I believe another member also raised that question earlier in the debate. Although the Bill refers to bush fires, bush fire brigades and the control of bush fires, I can see nowhere in it any attempt to define what a bush fire is. I repeat that I hope the Minister will give that aspect of the matter thought, with a view to including in the legislation a worthwhile definition of a bush fire.

HON. F. R. H. LAVERY (West) [5.44]: I have pleasure in supporting the remarks made by Mr. Roche. As I have previously said in this Chamber, I have had country as well as metropolitan experience and I know that the volunteer fire brigades in the towns throughout the State have, through comradeship and experience, built up an organisation the standard of which is now such that the permanent brigades, while not actually jealous, realise that they have themselves to maintain a high standard in order to approach that of the voluntary workers. The suggestion made by Mr. Roche should leave no doubt in the minds of those members who do not represent country districts and who have no experience of fire fighting in those areas.

Several years ago I spent many hours fighting fires in the Merredin district. On one occasion I was one of a large body of 160 men who were trying to fight fires and although much effort was exercised, it was practically to no avail as there did not seem to be any leadership. However, today the volunteer bush fire brigades that are established in country districts have reached such a high standard that I feel sure nothing should be done to break down their organisation and to disband the leaders. In the Jerramongerup area, 40,000 acres were fired, under control, for land settlement. At Ongerup a non-controlled bush fire got away and travelled in a north-easterly direction, laying waste a belt of country approximately 24 miles wide and 16 to 18 miles deep. The damage was so extensive that it will be many years before that land is in a condition to be rolled or cleared for development. I mention that instance merely to point out that that was only one fire of many that were lit in that district during the year, and the local men had full knowledge of the proper time and the best conditions prevailing before lighting a fire. As to the Minister publishing a state of emergency in the "Government Gazette," I am quite certain that many acres of timber country would be burnt out before those regulations were printed or even thought of.

I repeat that I hope nothing will be done to break down the comradeship that exists among those farmers who form themselves into volunteer fire brigades in the various country districts. These men spend not only a great deal of their time, but also much money in building up their fire fighting groups and acquiring equipment. On one occasion when I was on my son's property in the Ongerup district, 14 farmers, 10 of them with motor trucks equipped with water pumps, arrived on my son's property and, after assisting all day with the burn-off there, they saw that another fire had broken out about 14 or 15 miles away. Although weary and worn out from the work they had done on my son's farm, they packed up their equipment and drove off to ascertain what they could do to help extinguish the fire that had just broken out. That is the spirit that exists among these men who belong to the volunteer fire brigades. Therefore, no departmental officer should be placed in the position whereby he can over-ride the leaders of these brigades that are established in country areas especially when those leaders have had long experience of the areas in their own particular districts.

On motion by Hon. J. McI. Thomson, debate adjourned.

BILL—HEALTH ACT AMENDMENT (No. 2).

Second Reading.

Order of the Day read for the resumption from the previous day of the debate on the second reading.

Question put and passed.

Bill read a second time.

In Committee.

Hon. W. R. Hall in the Chair; the Chief Secretary in charge of the Bill.

Clauses 1 to 6—agreed to.

Clause 7—Division 3B added to Part VIII:

Hon. R. J. BOYLEN: I move an amendment—

> That all words after the word "Act" in line 20 of Subsection (4) of proposed new section 241F be struck out.

Actually, I think the whole of the subsection is redundant, but I do not think it makes much difference whether it is inserted in the Act, or not. The reason why I move the amendment is that if the words are retained they will upset the relationship between the pharmaceutical chemist and the medical practitioner, and also between the pharmaceutical chemist and members of the public. Ample provision is made in the Pharmacy and Poisons Act to safeguard the interests of all parties. If the words I propose to strike out are inserted in the Act, chemists will not be able to compound medicines to give relief to those persons suffering from minor illnesses such as colds, influenza and so on when a doctor may not be available; particularly in small country centres and especially during week-ends. The Pharmacy and Poisons Act ensures that a chemist cannot use any drug he likes. For example, he cannot issue or prescribe any narcotics or similar drugs unless prescribed by a doctor.

The CHIEF SECRETARY: I find myself in difficulty here. The amendment has been moved by a member of the profession and I have to oppose it. I am not sure what the words really mean.

Hon. J. G. Hislop: What, in the whole clause?

The CHIEF SECRETARY: No, only the words which the hon. member is seeking to delete. It appears to me that they have been inserted as a safeguard. If those words are struck out, pharmaceutical chemists will be able to act on any prescription given by any person. That is how it strikes me as a layman.

Hon. J. G. Hislop: It is under the Act, you know.

The CHIEF SECRETARY: I do not know what is in the Act, but this subsection constitutes a proviso that stipulates that certain things can only be done subject to the provisions of the Pharmacy and Poisons Act.

Hon. J. G. HISLOP: The fears of the Chief Secretary are quite groundless. What the words really mean is that a chemist, in the ordinary course of his business, can make up a prescription if a doctor signs it, but he cannot make up anything that he is accustomed to doing in the course of his business under the existing Act. It seems quite unnecessary to put that restriction on the activities of the chemist. It does not mean that anyone can write out a prescription, because that position is covered by the Medical Act.

Amendment put and passed.

Hon. J. G. HISLOP: I am afraid I cannot understand what this whole subsection means. I do not know how it got into the Bill. For the purpose of getting some information on it, I propose to vote against it.

The Chief Secretary: You would have to move accordingly.

Hon. J. G. HISLOP: I would have to move that the subsection be struck out?

The CHAIRMAN: We have gone past that stage. The hon. member could deal with the matter on recommittal of the Bill.

Hon. J. G. HISLOP: Can I discuss the subsection at this stage, Mr. Chairman?

The CHAIRMAN: We have actually gone beyond line 20, but the hon. member can still discuss the clause as a whole.

Hon. J. G. HISLOP: In the definitions, "therapeutic substances" is described as something prescribed by the committee. This clause gives the doctor and the chemist the right under certain circumstances to make up something which has been prescribed by the committee. I cannot see the reason for it. It allows the medical practitioner to make up something that is apparently regarded as being of sufficient importance to be prescribed in the Act, but, today, how many medical practitioners except country doctors, make up something for themselves? The latter are restricted to compounding substances that are not classed as "therapeutic substances" under the Act. I do not know what is meant by "therapeutic substances" which a medical practitioner can make up. In discussing this clause with the commissioner he had the idea that if I wanted to make a special preparation to treat one of my patients, I would be permitted to do so, but the chemist would not, except under my prescription. As a medical practitioner I am not qualified to make up anything. I do not want the medical profession to be absolved from this. If there is a prescribed therapeutic substance, the practitioner should not be at liberty to make it up, except with the consent of the committee. But this clause absolutely absolves him.

The Minister for the North-West: How would it affect North-West doctors?

Hon. J. G. HISLOP: It would not, because they would not make up anything prescribed in this Bill. They only compound medicines. Years ago it was regarded that certain diseases of which we knew very little could be treated with extracts of glands of animals. It was recommended that arrangements be made with abattoirs for the supply of extracts from the suprarenal glands and spleen of animals for the treatment of these diseases. That stage of medical treatment has long passed. These days such medicines are made up very scientifically by recognised drug houses. I cannot imagine anything in the whole realm of medicine which I need make up for my patients. I do not know what the clause means and so I would like to recommit the Bill. Meanwhile the Chief Secretary might find out its real meaning. If there is one single article or therapeutic substance prescribed which I, or any other medical practitioner would like to make up then I would agree to the clause.

The CHIEF SECRETARY: The hon. member is reading that part of the clause by itself. The marginal note says, "Therapeutic substances to be manufactured on licensed premises." That is the whole object of the clause. So as not to cause any disability, an exemption is made.

Hon. J. G. Hislop: The medical profession does not want the exemption.

The CHIEF SECRETARY: The hon. member does not want the medical profession to prepare these things, except on licensed premises.

Hon. J. G. Hislop: The medical practitioner should not have the right to prepare these on his own premises. The chemist is much more fitted to do it.

The CHIEF SECRETARY: The clause seeks to give the chemist an exemption, also. The whole object is to register premises where such substances can be manufactured. So as not to cause any hardship to anyone, the medical profession and the chemists are exempted. If those exemptions are not included then those persons would not be able to manufacture the substances.

Hon. J. G. Hislop: I would prefer that. I cannot see any need for this exemption. It is dangerous to allow the medical profession or chemists to have this right.

The CHIEF SECRETARY: The object is to exempt these two classes of persons from the earlier part of the clause.

Clause, as amended, put and passed.

Title—agreed to.

Bill reported with an amendment.

BILL—GUARDIANSHIP OF INFANTS ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [6.10] in moving the second reading said: This is an amendment to the Guardianship of Infants Act, and the object of this Bill is to provide uniformity with one particular provision in the Child Welfare Act. In 1952 the Child Welfare Act was amended to provide that the maximum amount for which a children's court could make an order for the maintenance of a child should be increased from £1 to £2 10s. The maximum of £1 had operated since 1927 and, by 1952, was disproportionate to the then money values. The Guardianship of Infants Act still provides that a Court of summary jurisdiction cannot award more than £1 weekly towards the maintenance of an infant. This provision was inserted in the Act in 1926 and, of course, is totally unsuitable these days. The Bill seeks to increase this maximum to £2 10s. weekly, the same as can now be awarded by the Children's Court by way of a maintenance order. The few small items in the Bill explain themselves. It seems ridiculous that in these days, any court should be limited, in the making of an order, to £1 a week. Even the amount of £2 10s. a week provided in this Bill does not seem sufficient.

Hon. A. R. Jones: Do you say the court shall or may order?

The CHIEF SECRETARY: Either can apply. It does not matter which word is used. The Government has often been accused of going too far in this legislation, but on this occasion it can be accused of not going far enough. Throughout the years little attention has been paid to this Act. There are I think, at least, two Guardianship of Infants Acts on the statute book. The Child Welfare Department also deals with infants. I have not explored the reasons why there are two Acts in addition to the Child Welfare Act, and without delving into the matter it appears to me that consideration should be given to the question of amalgamating all this legislation and even going so far as to make it a portion of the Child Welfare Act. The present-day position is confusing to the ordinary person who is not aware of the existence of the two or three Acts dealing with the guardianship of infants.

Hon. J. G. Hislop: Why limit the amount which a court may order? Why not leave the amount to the court?

The CHIEF SECRETARY: There has always been a distinction drawn between the Supreme Court and a court of summary jurisdiction. Actions over a certain amount cannot be instituted in the latter. Recently some Bill was introduced in this House dealing with the jurisdiction of the courts.

Hon. H. K. Watson: That dealt with the jurisdiction of the court, but here we are dealing with the amount that can be ordered by the court to a deserted wife. I would ask that consideration be given to increasing the amount of £2 10s.

The CHIEF SECRETARY: That amount seems to be very small, but from a defending husband's point of view it may be too large. However, I cannot answer the suggestion offhand, but I shall make inquiries as to whether the amount should be increased.

Hon. H. K. Watson: It does seem small to me.

The CHIEF SECRETARY: I shall take up that point during the Committee stage after I have had an opportunity to consider the suggestion. I move—

That the Bill be now read a second time.

Sitting suspended from 6.15 to 7.30 p.m.

HON. H. K. WATSON (Metropolitan) [7.30]: I listened with great interest to the lengthy address delivered by the Chief Secretary when moving the second reading of the Bill, the avowed object of which is to bring this legislation into line with the Child Welfare Act, as amended in 1952. Up until that year, the Child Welfare Act provided that the Children's Court could make an order for maintenance up to £1 per week. In 1952 Parliament amended the Act to provide that the Children's Court could make an order for maintenance up to £2 10s. per week. This Bill is designed to bring the Guardianship of Infants Act into line with the position under the Child Welfare Act. As the Chief Secretary said, the legislation with respect to the guardianship of infants is rather peculiar. We have one Act of 1920 and a separate Act of 1926.

So far as I can see, the 1920 legislation deals with all matters—maintenance, custody of the child, control of administrators, and so on—relating to the guardianship of infants. All the matters dealt within that Act come within the jurisdiction of the Supreme Court only. The 1926 measure extended the jurisdiction to courts of summary jurisdiction, but limited the jurisdiction they could exercise. One of the provisos stated that it was not competent for a court of summary jurisdiction to award payments of sums, exceeding 20s. a week, towards the maintenance of an infant. The Bill proposes to increase that amount to £2 10s. a week.

The provision here seems to be somewhat different from that in the Child Welfare Act; and it is not quite clear why there is any urgency to bring it into line with that in the Child Welfare Act, because whereas that measure does appear to fix the maximum amount, this one deals only with the jurisdiction of the local courts. As I understand the legislation, there is nothing in the Guardianship of Infants Act to prevent a court from awarding more than £2 10s., but that if an application is made for more than £2 10s., it must be heard by the Supreme Court and not by a court of summary jurisdiction. The Bill relates essentially to the jurisdiction of a court of summary jurisdiction. At the moment such a court is entitled to entertain applications for maintenance of only £1 a week, whereas this amendment will enable it to entertain an application for maintenance amounting to £2 10s. a week. This raises the question whether £2 10s., having regard to changed money values, is high enough.

Only a week or so ago we extended the jurisdiction of the local courts, with respect to personal actions, from £100 to £500, and last session, speaking from memory, we extended their jurisdiction, with respect to rents, from £2 or £3 a week to £10 a week. Because our magistrates today are more competent and have a higher standard of education than they did 20, 30 or 40 years ago, and are quite capable to deal with these matters, it seems that the limitation to £2 10s. could well be reviewed, with the idea of raising it to, say, £4. I think I can suggest £4 a week without having the Chief Secretary reiterate the charge he made about me the other night, that I was a "whole-hogger." Wherever possible, we want to reduce the cost of litigation. Of course, if we increase the amount to £4 or £5, it will be out of line with the figure of £2 10s. which we inserted in the Child Welfare Act in 1952. But if my memory serves me rightly, in that year I suggested that £2 10s. was little enough, and it should really be more. Our approach to the Bill should not merely be with the idea of bringing the Act into line with the provisions of the Child Welfare Act, but to see whether the provsions of both measures should not be stepped up uniformly to, say, £4 a week. I support the second reading of the Bill.

HON. C. H. SIMPSON (Midland) [7.40]: I do not think any members could quarrel with the Bill or with the proposal to increase the payments to infants from £1 to £2 10s. I think most of us were surprised to learn that there was any necessity for the measure at all. I would have imagined that this matter would have been covered when, in 1952, it was considered necessary to increase the 1926 assessment of £1 to £2 10s. per week. I expect that in most cases, where it is necessary to collect extra money for the maintenance of infants, the applications would be dealt with by the Children's Court, in which case it would be necessary to make some adjustments. I know of instances where relatives—they may be grandparents, where the actual parents are deceased—have been appointed as guardians and have taken charge of the infants until such time as they reached

their majority. In many such cases the guardians were in a substantial financial position and probably did not bother to have the maintenance amounts adjusted by a court order.

They were quite prepared, because of their natural love and affection for their grandchildren, or relatives in some other degree, to accept responsibility for them. I have assisted people to make application under the Child Welfare Act for increases in the allowances. I can imagine that where the guardian was depending on the court allowance in order to maintain the child, there could be hardship. I have known of cases where, under a will, the distribution of the estate was held up until the youngest child reached the age of 21 years. Usually in those instances ample provision is made for the maintenance of all the members of the family until such time as the estate can be legally wound up. In any case, the Bill deals with a specific instance, and I again express surprise that the matter has not been dealt with until more than two years after the making of the last adjustment. I support the second reading of the Bill, feeling that the amendment to the Act is really overdue.

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

BILL—PLANT DISEASES ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. N. E. BAXTER (Central) [7.45]: This Bill deals with a rather small section of the community which is divided into three different groups throughout the State. There are those who come under what is termed the south suburban fruit-fly baiting area, those in the eastern hills area, and those in the Donnybrook area. In the past, the Government has been good enough to subsidise the south suburban districts scheme by £1,000 per annum, the eastern hills scheme by £800, and the Donnybrook scheme by approximately £500 per annum. This year, the Government has agreed to an additional £500.

The Minister for the North-West: You are pretty low on the subsidy.

Hon. N. E. BAXTER: This subsidy, combined with the contributions made by orchardists and backyard growers, covers the majority of the cost of fruit-fly baiting. Though the Government may claim that it has assisted growers, most of the money provided by the Government has been used to assist the backyard or non-commercial growers because the majority of commercial growers pay their own expenses. In the interests of the fruitgrowers in this State, and in the interests of the public generally, I think it is incumbent upon the Government to see that a good class of fruit is provided. I am inclined to believe that over and above the present charges paid by commercial growers the Government should subsidise the three schemes by the amount necessary to cover the costs. I do not think it is asking too much when one looks back and sees the sums of money that have been used to subsidise Wundowie. Members will recall that for many years Wundowie was subsidised to the tune of £90,000 per annum.

The Minister for the North-West: It is becoming an asset now.

Hon. N. E. BAXTER: It may be; but, by Jove, it has a long way to go before it can repay the money spent on it! It is not an assured venture.

The Minister for the North-West: Why do you always speak of Wundowie like that?

Hon. N. E. BAXTER: I could also refer to Chamberlain Industries.

The Minister for the North-West: That was to help primary industry.

Hon. N. E. BAXTER: It has been subsidised to the tune of many thousands of pounds.

Hon. C. W. D. Barker: It is helping the farmers of the State.

Hon. N. E. BAXTER: But at what cost to the State! The help that Chamberlain Industries has given to the farmers of this State has been, in my opinion, infinitesimal. Its tractors may have suited certain people but the firm has not been a great help, except for a short period. It has provided tractors which certain farmers like and others do not.

Hon. C. W. D. Barker: Do not belittle it.

Hon. N. E. BAXTER: One cannot do anything else but belittle an industry which, after having been subsidised for years, cannot stand on its own feet. I object to that kind of industry being established in the State; it has cost the State and its people many thousands of pounds. In my opinion, that is not progress. The fruitgrowing industry is vital not only to the State but also to every person in it. When people buy fruit in the markets or shops, they expect good fruit, but, if backyard orchardists who have half-a-dozen trees do not bait against fruit-fly, it is not always possible for the commercial growers to provide it. It is an uphill battle for the commercial fruitgrower and one he will never overcome unless the Government gives him a helping hand by subsidising such schemes as the fruit-fly baiting project to deal with both commercial and backyard orchards.

Fruit-fly exists in fruit and also in some types of flowers. It is hard to control, and I see no reason why the Government should not look ahead and say, "We can afford to subsidise these fruit-fly baiting schemes." I think the Bill is harsh because commercial growers are asked to increase

their contribution from 6s. to 10s. per 100 trees. It becomes even more harsh when one realises that over the last 12 months fruit has dropped in price.

Hon. E. M. Davies: We have not noticed it yet.

Hon. N. E. BAXTER: Of course, the hon. member never goes outside Fremantle. He would not understand the prices which a fruitgrower gets for his fruit today.

Hon. E. M. Davies: I have been to Beverley.

Hon. N. E. BAXTER: That is not a fruitgrowing district. If the hon. member visits the hills areas he will see a large number of orchards. He ought to take a trip around the State. It is not a fair thing to ask the commercial grower to contribute most of the costs of a scheme which concerns a State-wide matter. Baiting costs commercial growers a considerable sum of money and they cannot recoup that expenditure.

Hon. C. W. D. Barker: Are any fruitgrowers objecting to this?

Hon. N. E. BAXTER: Yes, they are objecting to paying these increased costs.

Hon. C. W. D. Barker: It is vital to their industry.

Hon. N. E. BAXTER: It is also vital to the people of this State and there is no reason why the Government should not foot some portion of the Bill when it is prepared to subsidise certain secondary industries to the tune of many thousands, if not millions, of pounds.

Hon. E. M. Davies: They would get a fair amount of revenue from the registration of orchards.

Hon. N. E. BAXTER: That money is not paid into this fund. For the information of members, in Clause 2, Subparagraph (a), the word "subitem" appears. I have heard of the words "sub item," but I have never heard of the word "subitem." I think the Minister ought to move an amendment to split it when we reach the Committee stage. However, that is by the way.

I consider the Bill to be badly framed. Firstly, reference is made to Item 1 in Section 12C of the principal Act. Then it is proposed to add sub item (B), and further on sub item (C). With a little common sense and co-ordination both those sub items could be consolidated into one item; there is no necessity for the two. The Minister might look at it to see what can be done. The more verbose a Bill becomes, the harder it is for the normal person to understand.

The Minister for the North-West: They are separate paragraphs.

Hon. N. E. BAXTER: I know.

The Minister for the North-West: It is easier that way.

Hon. N. E. BAXTER: They could be co-ordinated and made into one sub item. I do not intend to labour the question, but I ask the Government to give consideration to subsidising, when necessary, the cost of fruit-fly baiting in this State if it is found that with the increased number of backyard orchards the committees are not obtaining the amount of money required to cover their schemes.

Hon. E. M. Davies: Can you suggest how this House could provide any subsidy?

Hon. N. E. BAXTER: No, but I suggest to the Minister that something be done along those lines. I intend to support the Bill and the amendment which Mr. Diver proposes to move to strike out "ten shillings" and insert in lieu "seven shillings." If the Government thinks that is not fair, why not increase the price to the non-commercial grower, who, in most instances, could afford to pay a little more? It is more costly to bait a few plants in a backyard orchard than it is to bait 200 or 300 trees in one hit. As a result, I think backyard orchardists should pay a higher fee. I trust that the Minister will give consideration to what I have said, and I support the second reading.

THE MINISTER FOR THE NORTH-WEST (Hon. H. C. Strickland—North—in reply) [7.56]: It is not hard to imagine that backyard orchardists in the hon. member's district do not come under the compulsory scheme. I do not think the hon. member would make a mistake in reading the Bill, but he implies that the Government is levying an increased charge instead of increasing its subsidy. The facts are that the charges under the Bill are the maximum which these committees can levy on growers. This measure is to protect growers from being exploited or overcharged; it is certainly not a charge imposed by the Government.

The cost of fruit-fly baiting is assessed by the committee, and these committees are made up of growers. They fix a scale of fees which at present must not exceed 6s. per 100 plants for commercial growers. Under the south suburban scheme, that has been found to be insufficient. The commercial grower is one who has 100 trees or more, but the semi-commercial orchardist, or the backyard orchardist, as he is termed, has 99 or less. The committees, in assessing their scale of charges, have never levied on the non-commercial grower a charge which exceeds that levied on the commercial grower.

Under the scheme in the south suburban district, the charge has been 6s. per 100 trees per baiting. The average number of baitings is nine, so the average charge is nine times six shillings, which is 54s. Some have five or six baitings. Others may require nine or ten but the committee considers that an average of nine is convenient in

order to make accounting easy. The committee does the same in relation to the man with less than 100 trees; it adjusts the scale so that he cannot be charged more than 54s., although he can be charged more under the Act. The man with less than 100 plants must not be charged more than 1½d. per plant or 1s. for each attendance to the orchard, whichever is greater.

The Government has always subsidised these fruit-fly baiting schemes; indeed, in one year it subsidised the scheme to the extent of £1,700. The Government feels that for each scheme a fair thing would be £1,500. I think members will agree with that. There are three compulsory baiting areas in this State, but there are many areas in which there is no compulsion at all where commercial orchards and backyard growers operate and do their own baiting. They receive no subsidy. The person who looks after himself stands the full cost, but in the districts where there is a compulsory scheme the Government pays a subsidy.

Hon. N. E. Baxter: Which is the cheaper, to do your own baiting or have an inspector going around?

The MINISTER FOR THE NORTH-WEST: I daresay the fruit-fly inspector goes around to all areas; that is a service over and above the subsidy. These people receive many services free from the Department of Agriculture, besides which they receive a subsidy. If there were no limitation placed on it the subsidy could be never-ending. The department and the Government feel that a reasonable figure is £1,500. So far the south suburban scheme is the only one that has reached that figure, but it is quite possible that the other districts—certainly the eastern hills district—could also reach it. Since the inception of the scheme, and during the five years of its operation, the Government has provided £13,159 in subsidies; and that is a pretty good figure. The south suburban scheme has received £6,180, the Donnybrook scheme £2,979 and the eastern hills scheme £4,000.

Hon. L. C. Diver: That pales into insignificance alongside South Australia's £100,000.

The MINISTER FOR THE NORTH-WEST: In South Australia probably the whole State is covered. I have just pointed out that there are many districts that are controlling fruit-fly just as ably, and they receive no subsidy because they have not a compulsory scheme; evidently they do not require a compulsory scheme. As an example, let us consider Pinjarra. In the metropolitan market in 1951-52 the number of cases condemned was 52; in 1952-53, 41 cases were condemned and in 1953-54, seven cases. In Harvey we find that 14 cases were condemned in 1951-52; two in 1952-53 and none in 1953-54. And so it goes on.

Hon. L. C. Diver: Do not you think there is another reason for that?

The MINISTER FOR THE NORTH-WEST: The reason may be that they are free of fly, but evidently that is not so because numbers of cases were condemned in two out of the three years I have quoted.

Hon. L. C. Diver: They have not the backyard orchardists in the south suburban district.

The MINISTER FOR THE NORTH-WEST: The backyard orchardists about whom we have heard so much may prove a blessing so far as costs are concerned.

Hon. N. E. Baxter: They have not proved to be so.

The MINISTER FOR THE NORTH-WEST: I have not been supplied with the full contributions of the commercial growers but I have with me figures concerning eleven of the principal growers; the big men of the south suburban area. The contribution of those men was £231; they collected something like £3,000. There are only 140 commercial orchardists in that area.

Hon. N. E. Baxter: There are 190 in the south suburban area.

The MINISTER FOR THE NORTH-WEST: One man was quoted as having paid £114. But it is a big drop from him to the next one who paid £38. The average amount paid would be about £28. The backyard man could prove to be quite a godsend; and there is over 1000 of this type of grower. They pay £2 14s. each.

Hon. N. E. Baxter: They lost over £200 in baiting.

The MINISTER FOR THE NORTH-WEST: Let the hon. member work it out for himself. He condemns the small orchardist, but if he is taken out of the scheme, how will these people get along?

Hon. N. E. Baxter: Figures prove he would be better out of the scheme.

The MINISTER FOR THE NORTH-WEST: I am trying to demonstrate that they may be better off with him in the scheme. Perhaps they can alter the boundaries and shut him out altogether. Mr. Diver said that the committee carried out the baiting and the spraying voluntarily. That, of course, is not correct. What the hon. member might have meant was that it supervises this work. I have been able to obtain some figures of the Donnybrook scheme and they show that of the total expenditure of £2,430 during 1953-54 the collections amounted to £1,405. Members should note that there would be very few backyard orchardists there. The amount required from the Government to finance the scheme amounted to £980. The Government made up the deficit. In other words, had there been 500

or 600 backyard orchardists there they would have contributed quite an amount towards that scheme.

Getting back to the committee and the baiting and spraying, the following are the expenses attached to that £2,430: Wages for men employed, some full time and some for five months at part-time, amounted to £1,540; clerical expenses amounted to £104; spraying material—petrol and oil—cost £300; and travelling expenses for men using their own vehicles amounted to £250. Members will realise, therefore, that although the services of the committees are voluntary, they act in a supervisory capacity.

Hon. L. C. Diver: What fees do they get?

The MINISTER FOR THE NORTH-WEST:—I do not know, but under the Act fees can be prescribed. I do not know whether they collect fees.

Hon. L. C. Diver: You know the total cost is only two per cent.

The MINISTER FOR THE NORTH-WEST: It could be, but I am not questioning the fees. I know that under the Act the Minister can prescribe fees if he so desires. I want to make it clear to the House that this is not a charge to be levied on the fruitgrowers at all; it is merely a limit, or an amount which the fruitgrowers can charge themselves. That is what it amounts to. It is a question of raising the maximum allowed by law which they can impose. The Government feels that a maximum of £1,500 is a fair subsidy and it is endeavouring to keep within that limit.

Question put and passed.

Bill read a second time.

In Committee.

Hon. W. R. Hall in the Chair; the Minister for the North-West in charge of the Bill.

Clause 1—agreed to.

Clause 2—Section 12C amended:

Hon. L. C. DIVER: I move an amendment—

> That the word "ten" in line eight, page 2, be struck out with a view to inserting in lieu the word "seven."

The MINISTER FOR THE NORTH-WEST: This amendment would restrict the south suburban area in its operations. It has been calculated on last year's figures that a minimum of something like 8s. is required for that area to carry out its scheme. This amount is the maximum; not the actual charge at all. It would not matter if the amount here were 30s. because the growers would say how much of that 30s. they would impose. I hope the amendment will not be accepted.

Hon. L. C. DIVER: Apart from the Government subsidy of £1,500, all that was required to balance the operations in the south suburban area was the sum of £46. Apparently the object is to relieve the Government of its responsibility. An increase of 1s. would be sufficient.

The MINISTER FOR THE NORTH-WEST: There seems to be an idea of relieving the commercial grower of any need to contribute more than a certain amount to the scheme, which is mainly for his benefit. A limit of 7s. would necessitate the committee's imposing a higher charge on the smaller orchardists if the Government provided no more than £1,500. Before the poll was held, the orchardists knew that the Act would be amended and that the maximum rate would be raised, but this notwithstanding, they voted for the scheme.

Hon. N. E. BAXTER: I support the amendment. On last year's operations, the commercial growers contributed £1,933 and the cost of baiting and spraying in the area was £1,880, showing a credit of £53. Consequently these growers are making more than their full contribution to the baiting and spraying and, for this reason, the maximum should not be fixed at too high a figure. The subsidy is really going towards the treatment of non-commercial or backyard orchards.

The MINISTER FOR THE NORTH-WEST: This is not a charge to be imposed by the Government. The committee, consisting of orchardists, fixes the scale of charges, and the Government is merely providing that the amount shall not exceed 10s. A later paragraph deals with the backyard orchardist, for whom the charge must not exceed 3d. per plant or 1s. 6d. for each attendance, whichever is the greater. For nine baitings of 99 plants, the committee could charge a grower a total of £11 5s. Yet the hon. member is moving to restrict the commercial grower to a maximum of 7s. which for nine baitings and sprayings, would represent £3 3s.

Amendment put and a division called for.

The CHAIRMAN: Before tellers are appointed, I give my vote with the noes.

Division resulted as follows:—

Ayes	13
Noes	14
Majority against	1

Ayes.

Hon. N. E. Baxter	Hon. J. Murray
Hon. L. Craig	Hon. H. L. Roche
Hon. L. C. Diver	Hon. C. H. Simpson
Hon. H. Hearn	Hon. J. McI. Thomson
Hon. C. H. Henning	Hon. H. K. Watson
Hon. A. R. Jones	Hon. A. F. Griffith
Hon. L. A. Logan	*(Teller.)*

Noes.

Hon. C. W. D. Barker	Hon. E. M. Heenan
Hon. R. J. Boylen	Hon. J. G. Hislop
Hon. E. M. Davies	Hon. R. F. Hutchison
Hon. G. Fraser	Hon. H. C. Strickland
Hon. J. J. Garrigan	Hon. J. D. Teahan
Hon. Sir Frank Gibson	Hon. W. F. Willesee
Hon. W. R. Hall	Hon. F. R. H. Lavery
	(Teller.)

Pair.

Aye.	No.
Hon. Sir Chas. Latham	Hon. G. Bennetts

Amendment thus negatived.

The MINISTER FOR THE NORTH-WEST: The paragraph relating to orchards with not less than seven plants, if passed in its present form, would result in some superfluous words being included in the Act. In order to provide a satisfactory amendment, I desire that progress be reported.

Progress reported.

BILL—PRICES CONTROL.

Second Reading—Defeated.

Debate resumed from the 28th September.

THE CHIEF SECRETARY (Hon. G. Fraser—West—in reply) [8.35]: I have carefully considered the speeches made by members, and in the final analysis I find that, generally, the criticism expressed has very little substance.

Hon. J. G. Hislop: It never has.

The CHIEF SECRETARY: I want to emphasise strongly that the object of the Government in introducing the Bill was not merely to hold prices, but, as was the case in the other States, to reduce them to a more reasonable level. It is remarkable that, in the only State in which there was no control, there was an upward movement in prices, even if rent is disregarded. Because prices do not increase, does not mean that all is right in the world. If prices in all other States decreased, there was probably no reason why they should not have done so in Western Australia.

Much has been said by members about the prices of certain foodstuffs. They have outlined the procedure they adopted to check prices and have made comparisons of prices over different periods. Such a method of checking is unscientific and useless. The only way of knowing whether traders are taking advantage of consumers by charging excessive prices, is to check the profit margins taken by those traders. If goods are landed into merchants' and retailers' stores at a lower price, and those traders take their normal profit margin, then it follows that prices should automatically be lower. The same of course applies in reverse if goods are landed into store at a higher price.

Hon. C. H. Simpson: Wages here are at a higher rate.

The CHIEF SECRETARY: I do not know that they are.

Hon. C. H. Simpson: Yes, 10s. 6d. higher.

The CHIEF SECRETARY: How many of those employees would be handling the goods?

Hon. H. Hearn: The State wage is higher than the Federal wage.

The CHIEF SECRETARY: There is very little difference between the Federal wage here and in the other States. Another important factor which seems to have been ignored by many members is the effect of increased turnover on production costs, in the case of manufacturers, and on overhead costs in the case of wholesalers and retailers. In most cases increased turnover should result in lower prices, or enable traders to absorb increases in wages and overhead costs. These facts reveal that much of the matter mentioned by members cannot be related to prices generally, or cannot be accepted as evidence that many industries or groups of traders are not taking more than a reasonable margin of profit.

A comprehensive check, during the last few months of price control, of many commodities that had been decontrolled, disclosed that profit margins had been increased and on some the increase was considerable. The prices of some proprietary lines were increased beyond those ruling in the other States immediately those goods were decontrolled in this State. In the case of most proprietory lines, traders are not permitted to sell at prices lower than those fixed by the manufacturers. In the case of many associations, members are discouraged from selling at prices lower than those fixed as a minimum by the association, and if members, or even non-members, persist in doing so, they are effectively disciplined. I mention this to show that many industries have practically closed the door on competition, and that any trader who attempts to break down this principle finds himself in danger of being out of business.

I may be accused of generalising when I make these statements but, to those who do not want to ignore what is taking place, there is plenty of evidence available. The profits of industry cannot be gauged merely by the published dividends paid by companies. A detailed investigation of the financial accounts is the only way of ascertaining just what the position is. One hon. member appeared to be concerned that hotels got very little increase in beer prices. What he overlooks is the fact that turnover increased to such an extent that any small increase in costs could easily be absorbed. I am not aware of any case where a hotelkeeper was forced to close up because his prices were too low. What I am aware of is that the price obtained for hotel businesses has increased enormously.

When dealing with the breweries and licensed victuallers, one speaker quoted a number of increased costs, but he did not relate those increases to the cost per gallon or to the profit position of the companies concerned. He worked out the extra return to the breweries at £185,906, and made a bold statement that practically the whole of that amount represented a return for increased costs. He inferred that the extra cost to the public was £185,906. What he

failed to take into consideration was the extra amount taken by hotelkeepers. These gentlemen, when adjusting their prices, not only recouped themselves the 2½d. per gallon, but also took considerably more. Any hon. member who cares to work out the difference between the old and the new retail prices, will realise that the extra cost to the public is in the vicinity of £500,000. The hon. member's statement that, had price control been in existence, the commissioner would have granted the brewery an increase, is purely one of supposition, and I venture to say that such would not have been the case. A matter that was not mentioned by members was the reduction of 2s. in the £ in company taxation granted by the Commonwealth Government a year or so ago. It was freely stated at the time that this would have the effect of reducing prices. It would be interesting to know just how much was passed out to the public by way of reduced prices, and how much was retained by companies for the purpose of increasing dividends.

Regarding meat, it is hardly necessary to point out that prices are at a record high level. A continuous check of wholesale and retail prices prior to the 31st December last, showed conclusively that, following decontrol of that commodity, butchers took the opportunity to increase their profit margins. In many cases they were increased considerably.

Meat is a commodity required daily in every household, and the extra margin per pound taken by butchers has meant a considerable increase weekly in every household, particularly in the case of large families. Notwithstanding all that has been said in extenuation, I am firmly of the opinion that the public has been exploited through the price of meat.

Hon. L. A. Logan: Did you not listen to my advice?

The CHIEF SECRETARY: I listened attentively to the advice of the hon member and that of every other member who spoke, but I still fail to see how any of them could vote against the Bill.

Hon. L. A. Logan: Do you not know that pork is cheaper now than at Christmas last?

The CHIEF SECRETARY: I am speaking of meat generally and not of one or two particular items. I have endeavoured to reply to the main points raised by members and it seems to me that the case in opposition to the Bill is very weak. I believe it is necessary that this legislation be passed.

Hon. H. Hearn: Has not Tasmania recently got rid of price control?

The CHIEF SECRETARY: That is so, but the other States have not.

Hon. H. Hearn: New South Wales has modified it.

The CHIEF SECRETARY: The proposals contained in this Bill are a modification of our previous price control legislation.

Hon. H. Hearn: But you could bring control on again as hard as ever by regulation.

The CHIEF SECRETARY: It is necessary to have a safeguarding regulation as that is the only way in which goods not mentioned in the schedule can be brought under control without an amendment to the Act. There is the usual safety valve provided by regulation—

Hon. H. Hearn: Why not by permit?

Hon. A. F. Griffith: Why do you think New South Wales is progressively getting rid of price control?

The CHIEF SECRETARY: We would have done the same here, but we need the power so that we may exercise it where necessary. The goods we desire to control are named in the schedule and if at any time we find that any of those items requires control, it will be imposed.

Hon. H. Hearn: But you cannot gainsay that you are trying to make it a permanent part of our economy.

The CHIEF SECRETARY: I think it is necessary. If traders in this State do what the hon. member says they do, they will have nothing to fear. The people that we want to legislate against are those who are taking advantage of the situation.

Hon. H. Hearn: There is no shortage of goods.

The CHIEF SECRETARY: I think it is necessary that the Government should have this power.

Hon. L. A. Logan: It had it once under the Profiteering Prevention Act, but you voted against it.

The CHIEF SECRETARY: We substituted other legislation for that Act. The hon. member's statement is not entirely correct. The Profiteering Prevention Act was put on the statute book by us, and we would have preferred it to remain. However, another Act was substituted for it and we agreed to its being repealed. That is the true position.

Hon. L. A. Logan: Read in "Hansard" what you said and see whether I am wrong.

The CHIEF SECRETARY: I know what I say in "Hansard" because I never deviate from the truth.

Hon. H. Hearn: You great, big beautiful doll!

Hon. J. G. Hislop: Do you sleep well?

The CHIEF SECRETARY: I have such a clear conscience that I always sleep soundly. I hope that members, in view of all that has happened, particularly during this session, will permit this legislation to go through so that the Government

can set up price control where necessary. The Government does not want to poke its nose into those places where it is not necessary, but it does want to have the power provided in the Bill so that it can be exercised in those cases where some people take advantage of the situation.

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

Ayes	13
Noes	14
Majority against	1

Ayes.

Hon. C. W. D. Barker	Hon. F. R. H. Lavery
Hon. E. M. Davies	Hon. H. L. Roche
Hon. G. Fraser	Hon. H. C. Strickland
Hon. J. J. Garrigan	Hon. J. D. Teahan
Hon. W. R. Hall	Hon. W. F. Willesee
Hon. E. M. Heenan	Hon. R. J. Boylen
Hon. R. F. Hutchison	*(Teller.)*

Noes.

Hon. N. E. Baxter	Hon. J. G. Hislop
Hon. L. Craig	Hon. A. R. Jones
Hon. L. C. Diver	Hon. L. A. Logan
Hon. Sir Frank Gibson	Hon. C. H. Simpson
Hon. A. F. Griffith	Hon. J. McI. Thomson
Hon. H. Hearn	Hon. H. K. Watson
Hon. C. H. Henning	Hon. J. Murray
	(Teller.)

Pair.

Aye.	No.
Hon. G. Bennetts	Hon. Sir Chas. Latham

Question thus negatived.

Bill defeated.

ADJOURNMENT—SPECIAL.

THE CHIEF SECRETARY (Hon. G. Fraser—West): I move—

That the House at its rising adjourn till 2.15 p.m. tomorrow.

Question put and passed.

House adjourned at 8.52 p.m.

Legislative Assembly

Wednesday, 20th October, 1954.

CONTENTS.

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