

spite of the fact that he may hold nineteen-twentieths of the shares of the company. That provision may so easily be evaded that it was not worth while including it.

Mr. Hughes interjected.

Mr. RODOREDA: The framers of the constitution decided on a membership of 20. I could quote an example to members. A member of the Upper House was agent for the State Shipping Service. A few years ago, when the question came up for discussion, he formed a limited company, probably holding the majority of shares in it himself, and he still carries on that business. The company is merely camouflage but the Constitution allows that and he is quite entitled to do it. An action against him would never succeed in any court of law. The provision is, accordingly, so easily evaded that it is not worth while worrying about. The measure under discussion allows a member of Parliament to contract with the Government in his professional capacity. There is no question about that. It also allows a member to be concerned in the sale of land to the Government. That is a provision of which we should be careful. If we are going to disqualify members of Parliament for having business dealings with the Government, and then allow them to deal in land with the Government, we are being inconsistent. Apart from that, I do not believe in declaratory measures. Any person should be able to go to any measure and find from that Act alone what it means, and not have to refer to two or three other Acts to ascertain the meaning of the first one. Furthermore, in the present Constitution Act in the sections following the disqualifications are given the exceptions. Therefore, if we want to clarify this position, I do not see why we could not have adopted the same procedure. Section 35 of the Constitution Amendment Act states that the foregoing provision is not to extend to so and so. I see no reason at all why we could not have taken the same action in connection with the question that has now arisen. Further sections could be set out in the Constitution Amendment Act stating that the provisions of disqualification do not extend to so and so. The position needs clarifying but in my opinion the Bill goes altogether too far and the wrong procedure has been adopted. On those grounds I intend to vote against the third reading.

Question put and a division called for.

The House divided.

Mr. SPEAKER: I have counted the "ayes" and find there is not a Constitutional majority voting in favour of the Bill. The measure is, therefore, defeated.

DISCHARGE OF ORDER.

On motion by the Premier, the Book-makers Betting Tax Bill was discharged from the notice paper.

House adjourned at 10.51 p.m.

Legislative Council.

Thursday, 1st December, 1938.

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

BILL—MORTGAGEES' RIGHTS RESTRICTION ACT CONTINUANCE.

Third Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [4.35]: I move—

That the Bill be now read a third time.

HON. H. SEDDON (North-East) [4.36]: Before the consideration of the Bill is finalised, members should be given an opportunity to discuss the Mortgages' Rights Restriction Act Amendment Bill, which Mr. Nicholson is sponsoring, and which is No. 18

of the Orders of the Day. That Bill was introduced long ago, but the second reading has not yet been moved. The House should be given an opportunity at any rate to hear the remarks of Mr. Nicholson on his Bill, which will amend the Act that the measure now under consideration proposes to continue. If we pass the third reading of the continuance Bill, we shall lose control over it. I therefore suggest, if the Chief Secretary is not prepared to accept my suggestion, that members defer the third reading until an opportunity has been afforded to discuss Mr. Nicholson's Bill to amend the Act.

HON. J. CORNELL (South) [4.37]: To take any further notice of Order of the Day No. 18 would be so much waste of time. The House has agreed to continue the Mortgagees' Rights Restriction Act in its present form.

Hon. J. J. Holmes: Not until we have passed the third reading.

Hon. J. CORNELL: Last night I ruled out of order an amendment that was proposed in Committee on the ground that we had to accept the Act as it was or have no Act at all. In the circumstances, to consider a Bill to amend the Act would be merely wasting the time of the House.

Hon. H. Seddon: But that is no fault of the House.

Hon. J. CORNELL: The House should look after itself. If members had desired to give consideration to Mr. Nicholson's Bill, it could have superseded that introduced by the Chief Secretary, but they have not done so.

Hon. H. Seddon: I understand Mr. Nicholson has repeatedly asked for an opportunity to have his Bill considered.

Hon. J. Nicholson: That is so.

HON. J. J. HOLMES (North) [4.38]: I do not rise with the object of blocking the third reading of the Bill. I am in favour of the measure passed last night. On the other hand, if we agree to the third reading, Mr. Nicholson's Bill will become so much waste paper. It is all very well for Mr. Cornell to tell us that he ruled an amendment out of order last night; Mr. Nicholson's measure is totally different. We have not had an opportunity to consider it. We shall not finally conclude our consideration

of the Minister's Bill until we pass the third reading. In my view, the point raised by Mr. Seddon is worthy of consideration.

HON. J. NICHOLSON (Metropolitan) [4.39]: By way of explanation of the difficulty, I should like the House to understand that the passing of the third reading of the continuance Bill will undoubtedly have a detrimental effect on the consideration of the Bill I am sponsoring. I have earnestly endeavoured to have my Bill dealt with prior to the House reaching a determination on the continuance Bill. I hope the Chief Secretary will allow the matter to be considered because, if my Bill fails to pass this House and another place before the continuance Bill leaves this Chamber, we shall not be safeguarded in relation to the provisions in my Bill.

Hon. H. V. Piesse: Last night the voting in favour of the Bill was 15 to eight.

Hon. J. NICHOLSON: The Bill can still be passed. If there is a majority of the House in favour of the amending provisions contained in the measure I am sponsoring, the legislation now before the House will be subject to those amending provisions. But if the continuance Bill is passed now, the fate of my measure will be sealed.

Hon. G. W. Miles: The continuance Bill might be lost unless passed now.

Hon. J. NICHOLSON: Mr. Miles is wrong, because even if there is a majority of the House in favour of my Bill we can still agree to the continuance measure after my Bill has been dealt with. The continuance measure should be held over until mine has been considered. Otherwise, the measure standing in my name will not have a chance, although it has been on the notice paper for a long time. It has been kept at the bottom of the list though I have repeatedly asked for its consideration. Only last night I referred to the matter.

The PRESIDENT: I point out to the hon. member that the House has no official knowledge whatsoever of the Bill he proposes to bring forward, further than the title. The Bill itself has not been presented to the House and of its contents I and most members have no knowledge.

Hon. J. NICHOLSON: I appreciate that difficulty.

The PRESIDENT: I will allow the hon. member briefly to explain the purpose of the

Bill as it has a bearing on the point he wishes to make.

Hon. J. NICHOLSON: I appreciated the difficulty and refrained from making any explanation because I could not outline the provisions of the Bill without leave. I thank you, Sir, for the permission given. The desire is to effect an amendment to the existing Act, so that its operations will be confined to rural land as defined in the Lands Act and set out in the Bill. I do not wish to read the relevant clause of the Bill but, briefly, that is the position. The aim is to safeguard rural lands. Other lands would cease to have the protection of the Act.

The PRESIDENT: The hon. member's measure is a proposed amendment to confine the operations of the Act to agricultural lands.

Hon. J. NICHOLSON: That is so. Members will therefore understand that, if the continuance Bill is passed, it means goodbye to my measure. The fault is not mine. I have not sat idle. I referred to the matter only last night, when I was discussing the continuance Bill, and asked that an opportunity should be afforded for the consideration of my Bill.

HON. H. V. PIESSE (South-East) [4.44]: I sincerely hope the third reading of the Bill will be carried this afternoon. The second reading was agreed to last night by 15 votes to eight. Surely Mr. Nicholson's Bill to amend the existing Act can still be introduced. If we are not careful, we shall fall between two stools. We may lose this important measure, the passing of which is so essential from the point of view of country people. The debate that has taken place on the measure indicates that 50 per cent. of metropolitan members support the Bill whole-heartedly, and I hope the third reading will be passed.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West—in reply) [4.45]: I am wondering where we are getting to in this House.

Hon. H. Seddon: So am I.

The CHIEF SECRETARY: For weeks past I have been endeavouring to get members to deal with Government business.

Hon. H. Seddon: And keeping back private members' business.

Hon. J. Cornell: You would bring up the case of the natives.

The CHIEF SECRETARY: The events of the last week or two have shown conclusively that an idea exists in the minds of one or two members that there is no necessity for us to consider legislation in this House at all until such time as they find it convenient to be here to speak on the measures. That has a bearing on the position with which we are faced at present. We are nearing the end of the session. There is a number of Bills to come down from another place. That House has a fairly lengthy notice paper, and we also have many Bills to consider. To get important Government legislation dealt with by members of this Chamber in the last week or two has been most difficult. For Mr. Seddon to suggest that the House is not responsible for the position that has been created is unfair. As Leader of the House I have endeavoured to accede to the wishes of each member. I have met almost every request made. Now we are faced with the necessity of passing the third reading of an urgent Government measure. This is a Bill that cannot be amended; it must be either agreed to or defeated. The Bill Mr. Nicholson has outlined is on all fours with the amendment that was moved last night by Mr. Hamersley, who desired that the continuance measure should be amended to cover the rural areas only.

Hon. J. Nicholson: Mr. Hamersley's amendment could not be introduced into the continuance Bill because the amendment was not in accordance with the title of the Bill. Consequently the matter has to be dealt with by means of a separate measure.

The CHIEF SECRETARY: That is so. I am not finding fault with that, but I am pointing out that the hon. member's Bill is on all fours with the amendment proposed last night by Mr. Hamersley. I stress the fact that we must make progress with these measures. We must know where we stand. As Leader of the House, I cannot be expected on every occasion to give to private Bills precedence over Government measures that have been on the notice paper for a much longer period.

Hon. J. Nicholson: My Bill has been on the notice paper for a long time.

The CHIEF SECRETARY: I am in the hands of members. That has been indicated very clearly by members on more than one

occasion during this session. My duty, as Leader of the House, is to ensure that Government measures receive attention, but no private member can complain of the treatment that has been meted out to him regarding any measure he has desired to introduce. I hope this Bill will be finalised to-day.

Hon. J. Cornell: It has either to be passed or lost now.

The CHIEF SECRETARY: That is so. Let us make a little progress with the business on the notice paper. If Mr. Nicholson feels that the passing of this measure will render futile the introduction of his Bill, I am sorry. So far as I am aware, however, there is nothing to prevent his proceeding, even if this Bill is passed.

Question put and passed.

Bill read a third time and *passed*.

BILL—QUALIFICATION OF ELECTORS (LEGISLATIVE COUNCIL).

Second Reading—Defeated.

Debate resumed from the 24th November.

HON. C. H. WITTENOOM (South-East) [4.51]: I intend to oppose the second reading, as I have always opposed measures when any effort has been made by the Labour Party to lower the franchise of this House.

Hon. G. Fraser: That is sufficient, is it?

Hon. C. H. WITTENOOM: I maintain that Labour representatives are the only people who desire to reduce the franchise. The Labour Party has as one of the main planks of its platform the abolition of the Legislative Council, and to lower the franchise in any way would be a definite step towards the attainment of that end. I consider that that is the ultimate purpose of this Bill. I would not contend that the Constitution is not in need of some alteration, but if the Government had desired to get some amendment, it should not have been introduced in association with several of the clauses contained in this Bill, for instance, the provision for enfranchising the inhabitant occupier. Portions of the Constitution may be antiquated and even ancient, but so long as we retain the present franchise for this House, people will certainly have a sense of security that any proposals submitted in the shape of hasty legislation, of which we have often had experience, will receive careful review. During the few

years I have been a member of this House, I claim that measures submitted for our consideration have been dealt with from the standpoint of the State's good.

Although the number of electors on the roll for the Council is only 86,400 compared with 247,000 for the Assembly—those were the figures in May last—the real disparity is nothing like so great on account of the Assembly having compulsory enrolment, whereas compulsory enrolment for the Council is considered to be more or less impracticable. I feel quite satisfied that, although many people have not votes for this House, a majority of those possessing the adult franchise for the Assembly would be very sorry if the Legislative Council went out of existence. Anyhow, the existing franchise is remarkably low, it being based on freehold of a value of £50, or an annual value of £17, equal to a rental of about 6s. 7d. per week. It would be a very small house that would not be worth a rental of 6s. 7d. a week.

The difficulty experienced in getting qualified persons to enrol and, when they have enrolled, to exercise the franchise, does not indicate any great anxiety on the part of the public to interest itself any further in Council elections, to secure any change, or to have the Council abolished. We know that in almost every province there are thousands of qualified persons whose names are not on the roll, and when polling day arrives the percentage that exercises the franchise is certainly ludicrous. As a rule, this percentage ranges from about 25 to 60. With the Assembly elections, the position is quite different. For the Assembly enrolment is compulsory and voting is compulsory, and consequently the percentage of electors voting for that House is much higher.

I repeat that I am entirely opposed to any reduction of the franchise. This Bill apparently does not seek to alter the position of the freeholder, for which the capital value is £50, or of the leaseholder for which the annual value is £17, but the qualification for a householder—a clear annual value of £17—has been altered and replaced with an inhabitant occupier qualification. This, I take it, means that so long as the house will pass the requirements of the health inspector and is not condemned as being unfit for habitation, the occupier would be qualified to vote, even though the place might be a house of one room with a small verandah and out-

house, having only a negligible rental value. Under this measure the inhabitant occupier of such a place would be given a vote.

The reason for adopting a property franchise is that a person having at least the qualifications specified in the Constitution can be expected to exercise the vote in a careful and considered manner and with a view to the advancement of his province and the State, whereas a man without property in any particular province, though he may be wealthy and may own thousands of pounds' worth of shares or bonds, would not be so solicitous for the welfare of his province. Often on the occasion of Assembly elections we find gangs of men being moved from place to place, sometimes staying at the one place not more than six weeks or two months. Thank goodness that sort of practice cannot be indulged in when Council elections are being held.

The only point that might induce me to vote for the second reading would be to give consideration to dwellers in flats, especially in the city, where the rentals in many instances are very high, certainly much more than 6s. 7d. a week. If other objectionable features had not been included in the Bill, I would have viewed the measure more favourably, but in the circumstances I must oppose the second reading.

HON. J. M. MACFARLANE (Metropolitan-Suburban) [4.58]: I did not intend to speak on this Bill, but perhaps as one of the representatives of the Metropolitan-Suburban Province I should make a few remarks. So far as I can judge some amendments of the Act are required, and I believe there is need for an alteration of boundaries. However, I do not think we can improve upon the present franchise. Anybody with any interest at all in the State has an opportunity to get his name on the roll, but the indifference displayed by persons possessing the qualification is remarkable. I have long felt that something in the nature of compulsory enrolment and compulsory voting for the Council could be brought into operation by using the municipal and road board rolls. From some points of view those rolls might be considered unsatisfactory, but I cannot help thinking that to use them would be an improvement on existing conditions.

If we had compulsory enrolment, and if municipal and road board authorities were

required to keep records upon which our roll could be built, the argument about the small percentage of polling for this House as against the Assembly would be swept away. The percentage of polling for this House is so appallingly low and so many people entitled to the franchise are not enrolled that something should be done. I shall welcome the day when such legislation is brought down. I am not in favour of some of the suggested amendments. The present method seems to me to be fair. I believe there is only one man who is entitled to a vote in ten provinces because of his property qualifications; possibly he is not an exception in the community. Personally, I see no reason why a man should not have a vote for each province if he is qualified, because each province has its individual problems. Other minor features of the measure are objectionable to me and I shall vote against the second reading of the Bill.

HON. G. FRASER: I move—

That the debate be adjourned.

Question put and negatived.

HON. G. FRASER (West) [5.2]: I desired to secure the adjournment so that the Minister, who at present is not in his place, could hear the various points raised during the course of the debate. We have wasted hours during the past weeks on other debates. I support the measure. Mr. Witteboom said that the passing of the measure would be a step along the road to the abolition of the Chamber. The Government, in introducing the Bill, had no such intention. When the time comes to abolish this Chamber, the necessary legislation will be brought down; we shall not do it piecemeal. I realise the futility of adopting piecemeal tactics to achieve that object. We desire to widen the franchise for this Chamber. Can anyone justify the present qualification of an annual rental of £17? Why not £10, £15, or some other amount? Why stick to £17?

Member: What figure do you suggest?

Hon. G. FRASER: No figure at all. A person who is an inhabitant-occupier should be deemed to be sufficiently qualified.

Hon. L. B. Bolton: Whether he has any interest in the country or not?

Hon. G. FRASER: That argument has whiskers on it.

Hon. L. B. Bolton: They are growing, too.

Hon. G. FRASER: Does any member contend that a person who is rearing a family is not more entitled to a vote for this Chamber than is a person without a family who has managed to acquire some property? Quite a number of persons who are rearing families have not money to invest in property. Why should they not be qualified to vote for this Chamber?

Several members interjected.

The PRESIDENT: I must ask members to allow Mr. Fraser to proceed with his speech.

Hon. G. FRASER: In some portions of the State persons who are rearing families do not, because of certain local conditions, pay sufficient rent and therefore are not entitled to vote for this Chamber. If the houses in which such persons reside were in the metropolitan area or in some of the towns of the State, those persons would be qualified for enrolment. Do members contend that that is a fair system? Those persons are useful members of the community; in the majority of cases they are the people who are rearing families. As a rule, they have larger families than do city dwellers, who, as I say, instead of rearing families, are able to secure a little property. Mr. Wittenoom said that 86,000 electors are enrolled for this Chamber. Of that number, however, some are entitled to more than one vote; consequently, there would not be 86,000 electors. Mr. Macfarlane mentioned one man who was entitled to vote for ten provinces. Probably that man is included ten times among the 86,000 electors. While that case may be exceptional, many persons are no doubt enrolled for two or three provinces.

Hon. J. Cornell: About 50,000 people in the metropolitan area are entitled to enrolment, but will not take the trouble to enrol.

Hon. G. FRASER: That may be due to ignorance on their part or to some other reason. However, it is incorrect to say that 86,000 electors are enrolled.

Member: Some of them have been in Karrakatta for 20 years.

Hon. G. FRASER: Admitted. I was intending to deal with that phase. If one examines the electoral rolls for each province, one can understand why the number of persons voting for the Legislative Council is so small. The reason is that it is almost impossible for the Electoral Department to check persons qualified to enrol as voters

for this Chamber. Mr. Macfarlane advocated compulsory voting, but under present conditions that is entirely impossible. We cannot have compulsory voting without compulsory enrolment, and we cannot have compulsory enrolment because, unfortunately, it is impossible for the Electoral Department to obtain accurate information as to those who are qualified to vote for this Chamber.

Hon. G. W. Miles: Would not the ratepayers' roll give the information?

Hon. G. FRASER: No.

Hon. G. W. Miles: Why not?

Hon. G. FRASER: For this reason: A person may be purchasing a home on the instalment system. Up to a certain point, he and the vendor of the property would be entitled to enrolment for the property, but later a time arrives when the vendor, the original owner of the property, becomes disqualified. The Electoral Department would not have an opportunity of ascertaining when that stage was reached.

Hon. J. Cornell: The Electoral Department could easily check that.

Hon. G. FRASER: I do not think so. Under present conditions, it is not possible to provide for compulsory voting for the Legislative Council, much as I would like to have it. Until such time as the qualifications for electors to this Chamber are drastically altered, we can rule out compulsory voting.

The Bill provides that an inhabitant-occupier shall be entitled to vote. That provision meets with my approval. By another clause, the ratepayer qualification is deleted. That provision also meets with my approval. I can see no reason for retaining that qualification. For the life of me, I cannot understand why a person who rents a small office in a city building and pays the rates in respect thereof should be entitled to a vote for this Chamber. That is what is happening to-day. A person may rent a small office in the A.M.P. Chambers and if he is shrewd enough to arrange that he shall pay the rates in respect of that office, he immediately becomes qualified to vote, as a ratepayer, for the City Council. Because he is entitled to enrolment as a ratepayer, he then becomes entitled to vote for the Legislative Council. That was never the intention when the Act was passed. The same position occurs in many suburbs. I know of persons renting lock-up shops who are shrewd enough to get placed on the municipal roll, because by such enrol-

ment they become entitled to vote for this Chamber.

Hon. J. Cornell: Do not term them "shrewd"; they are entitled to have their names placed on the municipal roll.

Hon. G. FRASER: Other persons not so wide awake do not succeed in getting their names on the municipal roll. That seems to me to be a most unsatisfactory way of securing a qualification to vote for this Chamber. The Bill is a modest measure and I can see no justification for opposition to it. I shall vote for the second reading.

HON. J. A. DIMMITT (Metropolitan-Suburban) [5.12]: I intend to make a few comments on the Bill. Mr. Fraser said that very few persons who are enrolled exercise the franchise. If so, then it is up to all political parties to go out and give a course of education to electors.

Hon. H. Seddon interjected.

Hon. J. A. DIMMITT: Let us all do it. I say that, because an investigation of the rolls for my electorate disclosed to me that in the various municipalities within the Metropolitan-Suburban Province there were 43,725 persons qualified to vote for the Legislative Council.

Hon. J. Cornell: Have they all the £17 qualification?

Hon. J. A. DIMMITT: Yes. The rolls closed in May with 31,024 names, so that it will be seen that only 47½ per cent. of those eligible to enrol took the trouble to have their names placed on the roll.

Hon. J. Cornell: Quite a number would not be entitled to vote.

Hon. J. A. DIMMITT: Most of them would. Of the 31,024 persons, only 14,736—less than 50 per cent.—took the trouble to vote.

Member: Is that a reflection on the organisation?

Hon. J. A. DIMMITT: No; I think both sides organised very well. It comes back to the explanation made by Mr. Fraser—the electors are ignorant of their rights. All persons eligible to exercise the franchise should exercise it, and we should endeavour to educate them accordingly.

HON. E. H. H. HALL (Central) [5.14]: Mr. Dimmitt has raised some excellent points. Whilst I agree with much that Mr. Fraser has said, I think he was somewhat inconsistent, because I understood him to com-

plain that many people who should be on the roll were not on the roll and many were on who should not be on. I do not know whether I have understood him correctly.

Hon. G. Fraser: That is right.

Hon. E. H. H. HALL: I do not want you to rule me out of order, Mr. President. I have managed to dodge that experience during the 10 years I have been in this Chamber.

The PRESIDENT: I am sorry to hear the hon. member speak like that.

Hon. E. H. H. HALL: I have escaped that experience during my period in the Chamber, but if I now said what I wanted to say, I know I should be ruled out of order.

The PRESIDENT: I advise the hon. member not to say it.

Hon. E. H. H. HALL: I have here a cutting from the "Daily News" of the 8th November last. The article is written by the general secretary of the State Executive of the A.L.P., Mr. Trainer. Mr. Fraser, who is associated with the same political party, assures us authoritatively and emphatically that this Bill is not intended to do away with the Legislative Council, piecemeal, holus-holus, or in any other fashion, but that it is merely a laudable attempt to widen the franchise. Mr. Trainer is not concerned about such niceties. He says, "The Upper House is doomed." I do not think I have ever seen the political platform subscribed to by Mr. Fraser and his colleagues, but I was told by one gentleman, the late Mr. Edgar Harris, that the platform of the Labour Party provides for the abolition of the Upper House.

Hon. G. Fraser: We do not deny that.

Hon. E. H. H. HALL: I am glad to have that position clarified. The party does want this Chamber abolished. Why waste time in introducing a measure like this? I do not wish to deal with the stars or the cards, or to pose as a seer. Notwithstanding the eloquence of those who might support the second reading, I feel that there are many members in the House upon whom all that eloquence will be wasted. The majority of members made up their minds years ago that this Chamber was here to stay. I am informed by constitutional authorities that, despite what Mr. Trainer says, the only way to abolish this Chamber is by the members thereof agreeing to efface themselves.

Hon. V. Hamersley: To commit suicide.

Hon. E. H. H. HALL: I agree with a great deal of what Mr. Fraser said this afternoon.

Hon. G. Fraser: That is unusual.

Hon. E. H. H. HALL: No; I am surprised at the hon. member's lack of perspicacity. Frequently I am in agreement with him. A husband and wife who have reared a family are as much entitled to a say in the affairs of this country as is a property-owner. It is constantly given out that only property owners are entitled to a vote for the Legislative Council. I have had to correct persons frequently on that point. The idea is advanced that only wealthy people and large property-owners, the fat men, are entitled to the franchise. We know differently from that. The largest property-owner in the Central Province also owns property in other parts of the State. He has one vote only for the Central Province, just as has the man who works on the road, the wharf or in any other humble walk of life, so long as he pays a rental of 6s. 9d. or 7s. a week. Is there a married man who does not pay as little as 6s. 9d. a week rent? Why endeavour to make out that only property-owners have a vote for this Chamber? I agree with Mr. Dimmitt, who says that the political parties concerned should make these facts known, and endeavour to have put on the roll for the Legislative Council those whose names are not now there. The accusation that members of this Chamber represent only a small fraction of the people would not then be hurled at us.

Hon. H. Seddon: Yes, it would.

Hon. E. H. H. HALL: Mr. Dimmitt gave us figures showing that even this supposition is not correct. In the Metropolitan-Suburban Province numbers of people will not take the trouble to record their votes.

Hon. L. B. Bolton: It is the same in other provinces.

Hon. E. H. H. HALL: The hon. member thinks he knows a great deal more than he does.

The PRESIDENT: I wish members would refrain from interjecting.

Hon. E. H. H. HALL: A big percentage of voters record their votes in elections in my province. A good deal depends upon the calibre of the candidate.

Hon. J. M. Macfarlane: You are the exception to the rule.

Hon. E. H. H. HALL: I support the Bill.

Hon. C. F. Baxter: You have made a strong speech in opposition to it.

Hon. E. H. H. HALL: The Bill contains clauses that should be supported and I shall be very disappointed if it does not pass the second reading. At any rate, we have been assured that the platform of the political party in power stands not for the broadening of the franchise but for the abolition of this Chamber.

Hon. G. W. Miles: Do you want to assist in abolishing it?

Hon. E. H. H. HALL: If members of that party stand for the abolition of this Chamber, why are they not brave enough to stand up and have a go at it?

HON. T. MOORE (Central) [5.24]: Despite the ridicule that has been heaped upon this Bill, I feel inclined to support it, although I am afraid my remarks will fall upon deaf ears. Unfortunately there are in the House members who have for many years taken certain rights unto themselves. They have assumed the possession of rights that the House does not possess in certain circumstances. Whether they are going to remain in control forever remains to be seen. One member said he did not think it was possible to abolish the Legislative Council. I point out that public opinion, once aroused, may bring that about. Everything comes in its turn. Just now people appear a little apathetic on the point. One member remarked it was strange that a man who paid only 7s. a week rent was not qualified to be placed on the roll. Apparently no member representing the South-West Province is in his seat at the moment.

Hon. W. J. Mann: I am here.

Hon. T. MOORE: Mr. Mann has in his province, in the jarrah areas, hundreds of electors who are paying less than 6s. 9d. a week, and have reared some of the most magnificent families ever produced in this State.

Hon. W. J. Mann: And people who some years ago deliberately put themselves off the roll.

Hon. T. MOORE: That is entirely wrong.

The PRESIDENT: Order! The hon. member will have a chance to speak later on.

Hon. T. MOORE: Many years ago I lived amongst the intellectuals in that district, and knew them well. We fought hard to get them a vote for this Chamber. They have reared

some of the finest families ever seen in this State, despite the fact that they are living in houses that have been cheaply constructed. Many of those homes are the equivalent of homes in Perth, the dwellers in which have the right to vote for the Legislative Council. I refer particularly to Roe-street; the tenants of the hovels in that street are on the roll. Members interested have seen to that. Intellectual people in the jarrah areas where large families have been raised are, however, denied the privilege of getting on the roll. I have lived amongst those people, and know their character. It is a disgrace that they should not be allowed to vote for this Chamber.

Hon. W. J. Mann: That was a long time ago.

Hon. T. MOORE: I lived amongst them for 30 years, and got to know them well. Does Mr. Mann think they are not sufficiently intellectual to want to vote for this Chamber? Does he desire people in his province to know that they are not fit to vote for this House? That is what he infers by his interjection.

Hon. W. J. Mann: I did not infer any such thing.

Hon. T. MOORE: He said they did not want to vote.

Hon. W. J. Mann: I object to the hon. member's remarks. He is putting statements into my mouth I did not make.

The PRESIDENT: I am sure Mr. Moore will accept the disclaimer of Mr. Mann.

Hon. T. MOORE: I will accept his disclaimer, and am pleased to hear that these people do want a vote. I am pleased to know the hon. member is aware that they want the vote and that hundreds of them are not now entitled to a vote. If their residences were in Subiaco, there would be no question about their being on the roll. True, their homes are cheaply built, but they are comfortable homes, and well built. The houses were purposely built cheaply from local timbers by the timber mills concerned so that those who lived in them might pay only low rentals.

Hon. W. J. Mann: Mr. President, the hon. member is endeavouring to put words into my mouth I did not utter. He is side-tracking the question.

The PRESIDENT: To what does the hon. member object?

Hon. W. J. Mann: To the statement that in my opinion people in my province are not sufficiently intellectual to have a vote.

The PRESIDENT: I am sure Mr. Moore will accept that denial.

Hon. W. J. Mann: I want a withdrawal of Mr. Moore's statement.

The PRESIDENT: Will the hon. member withdraw the statement?

Hon. T. MOORE: Yes, if the hon. member wishes me to do so.

The PRESIDENT: And I wish it, too. The hon. member has withdrawn the statement.

Hon. T. MOORE: I have spent many years in this country, and have met and mixed with a variety of persons. I know of no better class of people than those in the South-West to whom I have referred.

Hon. W. J. Mann: You could not find better people.

Hon. T. MOORE: I guarantee a census would reveal that more large families have been reared in the jarrah areas of the South-West than in any other part of the State. The percentage of them entitled to vote for this Chamber is altogether too small. I speak feelingly on the subject. I would like to accompany Mr. Craig, who is a representative of the South-West Province, to Dwellingup, where he might find six voters for the Council but far more than half-a-dozen good houses—good, decent houses, and well kept. On entering their doors one realises that one is in decent homes and receives a good welcome. Members voting against the Bill will merely be doing what this Council has been doing for years. The Bill endeavours to establish the principle that a habitation accommodating a man, his wife and children shall entitle him to a vote for this Chamber.

Hon. J. Cornell: But the £17 provision remains.

Hon. T. MOORE: I do not understand how any member with a knowledge of the South-West can say that the people there are not entitled to be placed on the Legislative Council roll. When the great fight for democracy occurred, the South-West sent battalions. The Harry Murrays went from the South-West.

Hon. W. J. Mann: No one denies that.

Hon. T. MOORE: The hon. member knows that the fathers of the Australian soldiers who went from the South-West had no votes. I ask hon. members generally to

get an idea of the people of the South-West. We who know those people appreciate that they are intellectuals just as much as any other section of the community. Why are they disfranchised? Because this House stands against their enfranchisement. They are unquestionably entitled to votes for the Legislative Council, but some older members have got into the habit of blocking the proposal every time it comes up. As has been said, the man most wanted in this country is the man who rears a family. In the city many married couples run around in cars with puppies instead of with babies. Houses empty of children are not to be found in the South-West. South-western representatives cannot justify a vote against the Bill except by saying that the people of their province living in houses in which they rear families are not good enough intellectually. No other reason could be alleged.

Hon. H. S. W. Parker: Would that apply to the agricultural districts?

Hon. T. MOORE: We do not legislate solely for the agricultural districts. My belief is that the passing of the Bill will not make the slightest difference in the representation here. Surely the people of the South-West, after all they have done to assist in the development of that part of the State, are entitled to what we claim this country gives—a democratic vote. There is no democracy in Western Australia. References have been made to what may happen in the next general election. A lot of things are supposed to happen in every general election. However, although we hear many threats, we do not worry about them. In any case, that is not the question now. The question is whether we are prepared to continue under the old Act, denying the people their democratic rights, or whether we will say that we believe in democracy and will accord to the man rearing a family the same right as we claim for ourselves.

I do not know how Mr. Craig, Mr. Tuckey and Mr. Mann could justify a vote against the Bill. How could they face their constituents afterwards? Let hon. members take a broad view of the question. If they do, they will face the issue and say, "We should give the same conditions to the south-western people as are given to city people." People inhabiting hovels in the metropolitan area are forced to pay high rents, and thus they get on the Legislative

Council roll. People in the South-West are excluded because they do not pay high rents, although they live in excellent homes. Let us remove the wretched idea that we want for ourselves what we are not willing to give to others. I support the Bill.

THE HONORARY MINISTER (Hon. E. H. Gray—West—in reply [5.37]: I put up a case for the Bill when moving the second reading, and I do not propose to reply to the debate at length. Some speakers, however, got away from the point of the Bill. There is no denying the fact that the Legislative Council franchise is ethically unsound. No member has attempted to justify that franchise. Again, throughout Australia a feeling is growing that the cost of parliamentary government is too high. We hear much talk about abolition of State Parliaments and about unification. I believe the smaller States would not agree to unification. There is only one way of meeting the agitation for abolition of State Parliaments, and that is by democratising representation. Otherwise there may be a tendency in Western Australia to reduce the cost of government by abolishing this Chamber.

Hon. G. W. Miles: By abolishing the other Chamber.

The **HONORARY MINISTER**: Mr. Moore put up the case for the South-West. A similar case could be made for the gold-fields, where many married people are unable to get on the Legislative Council roll. Members who have been in this House for a number of years are aware of the difficulty of getting on the roll.

Hon. H. Seddon: You did pretty well with the rolls at one time, didn't you?

The **HONORARY MINISTER**: I did nothing wrong in connection with the rolls. That was proved. The various franchise qualifications for the Legislative Council are misleading, unjust and inequitable. The Bill proposes qualifications that will have the effect of widening the franchise and of restricting the activities of people who are not content with one vote. The measure affords every respectable citizen an opportunity to have a voice in the election of members of this Chamber. I regret that the House has treated the Bill so contemptuously. The Government is sincere in bringing the measure forward, holding that the majority

of Western Australian citizens over the age of 21 years should be entitled to a vote for the Legislative Council.

Question put.

The PRESIDENT: As this Bill requires the support of an absolute majority, I shall divide the House.

Division resulted as follows:—

Ayes	9
Noes	15

Majority against .. 6

AYES.			
Hon. C. F. Baxter		Hon. W. H. Kitson	
Hon. J. Cornell		Hon. T. Moore	
Hon. J. M. Drew		Hon. H. S. W. Parker	
Hon. G. Fraser		Hon. E. H. H. Hall	(Teller.)
Hon. E. H. Gray			
NOES.			
Hon. E. H. Angelo		Hon. W. J. Mann	
Hon. L. B. Bolton		Hon. G. W. Miles	
Hon. L. Craig		Hon. J. Nicholson	
Hon. J. A. Dimmitt		Hon. H. Seddon	
Hon. J. T. Franklin		Hon. C. H. Wittenoom	
Hon. V. Hamersley		Hon. G. B. Wood	
Hon. J. J. Holmes		Hon. H. Tuckey	(Teller.)
Hon. J. M. Macfarlane			
PAIRS			
AYES.		NOES.	
Hon. C. B. Williams		Hon. H. V. Piesse	
Hon. E. M. Heenan		Hon. A. Thomson	

Question thus negatived.

Bill defeated.

BILLS (5)—FIRST READING.

- 1, Interpretation Act Amendment. (Hon. H. V. Piesse in charge.)
- 2, Loan, £1,396,000.
- 3, Appropriation.
- 4, Industries Assistance Act Continuance.
- 5, Amendments Incorporation.

Received from the Assembly.

BILL—LOTTERIES (CONTROL) ACT AMENDMENT.

Second Reading.

Debate resumed from the 29th November.

HON. J. J. HOLMES (North) [5.54]: I intend to vote for the second reading of the Bill with the object of making a continuance instead of a permanent measure of it. From my point of view the Bill contains three objectionable features. Firstly, it proposes to make the Act a permanent statute; secondly, it proposes to fix the term of the commissioners for three years, and, thirdly, it proposes to abolish the limitation on the

number of lotteries specified in the Act, namely, 15, so that the commission may run as many lotteries as it likes. I am somewhat at a loss to understand why the Bill on this occasion was introduced in the Council instead of in another place, unless it be that the Government considered it a foregone conclusion that this House would not accept the provisions and, in order to save time, decided to allow us first to run the rule over the measure and then send it down to the Assembly.

A similar proposal last session was defeated by 14 votes to seven. Since then there has been no alteration in the constitution of the House except in favour of those who object to making this legislation permanent. Mr. Clydesdale who was more or less the father of the lotteries has gone, and Mr. Dimmitt has taken his place, which strengthens the opposition to the proposals in the Bill. I have been a member of this House for a good many years, and I am bound to say that I have never seen any Bill attacked in such a manner as was the measure of last session. It was attacked from north, south, east and west; it was torn to shreds; it was talked about, sat upon and jumped upon; and ultimately the House accomplished its desire to restrict the Act to one year, and if necessary continue its operations each year. So strongly was the Bill attacked that Mr. Craig was moved to remark that he had no idea there was so much eloquence or so much piety in this House until he heard that debate.

Had there been a proposal before the House to abolish the Lotteries Commission, I do not think the Minister could have set up a better defence for a continuance of the existing state of affairs than he did when moving the second reading. He told us how well the Lotteries Commission was working, and how much it had accomplished, and he said everything that was possible in favour of continuing the Act in its present form. He made out a wonderful case for continuance, and I suggest that the present satisfactory state of affairs is due to one fact only, namely, that the Government and the commission know that this House has its eye on the commission. There is a whip held over the organisation, and so long as we retain that position we may feel satisfied that a fair thing will be done.

I do not suggest that this legislation should be refused to the present Government

and granted to another Government. People are much concerned about the lotteries, which may become as bad as the s.p. betting business. I feel so concerned that I do not care which party is in power, it will never get my consent to anything more than year to year continuance. We should remember that in the past we have retained supervision over the organisation from year to year. The commission was set up to control gambling and lotteries.

The Honorary Minister: The object was to suppress illicit sweeps.

Hon. J. J. HOLMES: On the other hand, everything has been done to increase the sale of tickets and to induce people to put more money into the lotteries. This was so apparent last year that certain members of the House complained about members of the Lotteries Commission travelling throughout the country. The Honorary Minister answered the objections by saying it was necessary for the chairman and members of the commission to travel to induce people to buy more tickets.

The Chief Secretary: Who said that?

Hon. J. J. HOLMES: The Honorary Minister. I have looked up his speech in "Hansard."

Hon. H. Tuekey: They travelled in order to see the effect of their work.

Hon. J. J. HOLMES: The Honorary Minister made the statement, and I presume he can speak for himself. He said it was necessary for the chairman to travel around the country to induce more people to take tickets. If the Chief Secretary disputes that, I shall turn up the report of the Honorary Minister's speech in "Hansard."

I have been looking into figures and again I must complain about the way in which figures are submitted to this House. On this occasion the Auditor General has presented figures relating to the Lotteries Commission in a form quite different from that which he adopted last year. I find that this also applies to the State Insurance Office figures. In his report for 1937, the Auditor General set out in detail the amount subscribed to the State lotteries, the commission's expenditure, the amount of prize money and the amount available for charities. In his report for 1937 the Auditor General has not adopted the same form, and in order to arrive at the position for the last financial year, each one of the reports submitted to the House from time to time

would have to be analysed and the necessary figures abstracted. In the circumstances I am forced to deal with the position for 1937 instead of for 1938.

The figures for 1937 show that £246,000 was subscribed to the lotteries. Of that total, £123,000 was distributed in prize money, £36,000 went in commission to agents and in management expenses, while £80,000 odd was available for distribution among charities. This means that one-third of the amount subscribed was available for charities and two-thirds was absorbed in other directions. The expenditure I particularly wish to analyse is the £36,000 of public money that has gone up, as it were, in smoke. Of that amount I take it £24,000 was distributed among the ticket sellers.

The Chief Secretary: I think you had better look up the figures again.

Hon. J. J. HOLMES: Very well. I now quote from the Auditor General's report. The figures show that the sale of tickets brought in £246,000. Was not that the figure I quoted? Prize money, £123,000. Did I not quote that figure. Expenses, £36,000. That is the figure I mentioned, was it not? Finally, the amount available for distribution was £87,000. I think I mentioned £80,000. That is because I am accustomed to dealing in round figures. I propose to direct attention to the expenditure of the £36,000 for expenses. I have no information on the subject, but I take it that the whole of the tickets were sold by the agents. I do not know that much encouragement is extended to the public to purchase tickets at the main office.

Hon. L. B. Bolton: A lot of tickets are sold there.

Hon. J. J. HOLMES: At any rate, I can deal with the figures only as I find them. If all the tickets in the lotteries were sold by the agents, that would absorb in the form of commission £24,000 of the amount for expenses. What do those agents do for the money they receive? I understand the tickets are printed for them and the advertising is done for them. If £24,000 were expended in that direction, it means that £12,000 was absorbed in the managerial and administrative charges associated with the commission's office.

In the course of his speech the Minister pointed out that the lotteries are not now as popular as they were formerly. He also

indicated that the money raised by means of the lotteries was needed. For that reason the Government wished the Lotteries Act to be made a permanent enactment. If Parliament agreed to that request, all manner of means might be adopted to finance the State from lottery funds. We are told—and this is one reason why I cannot understand why country members are inclined to vote for the Bill—that the Government intends to finance the construction of a new Perth Hospital, more or less, by means of funds raised through the Lotteries Commission. The building, I am given to understand, will cost about £750,000, and I think I have seen the statement in print—I am open to correction if my memory is at fault—that the work is to be carried out under day labour conditions. If that be so, then goodness knows what the cost of the building will be.

Information came to me in a semi-official manner when the continuance Bill was before Parliament last session to the effect that if the Lotteries (Control) Act were made permanent, the Government could secure money from the bank with which to finance the construction of the Perth Hospital. I have been taught that the first essential of government is to maintain law and order. The next essential is to look after the indigent sick. Has the Government got down to the level of saying that to provide a new hospital for the indigent sick it must depend on lotteries to finance the undertaking? If that is so, then we have got down to a pretty low level. Bad and all as are the affairs of the State, I am satisfied there are a lot of good people who would not like to die in a hospital built out of the proceeds of gambling. The Chief Secretary may smile, but I know that last year the position was made quite clear that the Government wanted permanent legislation in order to assist in financing the construction of the new Perth Hospital. The suggestion was that the only way by which the bank could be induced to provide the money was to make the Act permanent and then the institution that made the money available would have the first pull on all money that was raised by the commission.

I ask members this question, as I did last year: If we are to provide this money for the Perth Hospital, what will happen to the hospitals outback from Wyndham in the north to Esperance and

Eucla in the south? The Perth Hospital will have the first call. I cannot understand such a proposal emanating from a Labour Government. I cannot understand a Labour Government allowing the Perth Hospital to be neglected to the extent apparent to-day. Why is it? The conditions at the Perth Hospital to-day have become a positive scandal, and that fact is not denied. That such should be the position under a Labour Government is beyond comprehension.

Perhaps Ministers are waking up. They realise they have not done enough, and therefore are determined to start on the eve of the general election upon a scheme for the reconstruction of the Perth Hospital or, at any rate, on the greater part of a complete scheme, and to finance the operations out of the funds of the lotteries. The effect will be that in the future people will be able to point to the wonderful edifice in Perth erected by the Labour Government. When visitors come from outside the State, they will be shown round the city and the new hospital will be pointed out as a wonderful building, a credit to the State. On the other hand, when I travel through the State and notice children who are unable to enjoy adequate educational facilities, or protection from wind, rain and sun, I ask myself whether there is not too much centralisation in these days. If we agree to make the Lotteries (Control) Act permanent, there will be still more centralisation.

To suggest that there is not enough money available otherwise for building a hospital for Perth is a disgrace to the community as a whole, if it be so. The Government can find money for all manner of schemes and yet cannot find sufficient for the construction of the new hospital. They seek to take advantage of a policy by which the Act would be made permanent and thus make use of the Perth Hospital as a staking horse. I am not prepared to allow the present or any future Government to have three-quarters of a million or even a quarter of a million pounds for distribution as it chooses. I am not prepared to allow it to be distributed as in the past, or so great a proportion to be paid over to the sellers of tickets. In making these comments I do not single out the present Government. I would not trust the present Government or the next Government with £250,000 for distribution annually. The Minister is bound to ask Parliament to agree to the appropriation of ex-

penditure. We must not forget the interests of the outside public. I would not delegate to an outside body the power to make an allocation of funds with the consent of the Minister, particularly when the Minister, in connection with the administration of his own department, has to secure the authority of Parliament for expenditure. The House would be wise to determine that each year Parliament shall have the right to review the whole situation.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. J. J. HOLMES: At this stage I should like to say that I owe Mr. Dimmitt an apology. I find that before tea I made this statement—

Mr. Clydesdale, who was more or less the father of the lotteries, has gone, and Mr. Dimmitt has taken his place, which strengthens the opposition to the proposals in the Bill.

I had no right to assume how Mr. Dimmitt was going to vote. I was trying to point out that the Minister, when introducing a similar Bill last year, said the defeat of the measure was a foregone conclusion because the numbers were against him, and I asked why the Government should introduce a like Bill this session, knowing the numbers were against it. I can see no reason other than that the Government is using the Bill as another rod with which to beat the Legislative Council. I do not know how Mr. Dimmitt is going to vote, but, as Mr. Clydesdale was defeated at the elections by an overwhelming majority, I assumed that Mr. Dimmitt would be opposed to this proposal. Whether he is or not, I do not know. I have been in this House a long time and have had a number of surprises about the way members vote. Even this afternoon I found that Mr. Parker and Mr. Baxter, who are strongly opposed to amending the Constitution, voted for the second reading of a Bill providing for such amendments. So no one can say how any member is going to vote on any Bill.

Hon. C. F. Baxter: That was not the first time I had voted in that way.

Hon. J. J. HOLMES: No one has a right to assume how another member will vote; but Mr. Clydesdale said the Lotteries Commission was responsible for his being put out of Parliament, and I therefore assumed that the successful candidate would be opposed to making this measure permanent.

I regret, however, that I assumed Mr. Dimmitt would vote against the measure. We shall have to wait until the bells ring in order to see how the vote goes.

Hon. G. Fraser: You might be a bad tipster.

Hon. J. J. HOLMES: I have pointed out that the Minister explained how well the present system had worked. I ask the House to remember that. If an organisation is working well, why not leave it alone? I have no hesitation in saying that the very fact that the Act comes up for review each year is responsible for the successful operations of the Lotteries Commission. Members have asked why the Bill should be reviewed every year. It is a simple matter to carry an amendment altering the year 1938 to 1939, or 1939 to 1940, and so on. We review other laws in a similar way. The important income tax measure has to be considered every year. No one complains about that.

Hon. G. Fraser: There may be changes in taxation.

Hon. J. J. HOLMES: Changes can be made in this Act every year by introducing an amending Bill. What I am concerned about is that as soon as a success is made of any undertaking in this country—I do not care what it is—somebody considers it his business to disturb the existing arrangements, instead of leaving well alone. To make this a permanent measure will result in disaster for the Lotteries Commission. Only the control exercised by Parliament ensures the successful working of the commission. I have not a word to say against the members of the commission, but commissions come and go, and this House should keep control of the large sums of money that have to be distributed from year to year.

This brings me to a consideration of additional accommodation for the Perth Hospital. I cannot understand why the extension of the building has been so long delayed. I have followed this matter from month to month and from year to year. Periodically announcements have appeared that if this Act could be made permanent, the consummation of the building scheme could be proceeded with at full speed. But money that could have been spent on the Perth Hospital has been spent in other directions. In order that members might be induced to make this Act permanent, the plea is offered that if such permanency were secured, a new

hospital could be built. If £750,000 is to be borrowed from the bank, interest and sinking fund will have to be found, and that will make a hole in £75,000 per annum. Last year there was a surplus of only £87,000 in the funds of the Lotteries Commission. This year the surplus will be less, because, according to the reports, although £243,000 was subscribed last year, difficulty will be experienced in obtaining £200,000 this year.

I would point out to members interested in the Wyndham and Esperance districts that if £75,000 is to be taken out of the lotteries funds for the Perth Hospital, there will not be much hope of assistance being provided for those districts. Money has been spent in certain directions that could have been saved. Transport services between Perth and Fremantle were being conducted as well as any such services could be run by private enterprise, and certainly better than any Government could run them. Yet those services were superseded by trolley buses. If members will walk along the riverside any day of the week, they will see improvements being made in all directions. The foreshore is being beautified while the indigent sick at the Perth Hospital are being exposed to wind and weather.

In his introductory speech the Minister complained about money being invested in Eastern States lotteries. Money is being sent to the Eastern States because only about 50 per cent. of the amount subscribed to lotteries here is returned in the form of prizes. In the Eastern States a much greater percentage goes to buyers of tickets. Wise people say, "We can get better results from lotteries in the Eastern States." Unfortunate people who do not think, and who often can ill-afford the 2s. 6d. they pay for a ticket, are the ones that are keeping the lotteries going. It would appear that this year £50,000 less will be subscribed than was received last year. The Government is hungry for money, as are all Governments, and as all Governments will be to a greater extent in the future. As a result, I think some special efforts will be made to ensure that more tickets are sold, even if that involves paying a greater commission to ticket agents in order to boost sales. The ticket-sellers neither toil nor spin, yet they get £20,000 to £24,000 a year just for selling

tickets. To put an organisation of this description in the hands of any Government, and to have no control over it other than that exercised by a Minister—such Minister not being responsible to Parliament except for tabling the reports of the commission and the Auditor-General—is to place a dangerous weapon in the hands of the Government.

The Bill proposes to remove the restrictions on the number of lotteries to be conducted each year. Under the present Act I understand 15 lotteries may be held. The Bill provides for the removal of that limit. The Government desires to obtain money, and if a lottery is under-subscribed, other lotteries may be held in order to make up the sum required.

Hon. G. B. Wood: That provision is only to facilitate bookkeeping. It will not make much difference to the amount of money received.

The Honorary Minister: It has been proved a success in New South Wales.

Hon. J. J. HOLMES: I do not know what happens in New South Wales now, but when I was there seven years ago, the only place where one could buy a lottery ticket was at the central office.

Hon. J. Cornell: It is the same now.

Hon. J. J. HOLMES: One had to go to that office to obtain a ticket. Here we not only have an office and a staff but we also pay £20,000 to £24,000 to people for selling tickets. That represents £20,000 to £24,000 going out of the purses of the poor into the pockets of the ticket-sellers, who neither toil nor spin. The tickets are supplied to them free of charge, and the advertising is also done for them.

The hogey of continuity of policy does not appeal to me and I do not think it will appeal to the House. Continuity of policy depends upon the manner in which the lotteries are conducted. I have nothing to say about the past conduct of the lotteries, except that I consider too much money has been paid by way of commission to sellers of tickets, who push the tickets on to people that cannot afford to buy them. The success of the concern has been due to our keeping it under the whip, and I hope we shall continue to do that. If we made the Act permanent, we could not repeal it except with the consent of another place, and I ask members to consider what chance there would be of getting that consent.

From the reports I learn that £250 per lottery is paid out for the benefit of unemployed or sustenance workers. I do not know how much of that sum goes to the country and how much goes to Perth and Fremantle. Such things, however, indicate the necessity for parliamentary control. There are certain minor clauses in the Bill that the commission considers necessary. The three main provisions—to make the Act permanent, to appoint the commission for three years, and to remove the limitation on the number of lotteries to be conducted—will not receive my consent. This organisation should be kept under strict and continual supervision. Only thus can it be a success. While I admit that it has been a success, I say that the case presented by the Minister when moving the second reading was a complete justification for retaining the present arrangement and requiring approval to be obtained from year to year. I shall support the second reading, hoping to secure amendments in Committee.

HON. J. CORNELL (South) [7.48]: I have a few remarks to offer on the Bill. On the question of making this legislation permanent, I stand where I have always stood. I favour re-enacting the law for another year. For a variety of reasons that I do not propose to elaborate, I am strongly opposed to continuance for more than one year. If the duration of the Act is thus limited, Clause 2 will automatically be rejected because no appointment could be made for a period of three years or two years if the organisation were given a life of only one year.

I see no objection to removing the limitation on the number of lotteries that may be conducted each year. I think that, with the number at 15, we have just about reached the limit. If members consider the number of lotteries that have been drawn in the year and the number that have been oversubscribed, they will appreciate that there will be no difference in allowing the lotteries to be closed when the full number of tickets has been sold. I am not familiar with the details of the Queensland lotteries, but I can say that the difference between New South Wales and Western Australia in the conduct of lotteries is that in New South Wales all the tickets are issued from the central office, just as Tattersall's issue all tickets from a central office.

Hon. G. Fraser: Agents have not been abolished in New South Wales or Queensland.

Hon. J. CORNELL: One cannot purchase a ticket from an agent in New South Wales.

Hon. G. Fraser: Yes, you can, just as you can purchase a ticket in Tattersalls.

Hon. J. CORNELL: But the applicant has to fill in a form, which is sent to the head office. If that system were adopted here, we would overcome the difficulty of broken books.

Hon. H. V. Piesse: I have bought a ticket from an agent in Sydney.

Hon. J. CORNELL: Where?

Hon. H. V. Piesse: In a shop opposite the Bank of New South Wales.

Hon. J. CORNELL: Did the hon. member have to fill in a form?

Hon. H. V. Piesse: No.

Hon. J. CORNELL: Then I venture to contradict the hon. member. Otherwise his ticket was not included in the draw.

Hon. H. V. Piesse: Yes, I won a "tenner."

Hon. J. CORNELL: Anyone wishing to purchase a ticket has to go to the main office in George-street, fill in a form and pay 5s. 4d. for a 5s. ticket. I do not know what the extra 4d. is for, unless it be postage.

Hon. G. Fraser: That is right.

Hon. J. CORNELL: Would that apply here, or is it proposed to supply a half-crown ticket for 2s. 6d. and forward the ticket and result slip free?

Hon. L. B. Bolton: The applicant would have to send a stamped envelope.

Hon. J. CORNELL: The purchaser would have to pay more for the ticket. That is a point to be considered. If the tickets cost more, the amount to be paid out by the commission would be reduced. If the present system is to be continued, there will still be the difficulty of broken books.

Another proposal is to abolish the dual audit. When the Chief Secretary referred to this point, I made an interjection, but I find I was under a misapprehension. I understand the position to-day is that an employee of an outside firm of auditors conducts a continuous audit of every lottery and an officer from the Auditor General's department does likewise. To do that is the work of two men, and each receives 15 guineas for each audit. Are we to assume that if we do away with the outside auditor, the work will be done more cheaply?

Hon. C. F. Baxter: It could not be.

Hon. J. CORNELL: I understand that while the auditors cannot interfere with the policy of the commission, they can make recommendations for the adoption of better methods of bookkeeping and improvements on the clerical side. I am inclined to agree with Mr. Piesse that, as no saving can be effected, we should not depart from the excellent system that has operated for a considerable time.

Hon. L. B. Bolton: And is a double safeguard.

Hon. J. CORNELL: The A.M.P. and other institutions employ two firms of auditors and get a double audit for the same money.

Hon. H. V. Piesse: They are handling trust funds.

Hon. J. CORNELL: Exactly. I understood the Minister to say there was some ambiguity about the amendment inserted by the House two sessions ago regarding the Auditor General. I am prepared to help to clear up the ambiguity and make the law explicit, but I will not be a party to doing away with the independent audit.

I cannot say that I altogether concur in the policy of the commission. This legislation was passed by Parliament to prevent the indiscriminate running of sweeps and to provide some control. I venture to say that the commission, aided by the police, has gone too far in some instances. In Kalgoorlie and Boulder there are four football clubs, and if there is any association of men in sport that does something towards improving the social amenities of the goldfields towns, this is one. Until last year each football club conducted a sweep on Saturday at 1s. per ticket. The proceeds were used for a definite purpose.

The Chief Secretary: What percentage?

Hon. J. CORNELL: A large percentage. The purpose was to give the players, who get little more than abuse out of the game, an opportunity to participate in a trip. Those sweeps have been banned. I inquired from reputable citizens, who are associated with all football clubs—even the Leader of the House is president of a club—

The Honorary Minister: The best club in Western Australia.

Hon. J. CORNELL: Perhaps so. I asked those reputable citizens whether they thought the action of the Lotteries Commission in

banning those sweeps would lead to an appreciable augmentation of the funds of the lotteries so that the charitable objects assisted by the commission would receive a little more money. The answer of those reputable persons was that the money put into those shilling sweeps would find its way into the hotels. The publicans would be the gainers, not the Lotteries Commission or the footballers. Any person who has resided on the goldfields knows how it works out.

Member: You are right.

Hon. J. CORNELL: Three other bodies conducted lotteries on the goldfields—the Kalgoorlie R.S.L., the Boulder R.S.L. and the South African Veterans. The profits derived from the lotteries were devoted to the amelioration of impecunious South African Veterans and impecunious diggers. Those bodies obtained permission to run a sweep of £10,000 with tickets at 1s. each, but the result that would have been obtained from such a sweep would not have been worth while.

I desire to impress upon members the action of the police in proceeding against men running sweeps under the lap, while at the same time 64 starting-price betting shops were allowed to flourish. The proprietors of those shops were not rounded up by the police. The committees of the club were threatened with the utmost rigour of the law, but men were allowed to bet at football matches held on Sunday. Those men went the even tenor of their way; they had their bet and their beer without interference. I travel about the State a good deal and have noticed that almost without exception wherever there is a starting-price bookmaker, lottery tickets can be obtained from him.

Hon. G. Fraser: I know dozens of places where they cannot be obtained.

Hon. J. CORNELL: The worst feature of the business is that the men who carry on a large starting-price betting business and who provide the money to keep this illicit traffic going are agents for the Lotteries Commission. An ex-Premier had to put up a fight in order to secure an agency for a legitimate hairdresser at Boulder to sell lottery tickets: while at the same time a starting-price bookmaker next door was supplying him with tickets under an arrangement that he should receive half the profits. That is one of the bad features of the administration of the Lotteries Commission.

One of the arguments in favour of making this legislation permanent is that it would enable the commission to provide interest on a sum of money to build a hospital. The commission is already empowered to do that. This Bill in no way alters the purposes for which the Act was passed. The Act defines "charitable purpose" as follows:—

"Charitable purpose" means any purpose which is designed to raise funds for all or any of the following:—

(a) any public hospital in the State as defined in Section 2 of the Hospitals Act, 1927 . .

The Bill does not seek to alter that definition. Under the existing law, the Lotteries Commission can, if it so desires, earmark a certain sum each year to provide interest on the amount required to build the hospital. I do not intend to enter upon the debatable question of whether or not the commission should subsidise city hospitals and not country hospitals.

My last point is this: The statement has been made that unless this legislation is made permanent, the Lotteries Commission could not justifiably enter into an arrangement to set aside a sum of money required to meet interest on capital to be borrowed to erect a hospital in Perth. This Chamber is the culprit responsible for requiring this legislation to be re-enacted yearly. Since the Act was passed in 1932, another place has had a majority sufficient to make the legislation permanent. This Chamber, however, has stood four-square in its determination to re-enact the legislation from year to year. I have yet to learn that the Council would lose its self-respect if it closed down the lotteries altogether. The commission will be perfectly safe, however, in assuming that the legislation will be continued from year to year so long as it acts reasonably and carries out fearlessly the intention of the Act, and does not favour one section of the community more than another.

Hon. H. V. Piesse: The commission would have the moral backing of the Government.

Hon. J. CORNELL: It would be outrageous to say that this Chamber would do otherwise. I cannot see any force in the argument that the legislation should be made permanent. My experience leads me to oppose such a proposal and, if I err, I do so in good company.

The person responsible for making this law temporary in the first place was the member for Boulder: and I have yet to

learn that he has deviated from the stand he took up when the legislation was passed. Quite recently, in another place, he said that if gambling were legalised and there was no string to the legislation, we would be heading for disaster. So long as we have the machinery provided by the existing legislation, we are on safe ground. If we interfere with the Act in the way proposed we shall not be on safe ground. I have no reason to alter the attitude I took in 1932 towards this legislation. I still subscribe to the doctrine that it is the duty of those who are well placed in life and have unimpaired faculties to provide for those less fortunately situated. We have departed from that doctrine by the appointment of the Lotteries Commission. The best thing we can do now is not to disturb the existing legislation. I support the second reading of the Bill with that object in view.

HON. G. FRASER (West) [8.10]: The opposition to this measure strikes me as being the weakest ever put up in this Chamber against any Bill.

Hon. H. V. Piesse: The opposition is to some of the clauses of the Bill.

Hon. G. FRASER: Upon analysing the opposition, one finds that the real objection is that some members will not have the opportunity to air their eloquence year after year in speaking to this legislation.

Hon. J. Cornell: It gives the hon. member a chance to air his eloquence also.

Hon. G. FRASER: The hon. member does not want that chance. Important measures are delayed because Bills of this description are brought down yearly and debated at great length. I am convinced that this legislation has been in force long enough to warrant its being made permanent. One would gather from the arguments of some members that if we made the legislation permanent, Parliament would for all time be deprived of the opportunity to alter it. That is not so. Parliament can amend any Act on the statute-book. If it were found that the Lotteries Commission were functioning in a manner not satisfactory to Parliament, or that the Act required amendment, there would be no difficulty in having the law amended. The point stressed by Mr. Holmes was that, if the Bill passes, Parliament would be deprived of the opportunity of reviewing the Act each year.

There is nothing to prevent Parliament from reviewing the legislation each year should it consider such a course desirable. Mr. Holmes also made a remark about the alteration in the representation in this Chamber, but the constitution of this Chamber does not change yearly. At the most, it changes every second year. Even on that basis, this Chamber could review the legislation every two years.

The time has arrived for the House to wake up to the fact that this legislation is here to stay. It is necessary in the interests of the charities of the State. The suggestion has been made that difficulties will arise if the Bill is passed. The only alteration is that the Lotteries Commission would conduct its sweeps on the basis of sweeps conducted elsewhere throughout Australia. What do we find to-day? The commission advertises that it will conduct a lottery of 130,000 or 140,000 tickets. People buy tickets on the understanding that they will have one chance in 130,000 of winning. When the lottery is drawn, however, they find that their chance, instead of being one in 130,000, is probably one in 150,000. By doing that, the commission is not keeping faith with the people to whom it sells tickets. If the proposed alteration is made it will merely bring the system of distributing tickets into line with that appertaining to other big lotteries in Australia. The practice is one that has always been adopted by Tattersalls, one of the most popular lotteries in the Commonwealth.

Hon. J. Cornell: There is no objection to that.

Hon. G. FRASER: Objection has been raised to our lotteries being run continuously, and that has been one of the reasons for the opposition to the Bill. Tattersalls appoint agents throughout Australia. When a person buys a ticket he gets a receipt, and in due course receives a ticket from Tattersalls. If the lottery to which he thinks he has subscribed is full, he receives a ticket in the next ensuing lottery. Whilst the procedure with respect to tickets may be different in this State, the drawing is the same as in the case of Tattersalls and other big lotteries in Australia.

I cannot understand the opposition of members. The business section of the Chamber must realise that should the Act be made permanent the management can do

its work much more cheaply than at present. One would naturally assume that when a business man has to conduct his operations for the year to the end of December only, he will make his adjustments as nearly as possible to conform to that date. On the other hand, if he knows his position is permanent he can order in larger quantities, and therefore conduct his business more economically. Should the commission be appointed permanently it will be able to buy its requirements more cheaply and make better contracts than it can do at present. I am given to understand that in audit fees alone a considerable saving could be effected by the organisation being made a permanent one.

Hon. E. H. H. Hall: A saving must be effected.

Hon. G. FRASER: Yes. Most of the complaints against the commission have come from sporting bodies, for the reason that it interprets the Act in such manner as to curtail the operations of the hundred and one small sweeps that were conducted prior to the passing of this legislation. Upon these sweeps the junior sporting bodies especially relied for their revenue. The commission has tightened up everything, and the sporting bodies complain that they are now deprived of this means of raising money.

Members must agree that the commission has done its work properly. It has abolished numbers of art unions. I do not say I agree with the harsh attitude that has been adopted to small lotteries, for I know the difficulties that sporting bodies experience in making ends meet. I would prefer to see the commission allow a little more latitude to small organisations, though I admit it is carrying out its task in a manner that should satisfy most members of the House.

During the debate I have heard nothing to convince me that there is anything wrong with the Bill. The commission has served its apprenticeship well. Lotteries have been conducted for many years in this State, and I have heard no complaints against the manner in which they have been managed by the commission or against the method adopted for the distribution of the proceeds. The least the Council can do is to give the Act permanency. This will not make permanent the tenure of the commissioners, because they will be appointed for the ensuing three years only. That is a short enough

term in which to expect them to carry out their work efficiently. I have nothing but praise to offer for this organisation, and trust the Chamber will pass the second reading and take the Bill through Committee without amendment.

HON. E. H. H. HALL (Central) [8.37]: Mr. Holmes told the House that the prize money allotted in this State represented 50 per cent. of the subscriptions. The hon. member may not have known the percentages allotted in the Eastern States. I have the figures here. As reference was made by the Chief Secretary to the money going out of this State to other parts of the Commonwealth for lotteries there, members should know that 68 per cent. of the money raised in Eastern States lotteries is awarded in prizes, compared with 50 per cent. in this State.

The Chief Secretary: To what lottery are you referring?

Hon. E. H. H. HALL: To Tattersalls. It is possible to support a Bill and yet be strongly opposed to some of the clauses. I am pleased to see this measure. I was one of the few members who objected to private auditors being employed to audit the accounts of the commission. When the original Bill was brought down I expressed the opinion that the auditing was the function of the Auditor General, and I am pleased that such an arrangement has now been made. This will tend to reduce the cost of administration, and make more money available for charities, the *raison d'être* for the establishment of the lotteries.

Mr. Fraser spoke about the objections to the Bill. I have never been able to understand why paid positions were created for both National and Labour gentlemen to administer funds that are used entirely for charitable purposes. I consider that the work could have been done either in an honorary capacity by members of the commission, or by such an able secretary as was the late Mr. Buscombe. The present appointments are nothing more or less than political appointments. I do not say that the chairman of the commission does not carry out his duties satisfactorily. Be that as it may, I have always opposed political appointments, and most people of the State are like minded in that respect.

I would be willing to give consideration to making this Act permanent provided the

organisation was placed in the hands of the Minister of the department concerned, and under the management of a permanent secretary. I am not in accord with the idea of money being paid away unnecessarily. The basis of the allocations is unknown to me. By referring to last year's "Hansard" members will find that when the Chief Secretary moved the second reading of that Bill, he gave a good deal of information. I refer members to page 1393. The Minister showed how the moneys raised had been expended. When members look at this year's "Hansard" they will not find such a detailed statement. The Chief Secretary said "members may have all the details if they so desire." I appreciate that the Minister is a busy man and tries to condense his speeches, but members should have been given the information.

The Honorary Minister: It was published in the Press.

Hon. E. H. H. HALL: If it was good enough to give the House the information last year, why was it not forthcoming this year?

Hon. J. Nicholson: It should appear in the annual statement.

Hon. E. H. H. HALL: Orphanages this year are shown as receiving £8,440. Last year, according to "Hansard," the amount distributed to each orphanage was indicated to the House. Members should be enlightened on this point. I find that the Clontarf Orphanage received £3,538 17s., an amount that is far ahead of that received by any other orphanage. Possibly there are many children in that institution. This year the only information we can get is that orphanages generally received £8,440. This year blankets, sheets, and money distributed through distress agencies account for £3,635. Surely we are entitled to more detailed information than that.

The Honorary Minister: You want to know the names of the people assisted?

Hon. E. H. H. HALL: No; but I do think we should know in what districts of the State the help was given. In connection with the sad case of which I told members this afternoon, I might have approached the Lotteries Commission; but I do not think it right for a member of Parliament to pester the commission for donations and gifts.

The Chief Secretary: The commission agrees with you, too.

Hon. E. H. H. HALL: I am glad to hear that. The matter should be placed on a better basis. I regret that Mr. Craig is not in the Chamber. Last year the hon. member spoke as follows:—

Mr. Parker, I think it was, stated that in his opinion the rest of the commissioners were not needed. I agree with that view entirely, and have had the same idea in my mind for some time.

This year Mr. Craig forgot all about the idea he had had in his mind for some time. He forgot to make any remark about the commission, though I think he is still of the same mind. The Bill coming up year after year affords us a chance to ventilate our opinions. The commission is not impeded in the pursuit of any object it has in view. I shall support the second reading, but in Committee shall oppose some clauses.

HON. W. J. MANN (South-West) [8.33]: In the first place let me say that I am fully in accord with the principle of bringing the Act up each year for renewal, and with the idea of giving the commission one year's life. The question of lotteries is something outside the usual realm of legislation. Lotteries might be abused. Grave abuses might occur in the handling of them. The very fact that the Act comes up for renewal yearly has a decided restraining influence, if such an influence is necessary, on those in control.

One feature of the Bill to which I must take exception is that of continuous lotteries. I stand for the Act as it exists to-day. Less than three weeks ago I had an opportunity to go into the central lotteries office in Sydney, and there I saw a sight which I hope will never be witnessed in Western Australia. It was within a day of the closing of the lottery, and I do not know how many tables or desks were being used, but the number was large. From casual observation I can say that there were over a hundred people clamouring and fighting their way to the tables in order to fill in forms for the purchase of lottery tickets. I was told—this seems almost too outrageous to be true, or at any rate it is hard to believe—that New South Wales closes a lottery every four or five days. I do not know how long those lotteries have been in existence, but it is not very long; and yet I purchased a ticket in, I believe, the 540th lottery.

New South Wales lotteries are for a fixed number of tickets, and as soon as that number is reached the lottery is closed and the drawing takes place, and another lottery carries on. In my opinion, 15 lotteries annually are quite sufficient for the people of Western Australia. In that respect I shall oppose the Bill. We are getting on very well at present, and quite enough money is being expended on lotteries.

I support the idea of lotteries from an aspect different from that which appeals to other members. One of my reasons for supporting State lotteries here is that they force people who otherwise would not contribute to charities to make some payment in that direction. I am open to correction, but my information is that something like 5d. in every ticket goes to charity. To that I say, "Good luck!" I would not care if it were a bit more, though I buy tickets now and again. A contention has been raised that the amount allocated for prizes is not sufficient. Seeing that the lotteries were introduced to assist charity, the amount offered by way of prizes is adequate. I buy a ticket and am quite content to do so under existing conditions. I am convinced that the running of these lotteries causes large numbers of people to contribute to charity who otherwise would not do so. My experience in endeavouring to raise money for hospitals and kindred institutions in the part of the State where I have lived for many years, leads me to that conclusion, as to which I feel no doubt whatever. The Chief Secretary informs me that the profit on lotteries is 35 per cent.

Hon. J. J. Holmes: I have heard that the profit is 33 1/3rd per cent.

Hon. W. J. MANN: I am not concerned at all with the percentage. My point is that the lotteries force many people to contribute to charity as they ought to contribute. As regards over-selling of tickets in a lottery, I do not think any reasonable complaints have been made, since the commission increases the prize money pro rata. That is the position as I see it, and I shall support the second reading, but shall oppose various provisions in Committee.

HON. J. NICHOLSON (Metropolitan) [8.41]: The Bill has been so exhaustively discussed that probably every member now has as thorough an understanding of the measure as it is possible to have. Still,

whatever the opinions of members may be, whether in favour of continuing the Act from year to year or for a lesser or greater period, or of making the statute permanent, these conflicting views might have been settled by having the Bill referred to a select committee after the second reading. The Bill is eminently a Committee Bill, and not a measure upon which any debate will alter the minds of members one iota.

The Chief Secretary: It is a bit late in the day for a select committee.

Hon. J. NICHOLSON: I am merely stating what I think. I believe I am right. The idea of doing away with lotteries would not affect the opinions members have formed regarding continuance of the Act. I shall certainly vote against any extension of the Act beyond one year. Like other members who have spoken in support of that view, I feel that in the best interests of the general public Parliament should have the right to review the Act from year to year. During the debate it has been suggested that the commission has performed its work with, shall we say, a certain degree of success.

Hon. J. Cornell: Commendable success.

Hon. J. NICHOLSON: Very well; with commendable success. That, we are told, is justification for altering the original intention of Parliament. I do not share that view. I recognise that in the chairman of the commission, Mr. Kenneally, we have a man of the highest reputation and one who, I am sure, enjoys the full confidence of every member of Parliament as well as of every member of the public.

The Chief Secretary: What you are saying to-night sounds like that!

Hon. J. NICHOLSON: I am looking at the matter not from the standpoint of judging Mr. Kenneally as chairman of this commission, but from the standpoint of what I think is right in the interests of the public. As members of Parliament we have a duty to pass such legislation as may be for the greatest benefit of the people. If we as members of Parliament think it better that the Act should come up for review annually, that casts no reflection on the personnel of the commission—absolutely none.

Another view that has been advanced is that it would be beneficial to the work of the commission, and apparently helpful to the Government, if permanence were given to the Act, because the commission would then be able to undertake responsibility in con-

nection with the erection of a new hospital for Perth, a much overdue and necessary work. That argument does not appeal to me any more than do some of the other arguments, for the simple reason that the duty of providing hospital accommodation is one devolving upon the Government. If the Government is going to look to a commission of this kind to find the money for that purpose, the Government is falling down on its job. That is the responsibility of the Government, who could easily give such guarantees as might be essential for the carrying out of that work. If the commission were not renewed during any period within the next few years, the Government meanwhile would have received a considerable sum through the yearly renewal of the Act, and that would assist to meet the heavy expenditure involved in the erection of the hospital.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West—in reply [8.47]: I shall be very brief in my reply, because I realise that, notwithstanding some of the criticism offered to certain aspects of the Bill, there is no danger of its failing to pass the second reading. In view of the hot weather, too, I shall endeavour to set an example of brevity, because I wish to make progress with other business. In Committee I shall deal with the several amendments to which reference has been made.

As to the remarks of Mr. Holmes, I wish to point out how contrary they were to those of most other members who have spoken on the Bill, and how unfair he is in his remarks almost every time he speaks on this subject. He has told the House that if the measure was not an annual one, the chairman and members of the commission would not carry out their duties as well as they have done in the past.

Hon. J. J. Holmes: What is wrong with that?

THE CHIEF SECRETARY: Quite a lot, and I am sure that members of the commission will hardly be pleased to hear that the hon. member expressed such an opinion.

Hon. J. J. Holmes: I was not referring to this commission.

THE CHIEF SECRETARY: The hon. member said he had no hesitation in saying that the commission was working so well because the Act had to come up for review every year. He also said that to make it a permanent measure would be disastrous as

regards the administration of the lotteries. Could a man say anything stronger? In defence of the commission, let me say there is no part of the State where its work is not appreciated and where commendation has not been expressed of the fair and impartial manner in which the funds have been distributed.

Hon. J. J. Holmes: On a point of order, I said I was perfectly satisfied with what the present commission had done. My criticism was directed, not against this commission but against commissions that come and go.

The PRESIDENT: I am sure the Minister will accept the hon. member's explanation.

The CHIEF SECRETARY: I must accept the explanation, but my remarks were made only after the hon. member had voiced such a damning indictment of the members of the commission. The amendments in the Bill have been referred to on various occasions. We desire to give permanence to this legislation, and if that is agreed to, we want to give the commission a tenure of three years. Of course, if the first amendment is not accepted, the commission cannot have a tenure longer than one year, and that will have a serious effect on its activities in connection with the new hospital for Perth. The commission at present cannot give any guarantee beyond one year, and the people who are in a position to provide the money would not be prepared to accept any guarantee from a committee or a commission that had a tenure of only one year, and had to rely upon the goodwill of Parliament for its continuance.

Hon. L. B. Bolton: The first responsibility is that of the Government, not of the commission.

The CHIEF SECRETARY: I did not say that the commission was taking full responsibility, but it has agreed to shoulder the responsibility for a certain share of the cost in the same way as has been done with other hospitals throughout the State.

One of the objects of the Bill is to permit of more money being provided for charities. Take the continuous lotteries to which Mr. Mann has objected. This does not necessarily mean that there will be more lotteries each year than in the past.

Hon. W. J. Mann: I am afraid there will be.

The CHIEF SECRETARY: But a saving of £50 or £60 will be made on each lottery conducted. The amendment to provide for the Auditor-General alone to conduct the audits will also result in a saving to the commission, I am informed, of approximately £15 15s. per sweep.

Hon. J. Cornell: That is to say one man can do the job.

The CHIEF SECRETARY: I do not say one man, but one firm of auditors can do it. When we decided that the Auditor-General should audit the accounts, it was purely by an oversight that the provision for an outside auditor was left in the Bill.

Member: I do not think so.

The CHIEF SECRETARY: I am giving the facts.

Hon. H. V. Piesse: The Auditor General will have to employ labour.

The CHIEF SECRETARY: He will not do the work himself; he will provide the labour from his staff.

Hon. H. V. Piesse: I am aware of that.

The CHIEF SECRETARY: This arrangement, I am assured, will mean a considerable saving to the commission. I should have thought that members would have been amongst the first to say that, if a saving could be effected, the Auditor General should do the work. On many occasions members have insisted that the Auditor General should be responsible for the auditing, so why duplicate the work when the Auditor General is called upon to do it? I know there is a working arrangement between the Auditor General and the private firm. To have two men working on the same books all the time would be foolish, but I am assured by the commission that the saving would be considerable. That being so, surely we should insist upon this money being made available for charities.

Those are the principal amendments contained in the Bill. I do not propose to take the measure into Committee to-night because I wish to make some progress with other Bills on the notice paper. I hope I am not mistaken when I say that I have no doubt the Bill will pass the second reading.

Question put and passed.

Bill read a second time.

BILL—FRIENDLY SOCIETIES ACT AMENDMENT.

Second Reading.

THE HONORARY MINISTER (Hon. F. H. Gray—West) [8.55] in moving the second reading said: The amendments proposed in this short Bill have been framed as a result of the National Health and Pensions Insurance Act passed by the Commonwealth Parliament. The Registrar of Friendly Societies, Mr. Bennett, is an authority on these matters, and he has been in consultation with the friendly societies. As the Federal Act contemplates the friendly societies taking a leading part in the administration of the health benefits, steps have naturally been taken by those bodies to form approved societies. To conserve their present, as well as their future position, the Bill provides power to take any action necessary to promote approved societies that will comply with the requirements of the national insurance legislation. At the same time the Bill will validate and ratify all past transactions undertaken by friendly societies in matters arising out of the formation of approved societies. This provision is essential because the societies have no power under their present rules to deal with such a matter.

The Bill authorises any registered society to expend the requisite funds for the purpose of establishing an approved society, subject to the consent of the Registrar. The Registrar advises that there is no doubt that the societies will be reimbursed for this expenditure by the National Insurance Commission. The insertion of a proposed new section in the Act will enable the societies to submit schemes to the Registrar to deal with any reserves liberated because of national insurance.

At present the extent to which members will leave the friendly societies because of their inability to continue their membership as well as to pay their contributions to approved societies is not known. Probably a comparatively large number of men who for many years have been members of friendly societies will be unable to continue their contributions to the societies and also meet the weekly contributions to the National Insurance Scheme. Obviously the scheme will have some effect on membership. If any considerable number of members leave, substantial reserves will be liberated, and in that

event, from the standpoint of equity, those resigning should have their interests protected. The Bill, therefore, sets forth that each registered society giving its members benefits that are duplicated wholly or in part by benefits provided by an approved society, shall draw up a scheme for the necessary adjustment upon the withdrawal of members eligible under the national insurance scheme. Time is necessary to prepare such schemes, and the Bill stipulates that they must be presented to the Registrar not later than the 31st July, 1939. Where a registered society fails to incorporate a scheme of adjustment in its rules before the 31st August, 1939, the members concerned will have the right before the 31st December, 1941, to elect to surrender certain benefits, and to deduct from their contributions such amount as may be certified by the Registrar to be equitable. I do not expect there will be any society that will not submit a scheme to the Registrar, as proposed.

An amendment is proposed to Section 11, which deals with the rules of a registered society. Under the National Health and Pensions Insurance Act, members only will be covered for medical benefits, and not their wives and children. The amendment proposed will enable the rules of the friendly societies to be altered so that medical benefits can be arranged for members' families.

The remaining provisions of the Bill are of a machinery nature. For example, provision is made that the committee of management of a registered society shall have power to make any necessary amendments to the rules for the purposes of the national insurance scheme, subject to the approval of the Registrar. At present a society can amend its rules only by resolutions passed at a general meeting of members. This may be held annually, biennially, and sometimes even triennially, and the calling of a special conference for the purpose of amending the rules would be a costly proceeding.

If amendments of the rules are necessary and the general meetings have been already held, or will not be held for a year or more, some societies may be placed in a difficult position. The provision I refer to is, therefore, necessary. The other clauses of the Bill are self-explanatory and I need not deal with the measure further.

The drafting of the Bill is very clear, and its provisions are easily understood.

The Bill was framed months ago. A deputation from the friendly societies waited upon me as Minister and, together with the Registrar of Friendly Societies, Mr. Bennett, discussed the situation with a view to the interests of all concerned being adequately safeguarded. Several conferences were held subsequently between the Friendly Societies Council, which is representative of all the friendly societies in the State, and Mr. Bennett, as a result of which all are agreed that the Bill in its present form will deal justly with members and societies. I might almost describe Mr. Bennett as the father of friendly societies in this State. In his official capacity he has done much to assist those organisations, of which he has extensive knowledge. He is held in the highest respect by the societies and has rendered signal service to the Commonwealth, as well as to the friendly societies. I move—

That the Bill be now read a second time.

HON. J. CORNELL (South) [9.6]: I second the motion and support the Bill. If any member has had anything to do with the Registrar of Friendly Societies, Mr. Bennett, he will know that it is impossible to put anything over that officer in connection with the operations of those organisations. I endorse all that the Honorary Minister has said regarding Mr. Bennett, and if he has given his approval to the Bill, that should be sufficient for us. Mr. Bennett has played a great part in the formulation of the present Commonwealth National Insurance Scheme, and is fully acquainted with the position of friendly societies.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—BREAD ACT AMENDMENT.

Second reading.

THE HONORARY MINISTER (Hon. E. H. Gray—West) [9.8] in moving the second reading said: This Bill has been rendered necessary owing to weaknesses and anomalies discovered in the principal Act during the past ten months. This is not to

be wondered at because the Act as amended last session included in its provisions progressive sections new to the public, to the department, and to the local authorities. Only by actual experience of the working of the Act could deficiencies be discovered. My pleasing duty is to report to the House that, with the exception of amendments outlined in this Bill, the amended Act, from a public point of view, has been a pronounced success. True, when the new Act was proclaimed, spirited opposition was directed against certain sections, particularly the one dealing with the "dough weight" method of inspection. That method admittedly broke new ground. At is was a completely new system that had been advocated in many countries for generations but never tried out, a large number of critics predicted failure. These prophecies of uninformed critics have not been fulfilled. Though the new method was actively opposed by many health inspectors, steady and effective policing has gradually broken down opposition, with the result that the beneficial effect of the legislation is now generally recognised. The success of this method was hastened by the support given to it by the health inspectors of the City of Perth, Subiaco, and Fremantle. Timely assistance at a critical period when a controversy was conducted through the Press was given by Dr. G. L. Sutton, who is recognised as the most eminent authority on the wheat and flour industries in the Commonwealth, and by Dr. L. W. Samuel, Cereal Research Officer of the Department of Agriculture.

The article published by Dr. Sutton, copies of which I have had distributed among members, is a masterly criticism by this able exponent. His advocacy of the new system has had a pronounced effect in trade circles throughout the Commonwealth. The successful experience with this legislation, coupled with the assistance of the two unbiassed and independent authorities I have mentioned, resulted in the adoption of the "dough weight" system being adopted at the Federal Conference of the Bread Manufacturers of the Commonwealth and New Zealand, which was held recently in Brisbane. Marked improvement in the quality and quantity of bread distributed has followed. Visitors from the Eastern States, who are qualified

to express an opinion, have stated that the bread now manufactured in Western Australia is superior in quality to that made in any other State of the Commonwealth. The present standard ensures the consumer receiving an increase of about 8 per cent. in quantity as compared with the standard set in the old Act. If members will read carefully the article by Dr. Sutton, they will see that Mr. Hansen conducted experiments regarding the water-carrying capacity of various flours and will find that many bakers were weighing dough into the oven at 2 lbs. 2 ozs. as against 2 lbs. 4 ozs. prescribed in the present Act. From the table I refer to, it is easy to compute that the public of Western Australia has been receiving a very large excess quantity of bread in the loaf.

Hon. J. Nicholson: To what extent do you say they have gained per loaf.

The HONORARY MINISTER: To the extent of about 8 per cent. Complaints have been received from some bakers that the present weight is too great and represents an added impost of 10s. per ton of flour used, and, further, that the dough weight should be reduced to 2 lbs. 3 ozs. as against 2 lbs. 4 ozs. at present. However, as the margin is in favour of the consumer, the Government does not propose to interfere. I discussed this matter with the Master Bakers' Association, and there is no doubt that where bread is made by hand, the bakers use old-fashioned scales and, as a result, they issue a greater quantity of bread per loaf than is done with the automatic dough-dividing machines. The latter type of machine is exact, whereas with the use of the old-fashioned scales, the loaves are often considerably overweight in the tins when put into the oven. I advised the bakers who make bread by hand to get more sensitive scales, which should be procurable fairly easily, in order that they might weigh the loaves more accurately than they can under their present methods. Without doubt the bakers employing hand-making methods are giving the public a greater weight of bread than is provided for in the Act. Employees, as well as the employer, are liable to be fined if light-weight bread is sold, and both master bakers and employees take good care that no light-weight dough goes into the tins.

The present Act contains no definition of "bakehouse." Such a definition is considered necessary by the Chief Inspector of Factories, and is included in the Bill. A definition of "baker," in relation to employees and employers, is included, and this also is considered an essential amendment. The Bill provides that the Act shall be administered by the Chief Inspector, subject to the Minister. The idea of the amendment is that the Chief Inspector shall be in the same relative position to inspectors of local authorities as is the Commissioner of Public Health to local health inspectors. The objective is to secure the co-operation of all inspectors to provide against overlapping and wasteful duplication of inspections. A good deal of duplication is caused by two inspectors entering a bakehouse during one operation, which not only means waste of time and money, but also hinders baking work. The desire of the Chief Inspector is to co-operate closely with the local authorities so that efficient inspection of bakehouses can be undertaken throughout the State. Since the amended Act has been in force inspection of bakehouses has been much more efficient, and local inspectors in country towns are doing their share towards making the Act a success.

With the object of encouraging the use of bread improvers, which increase the palatability and nutritive qualities of bread, a small amendment of the definition of "bread" is included in the Bill. Trade experts are increasingly recognising that the production of white bread of a nutritive standard equal to wholemeal bread is possible, without the objectionable characteristics of the latter. Experiments in this direction have been and are now being carried out, and bakers are vitally interested in the results of the latest scientific investigations. It is no exaggeration to predict that the baking trade will eventually produce a loaf of bread containing the vitamin content formerly lost in milling the flour. At present large quantities of by-products from butter factories, such as skim milk, etc., are being fed to pigs. If they were used in the baking of bread, the health of the people would be considerably benefited. Bread manufacturers in this State realise the inroads manufactured breakfast foods have made in the baking in-

dustry. The business so lost can and eventually will be recaptured.

At this point one might opportunely impress upon bakers the necessity for educating the public to an increasing degree as to the advisability of demanding well-baked, crusty bread, ensuring to the consumer a full measure of nutritional food, and discouraging the use of hot, underbaked bread, which is evidence of a depraved appetite.

Previous to last year bakers were afraid to bake their bread well, and the public was encouraged to consume undercooked bread. The necessity for undercooking has disappeared, but the tendency remains for bakers not to cook bread well. We hope that in due time they will realise the need for proper baking. To this might be added the following advice to the housewife: Fresh bread should be kept not in an air-tight container, but in a vessel with a lid perforated with small holes, thus ensuring reasonable access of pure air. Good bread delivered warm is ruined from the nutritional and digestible standpoint by being placed in an airtight container.

Correct preparation of the people's food has a very important bearing on the general health of the community. Why is it that there is more general sickness in the community than previously? Why is it that our hospitals—both private and general—are overcrowded with patients suffering from all sorts of ailments hastened by the lowering of the resistance to disease? What is the cause of the increasing debility among the population? Why is it that, despite the gradual lowering of infantile mortality due mainly to the education imparted by infant health sisters at the clinics throughout the State, there is a tendency for sickness to increase among children after they leave the clinics? Why is it that maternal mortality persists and we have not been able to reduce it to an appreciable extent, despite all that science and the medical profession can do for the expectant mother? Why is it that Australians are gradually slipping from the very high physical standard which, a decade ago, was the envy of the civilised world?

These are serious questions which induced the Commonwealth Government to appoint a Nutrition Commission at a very great cost. Worry caused by unemployment, together with an insufficient food ration reacting on all members of families,

is one reason. A more general cause is the lack of knowledge of food values and the inability skilfully to prepare the foodstuffs available. Young girls at the senior schools do not seem to assimilate the knowledge available at the domestic science centres throughout the metropolitan area.

With this matter is closely linked the knowledge necessary to recognise what is good bread, and how to use and keep it in sound condition. Slogans are adopted for all kinds of enterprises. A good one to launch would be, "Banish the frying pan and the bread box." In this State we need an educational campaign on "Food and how to prepare it."

Hon. G. W. Miles: How did people get on in the old days?

The HONORARY MINISTER: We had better deal with present day conditions.

Hon. G. W. Miles: Degeneration has been caused by all this pampering.

The HONORARY MINISTER: A valuable contribution to the bread question has been made by the Trent Institute of the Canadian School of Baking at Guelph, Ontario. A Government committee recently authorised an exhaustive investigation into the question of the wrapping of bread. Many members will recall the repeated advocacy by the late Dr. Saw of the wrapping of bread before delivery. A few weeks ago an interstate conference of health inspectors of the Commonwealth also stressed the need for the wrapping of bread.

Hon. J. Cornell: Meat, too.

The HONORARY MINISTER: That is another question. In Melbourne and Sydney expensive machinery has been imported for the wrapping of bread, but it is not being used, mainly because the owners are not sure that the wrapping of bread is satisfactory. The matter has been the subject of keen debate.

Hon. J. J. Holmes: What about the good old damper days?

The HONORARY MINISTER: Plenty of fresh air, damper and fresh beef would be all right, but they cannot be obtained in these days.

Hon. J. Nicholson: Let us do away with the tin-opener.

The HONORARY MINISTER: The investigation at the Trent Institute was made under the direction of Mr. H. C. Macdonald. Exhaustive experiments proved conclusively that the wrapping of bread de-

initely deteriorated its palatability and keeping qualities. The Gepp Royal Commission advocated that this matter should be investigated. From the inquiries at the Trent Institute came the solution of the problem of the rapid deterioration of bread stored under certain conditions. Bread hermetically sealed by impervious paper or other means was found quickly to deteriorate in palatability, to lose its nutritious qualities and become unfit for human consumption. Its fitness for human consumption depends upon the temperature of the loaf when sealed. The higher the temperature, the quicker does deleterious chemical action take place. Bread stored away in the ordinary breadbox loses its quality more rapidly if placed there while still warm. The test of quality is the doughiness or soggyiness apparent when the loaf is eaten. Best quality bread can easily be ruined by placing it in the ordinary tin or box with a closed lid. This is a lesson many bakers and housewives have yet to learn. These facts should interest Mr. Hamersley who is always complaining about the toughness of crusts. France and Italy rank highest among the bread-consuming countries. Those countries manufacture bread with a dry crisp crust. Germany and Holland follow next in order. In all these countries bread is definitely superior in quality to that manufactured in Great Britain and Australia. The Continent has forged ahead in the last 50 years.

Hon. G. W. Miles: That is why people there can work 60 hours a week instead of 40.

Hon. J. Cornell: If the Minister had been in France during the war and had eaten some of the bread supplied there, he might not have been inclined to utter the statement he has just made.

The HONORARY MINISTER: We want the bakers to bake their bread well. Already there has been considerable improvement but there is still room for further improvement. We want the bakers to follow the advice given in this second reading speech and then bread will take its proper place as the basic food in every home.

Coming now to the details of the Bill, the major amendment is the provision for the registration of bakeries. This is a natural implementation of the price-fixing legislation recently passed fixing the home price

of wheat, flour and bread. Under this provision bakehouses will have to be kept in a hygienic and satisfactory condition from a health point of view, as the license will be issued annually. There are approximately 300 bakers in Western Australia and 125 of them are in the metropolitan district. Relatively to population, there are more bakers in our metropolitan area than in any capital city of the Commonwealth. Registration will assist in methodical and efficient inspection and will provide funds for the payment of inspectors under the Act. A sound argument may be advanced that the baking trade should provide the cost of inspection, inasmuch as efficient inspection is a definite protection for the reputable employer against unscrupulous competitors. Provision is made in the Bill for the transfer of a license, and also for appeal to a stipendiary magistrate in the event of a license being refused.

An error occurred in the days mentioned in the Act for the baking of Vienna bread on double days, etc. At present Fridays are omitted, but this is rectified in the Bill. There is also an error in the starting time for double days for baking bread. Ordinary days are fixed at 1 a.m. in the Act, but 3 a.m. for double days. This is also rectified in the Bill.

Hon. J. Nicholson: Those errors might have been due to bringing the Bill down so late in the session.

The HONORARY MINISTER: It was difficult for the Minister, his advisers and the Parliamentary Draftsman to put the technical details into proper form, and we did not discover the errors until the measure had been passed and the Act was in operation.

Hon. J. Cornell: That occurs with lots of Acts.

The HONORARY MINISTER: Another amendment provides for the delivery of bread on a bakers' holiday when it falls on a Saturday. When unforeseen circumstances arise, the Minister may, at his discretion, prescribe an alteration. There has been trouble in this respect, and now we have provided for the Minister to act in an emergency of that kind. The Bill will also make it lawful for Fourth Schedule shops to retail bread after 7 p.m.

Hon. J. J. Holmes: You told the public I was wrong about that.

The HONORARY MINISTER: I now make a confession that the hon. member was right, though at the time I thought he was wrong. There is a legal opinion that supports my attitude, but according to the Crown Law Department the hon. member was definitely right. Quite a controversy arose over this question when the Bread Act was made operative, and the proposed amendment will definitely clarify the position. The polling provisions of the Act are incomplete, and the Bill declares that one person only shall be allowed to vote on behalf of the partners, association, society or corporation conducting a bakery business. Under the old law two or three persons associated with the one firm could vote for the filling of a vacancy. That however will now be rectified. When an equal number of votes was recorded at a poll, there was no machinery authorising anybody to declare what should be done. The Bill provides that in the event of the voting in a country town being equal, the Chief Inspector shall decide the issue.

Hon. J. Cornell: In those circumstances the question should pass in the negative.

The HONORARY MINISTER: The Chief Inspector will have to exercise his judgment and do what he thinks is right. I do not expect any trouble on that score.

Provision is also made that all conveyances used for the delivery of bread shall have the proprietor's name and address conspicuously marked on the vehicle. The practice has grown up—frequently the matter is reported upon by health authorities—of persons using insanitary vehicles and motor cars for delivery of bread. This is definitely against the interests of the community and should be prevented. Members will appreciate that it is contrary to the interests of public health for ordinary motor cars or carts in which people have been riding to be used for the delivery of bread, especially when the loaves are stacked on the floor of the vehicle. Complaints regarding this practice have been received from various sources, and in order to end the practice we have provided that the conveyance shall bear the name of the proprietor.

The Bill extends the time for taking action against defaulters. Under the Act the time limit was one month, but this Bill stipulates three months. The extension has been made because in the country particularly, when an inspector makes a report to his council

recommending a prosecution against a defaulting baker, the report is often referred to the health committee for consideration. The committee might not meet until a fortnight later and when the meeting is eventually held, the time for taking action has expired. The time limit usually provided in industrial Acts is six months, but in this Bill we are suggesting three months.

I am deeply interested in this measure because for many years I have taken an active part in organisations associated with public health matters. My chief reason for being an enthusiastic supporter of this legislation is that the quality of our daily bread should be improved. My conviction is that not only bread but other food products placed before the public should be of good quality and handled under hygienic conditions. The Act of last year has enabled us to make a definite step forward. We still have a long way to go, but this measure will help us to make still further progress, and therefore I commend the Bill to the favourable consideration of members. I move—

That the Bill be now read a second time.

HON. J. J. HOLMES (North) [9.41]: I have listened with great interest to the remarks of the Honorary Minister, but I could not help wondering how it is that those of us who have reached an age of 60 or 70 years happen to be alive, in view of the conditions under which we were brought up and the way in which bread was then cooked. This reminds me that years ago we had a Bill before the House to prohibit the sale of patent medicines. That measure was sponsored by our dear old friend Dr. Saw, and in order to defeat it, I drew attention to Mr. Miles, Mr. Stephenson, Mr. Lovekin, myself and a few other heavyweights who had been reared on patent medicines and also advanced their experience against that of the puny rising generation brought up on doctors' prescriptions. As I said, I wonder that we are alive at all. We have a lot of investigations by scientific men and yet when we get down to bedrock they cannot tell us the cause of a cold or how to cure it.

Bread is the staff of life, but when the people buy it they have to accept a loaf of any weight that the baker chooses to deliver. In all other parts of the world the baker is bound to deliver a loaf of the weight he purports to supply, just as other purveyors of foods have to give correct weight. Here,

however, bread is weighed in the dough, and the baker is not held responsible for the weight of the loaf delivered.

I am pleased to find a proposal to rectify the provision stipulating a minimum penalty of £20 for a small shopkeeper who sells a loaf of bread after 7 p.m. Last year I directed attention to the fact that a woman's husband could buy beer until 9 p.m., and that if he broke the law by buying liquor after 9 p.m. and was caught, he was fined a small amount of £1 or £2. His wife, however, might need a loaf of bread for a hungry child, and if she made the purchase after 7 p.m., the shopkeeper who supplied it was liable to a penalty of not less than £20. I have nothing more to say on the Bill except to impress upon the Honorary Minister that when people buy bread, they are entitled to get full weight.

On motion by Hon. H. V. Piesse, debate adjourned.

BILL—ROAD DISTRICTS ACT AMENDMENT (No. 2).

Second Reading.

HON. H. V. PIESSE (South-East) [9.48] in moving the second reading said: This Bill, if passed, will enable road boards to make by-laws governing waters vested in them. The strong point made against the Bill in another place was that it would, if passed, deprive the Crown of its power to control the waters in question. It is therefore necessary for members carefully to consider the following points: That the Crown will have ample control, because it may, if it chooses, cancel the vesting order, upon which the board's authority will vanish. Therefore, no board can take action under the Bill, when it becomes law, unless the board first obtains a vesting order, which the Crown can refuse to grant. Next, by-laws made by the board will be subject to the approval of the Department of Public Works in the usual way; and last, the by-laws must be laid on the Table of both Houses of Parliament and will be subject to disallowance.

The Bill applies to five or six square miles which are comprised in the Beaufort and Wellstead Estuaries of the Pallinup and Bremer Rivers: and the extension to any other local authority in any other district will be entirely in the hands of the Crown.

Hon. J. Nicholson: Are you dealing with the No. 2 or the No. 3 Bill?

Hon. H. V. PIESSE: No. 2 Bill.

Hon. J. Nicholson: I thought you were introducing legislation connected with fisheries.

Hon. H. V. PIESSE: I shall be moving that Bill later. Most members have had the opportunity to visit Bremer Bay when on holidays. The Minister in another place, in his speech against the Bill, admitted that the control of the estuaries by the department had been unsatisfactory. He said that unless the department could devise some ways and means of control, the local authority had a grievance. He added that the department would endeavour to secure the services of honorary inspectors. In our district we have had the services of one of the most capable and painstaking honorary inspectors, Mr. Job Haddleton, J.P. Mr. Haddleton has devoted weeks of his own time during the year in an endeavour not only to police Bremer Bay, but to introduce fish into the various creeks and rivers throughout the district. Mr. Haddleton has, however, failed lamentably in his attempts to secure convictions against persons using nets in these estuaries. He has not only taken action himself; he has requested the Fisheries Department on several occasions to do so, but without result. The Gnowangerup Road Board now desires to employ a paid officer to police the waters. The board has spent a large sum of money on improving the road to the estuaries and on adjacent camping sites, which also are vested in the board.

Hon. J. Nicholson: Does the Gnowangerup Road District extend to Bremer Bay?

Hon. H. V. PIESSE: Yes. For many years the waters have been closed by the Fisheries Department against net fishing. Notwithstanding this, tons of fish in the estuaries have been caught by nets 2,000 yards long, and despatched to Perth. Some months ago the department admitted that it was unable to police the waters. In consequence, the present prohibition is an absolute farce.

The Honorary Minister: How would you police the waters?

Hon. H. V. PIESSE: With a permanent, paid inspector employed by the Gnowangerup Road Board. The Fisheries Department has not sufficient men to carry on the work. The board asked for the prohibition to be cancelled, but this was due to a mistaken idea that the cancellation would enable the board to make by-laws under the general

power concerning reserves set forth in the Road Districts Act. When it was explained to the board that this was not so, the application for the opening of the waters was not proceeded with, as it was realised that to cancel the prohibition would probably do more harm than good. Nevertheless, the department was prepared to consider the application.

In regard to the net fishermen referred to, who come mostly from the metropolitan area—the majority are foreigners—certain prosecutions have taken place. The business is such a profitable one, however, that prosecutions at long intervals have proved not to be any deterrent. By the depredations of those foreign fishermen, visitors to the locality—who number some hundreds each year in normal times—have found the waters fished out. The matter is of the gravest importance not only to the people of the Gnowangerup district, but also to people who reside in road districts within a radius of 150 miles and who have, from time to time, joined in protests to the department. Much wastage of fish has taken place, because, if the weather becomes at all warm, numbers of boxes of fish are dumped on the roadside.

The suggestion has been made that local residents and visitors have offended against the prohibition of net fishing. Possibly they have done so in a small way. It is hardly to be expected that they would not use small nets occasionally when they see wholesale net fishing by foreign fishermen, whose nets stretch right across the widest part of the estuary. I move—

That the Bill be now read a second time.

On motion by Hon. C. H. Wittenoom, debate adjourned.

BILL—FISHERIES ACT AMENDMENT (No. 2).

Second Reading.

HON. H. V. PIESSE (South-East) [9.55] in moving the second reading said: This Bill is collateral with the Bill the second reading of which I have just moved. The two Bills should really be taken together. The Fisheries Act provides that when a road board has waters vested in it by the Crown under the Land Act, and makes by-laws for the control of fishing in the waters so vested, those by-laws shall over-ride the powers of

the Fisheries Department—under Sections 7 and 8 of the Fisheries Act—over those particular waters, and not elsewhere. Dealing with the Bremer Bay district I have known of men in somewhat straitened circumstances, owing to the low price of wheat, spending £5 on a trip with their families to Bremer Bay. Their idea was to depend mainly upon the fish they could catch. When they arrived at Bremer Bay, however, they found that fishermen, using nets 2,000 yards long, had caught all the available fish, and so they had then to journey 20 or 30 miles to buy meat supplies.

Hon. H. S. W. Parker interjected.

Hon. H. V. PIESSE: Farmers can bake their own bread; and, if those families could have caught enough fish, they would have had all they required for a good holiday. It is suggested that local residents have offended against the prohibition of net fishing. Possibly they have done so in a small way. It is hardly to be expected that they would not use small nets occasionally when they see wholesale net fishing by foreign fishermen, with nets stretching completely across the widest part of the estuary, for at least six months of the year. When local residents make use of the reserve as a camping ground, they find it impossible to catch fish with a line, because of this illegal netting by foreign fishermen. Members will bear carefully in mind that the Bills, if passed, cannot operate unless the waters are vested in the local authority by the Crown, that the department has admitted its inability to police the waters, and that without the consent of the Crown extension to other local authorities is not possible.

Hon. H. Tuckey: Can any district come under the order?

Hon. H. V. PIESSE: Other districts can make application. The Minister has the power at any time to refuse an application, as it is subject to his approval. The Bill deals mainly with Bremer Bay and the estuary.

Hon. J. Cornell: In the South Province?

Hon. H. V. PIESSE: Yes. As the Fisheries Department was unable to cope with the trouble, the road board endeavoured to obtain greater authority. Early this year it decided to bring matters to a head, and sent a circular letter to all the neighbouring road boards, as follows:—

12th April, 1938. I am directed to ascertain if your board will consent to support an appli-

cation by this board for the proclamation prohibiting net fishing in the above estuaries (Bremer and Pallinup) to be revoked.

Notwithstanding the fact that the estuaries are closed to net fishing, professional fishermen, frequently using over 1,000 yards in length of net, have been fishing in the estuaries for the past 15 months, almost continuously. The Fisheries Department has been informed on numerous occasions of what is taking place, but has not taken action to check the practice owing to the distance from Perth. The result is that the estuaries have been seriously depleted of fish.

Although the estuaries are vested in this board as reserves, they have been proclaimed "closed waters" under the Fisheries Act, which automatically brings the control of net fishing under the jurisdiction of the Fisheries Department. . . . The position summarised is that the Fisheries Department has the power to prevent excessive netting, but will not do so, and this board is willing to take effective action but is precluded from doing so.

The board's object is to secure the revocation of the proclamation, which will automatically cancel control of the Fisheries Department and leave this board free to make suitable by-laws.

The road boards to which this circular was sent agreed to the request. I trust that members will give the Gnowangerup Road Board the necessary authority to carry out this work, not only for the benefit of visitors from the surrounding districts, but also for the benefit of campers who may travel from Wiluna and other goldfields centres to this noted fishing spot. The estuary is an important one, and is deserving of the consideration asked for.

Hon. J. Cornell: Will this Bill apply to any other road board area?

Hon. H. V. PIESSE: Not unless the Minister gives the necessary authority.

Hon. J. Cornell: Why should not the South Province participate in this?

Hon. H. V. PIESSE: That will be for the Minister to decide. He may not agree to the proposition advanced on behalf of the Gnowangerup Road Board, but I trust he will do so. I move—

That the Bill be now read a second time.

On motion by Hon. C. H. Wittenoom, debate adjourned.

House adjourned at 10.5 p.m.

Legislative Assembly.

Thursday, 1st December, 1938.

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

QUESTIONS (2)—RAILWAYS.

All-steel Boilers, Locomotives.

Mr. STYANTS asked the Minister for Railways: 1, Are the six new "River" class engines being constructed at Midland Junction Workshops being equipped with all-steel boilers? 2, Has the action of copper stays on the inner shell of the all-steel fire-boxes been found to be detrimental to the steel plates? 3, How many locomotives in use at present are not regarded as being in first class condition? 4, Is this a greater number than usual? 5, How many axles of engines and engine frames respectively have broken during the past 12 months throughout the State?

The MINISTER FOR RAILWAYS replied: 1, Yes. 2, To a minor extent in one case only. 3, Five. 4, About the average. 5, Three axles and 12 frames.

Regrading.

Mr. WATTS asked the Minister for Railways: 1, On what portion of the Great Southern Railway line was the sum of £10 698 spent on reggrading (as mentioned in his answer to a question on the 24th November)? 2, In what year was the work done?