

aggrandisement. For that and for other reasons which I do not wish to mention at the moment, but which are of similar character, I think this measure should be given careful consideration.

I would like also to point out to the Attorney General that it will be necessary to amend the Constitution Act of 1899, two sections of which deal with the position of those who are allowed to take political office and vacate their seats in consequence, and who therefore do not come under the prohibition of accepting an office of profit from the Crown. I refer to Section 38—in the last paragraph—and Section 36 of the same statute. That would mean slight additions to the Bill. I have risen not only to point out that small omission but to mention the greater risk of men accepting Ministerial positions, under some circumstances. Members are elected on specific pledges to their electors and it has been known for a member to break those pledges and cross the floor of the House, for personal gain accepting office from the Crown on the other side of the House. If we are not careful, we will make that easy, and it is not desirable that we should rush into the task of making it easy.

Question put.

Mr. SPEAKER: I have counted the House and assured myself that there is an absolute majority of members present. I declare the question duly passed.

Question thus passed.

Bill read a second time.

#### *In Committee.*

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

*House adjourned at 4.55 p.m.*

## Legislative Council.

Tuesday, 9th September, 1947.

	PAGE
Address-in-reply, presentation ....	573
Leave of absence .....	573
Bills: Lotteries (Control) Act Amendment (Continuance), 2A. ....	573
Constitution Acts Amendment (No. 1), 1A. ....	578
Industries Assistance Act Amendment (Continuance), 1A. ....	578
Constitution Acts Amendment (Re-election of Ministers), 1A. ....	578
Supreme Court Act Amendment, 2A., Com. report .....	578
The Fremantle Gas and Coke Company's Act Amendment, 2A. ....	580
Unclaimed Moneys Act Amendment, 2A., Com. report .....	580
Dentists Act Amendment, 2A. ....	581
Dried Fruits Act, 1928, Re-enactment, 2A. ....	581
Inspection of Machinery Act Amendment, 2A. ....	583

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

### ADDRESS-IN-REPLY.

#### *Presentation.*

The DEPUTY PRESIDENT: I desire to inform the House that, in company with the Minister for Mines and several members, I attended upon His Excellency, the Lieut.-Governor, and presented the Address-in-reply to His Excellency's Speech. His Excellency replied in the following terms:—

Mr. President and members of the Legislative Council: I thank you for your expressions of loyalty to His Most Gracious Majesty the King and for your Address-in-reply to the Speech with which I opened Parliament.

### LEAVE OF ABSENCE.

On motion by Hon. G. W. Miles, leave of absence for six consecutive sittings granted to Hon. R. M. Forrest (North) on the ground of ill-health.

### BILL—LOTTERIES (CONTROL) ACT AMENDMENT (CONTINUANCE).

#### *Second Reading.*

THE MINISTER FOR MINES (Hon. H. S. W. Parker—Metropolitan-Suburban) [4.41] in moving the second reading said: This Bill is one that used to be a hardy annual, but in 1944 it was, instead of being extended for one year, extended for three years, and the request now before the House is that the Act be carried on for another three years. Members may wonder why it has been decided to extend it for three years instead of one, as formerly. The reason is that it is necessary to enter into contracts

for the supply of paper, printing, and such like and, from the normal business point of view, it is far more satisfactory to have a three year term than to take, if I may say so, a sporting risk of renewal each year.

Hon. C. B. Williams: You are not suggesting that this Government is more permanent than the last one, are you?

The MINISTER FOR MINES: The hon. member knows very well that it is. I have figures and other information available if required, but I do not propose to go into a lot of detail as I think that all members know the position. It is not the policy of this Government to boost lotteries or make the Commission a trading concern, but it will be seen from the figures, and the money that is required for hospitals, etc., that it would be impracticable at the present time not to continue this Act. I point out some of the figures—

Donations to hospitals for the last three years totalled £166,248, including £117,000 for the Royal Perth Hospital. Of the £170,000 given to charitable institutions, orphanages received £31,870. In addition, large reserve funds have been created to finance the cost of hospital extensions, etc., both in the city and the country.

Repayment of the capital cost of the Royal Perth Hospital will be met by the Commission at the rate of £33,000 annually, interest being paid by the Government. A sum of £41,000 has been reserved to assist in extensions to the King Edward Memorial and the Fremantle Hospitals, and £39,500 will be provided for additions to the Children's Hospital, and for the provision of new quarters for nurses.

The sum of £77,000 has been set aside for urgently required extensions to country hospitals, and £41,000 has been allocated towards the establishment of regional hospitals. £110,000 has been provided for the construction of a home to cater for 150 aged women, and for cottages for old couples.

I might say that the Children's Hospital serves the whole State. Members will see that a large amount of money is paid into the Lotteries Commission each year. Originally the State lottery was started with a view to preventing money going to Tattersalls and to other States where State lotteries were conducted. Hence, to an extent we are forced to continue our lotteries here in order to keep the money in the State. I have pleasure in moving—

That the Bill be now read a second time.

HON. SIR HAL COLEBATCH (Metropolitan) [4.46]: I am sorry I cannot support the second reading of the Bill, but at the same time I recognise the futility of opposing it or attempting to amend it. So long as large sections of the public have unaccustomed money in their pockets and no satisfactory method of spending it, and not much confidence in the virtue of saving, I suppose there will still be a demand for lotteries. I think, from the Government's point of view, this is a thoroughly wasteful and uneconomic method of raising money. In each year it has the effect of creating about 50 comparatively rich men—I hope they spend the money well—but it is at the expense of the thousands, and therefore intensifies the inequality which is supposed to be such a bad feature of our present-day conditions. I think it was G. K. Chesterton who said that the British public was less interested in the equality of man than in the inequality of racehorses. I suppose that applies here as well. I regret that the Government has thought it necessary to introduce this Bill.

HON. C. F. BAXTER (East) [4.47]: This is simply a taxing measure, and it is for a very good purpose. The Bill was originally introduced to do away with many evils, and among them was that of street collections carried out every week. When the Bill was introduced by the then Government, of which I was a member and the Leader of this House, each branch of the Legislature was assured, amongst other things, that street collections would cease—and they did cease, but for how long? Within six weeks of that Government going out of office street collections started again, and today they are almost as bad as ever. Now that there is a change of Government, a stand should be made, and this ever-increasing demand for money from people each Friday afternoon should be done away with. I would like the Minister, when dealing with this measure, to say whether it is the Government's intention to allow street collections to be carried on every Friday afternoon.

Hon. C. G. Latham: They are carried on all day, and not only in the afternoon.

Hon. C. F. BAXTER: Yes.

Hon. E. H. Gray: And the people like it.

**Hon. C. F. BAXTER:** The people do not like it. Apparently Mr. Gray does not know the opinion of the person in the street. The people collecting the money may like it, but not those from whom they are taking it.

**HON. L. CRAIG** (South-West) [4.48]: I am not opposed to lotteries because I believe that people want an outlet for their surplus money; that is, the people who have small incomes. But I would stress the point that many people whom we see buying tickets are obviously pensioners. I do not know whether members have noticed it, but to me the number of old people, apparently pensioners, who can be seen taking out tickets is rather extraordinary. One of the aspects that calls for attention concerns the stupid means test. These people are not allowed to accumulate cash wealth. Let members consider what happens in connection with, say, the School for the Blind.

The blind people who are working at the school receive the invalid pension and are also allowed to earn the basic wage, or even more. Possibly their earnings amount to £7 15s. or £8 a week, seeing that they can earn £5 or more, on top of which they have their pension of 37s. 6d. If any such person should accumulate £50 or more, his pension is stopped, or at any rate reduced. In the circumstances, he is compelled to do what he can to spend the surplus. That applies not only to those at the School for the Blind but to others as well, and therefore the inducement is created, because of the stupid means test, to go in for lottery tickets and such like. I do not suggest that we can do anything about it except, as a State, to fight against the stupidity of the means test.

**Hon. A. Thomson:** Hear, hear!

**Hon. L. CRAIG:** We know that an individual can purchase a house and use his money in that direction, but he is not allowed to accumulate a cash balance. That is so much sheer stupidity.

**Hon. W. R. Hall:** I think that trouble is being gradually eliminated.

**Hon. L. CRAIG:** That may be so, but if the hon. member were to go round the booths and note the people who were purchasing tickets in the lotteries, he would

be surprised at the number of old folk doing so, people who certainly appear to be pensioners.

**HON. C. G. LATHAM** (East) [4.53]: I do not know what effect Mr. Craig's argument can have on the question, and I do not know if he desires that the old people should not be permitted to buy lottery tickets.

**Hon. L. Craig:** I did not say that.

**Hon. C. G. LATHAM:** I am perfectly satisfied that if the people are not afforded this means of spending their surplus cash, they will get rid of it in some other way.

**Hon. W. R. Hall:** Of course they will.

**Hon. C. G. LATHAM:** I do not think the lotteries have any influence upon their lives.

**Hon. E. H. Gray:** They simply get some pleasure out of them.

**Hon. C. G. LATHAM:** Personally, I have been opposed to this form of gambling but, after all, I am perfectly satisfied that, generally speaking, it is impossible to prevent an Australian from gambling. In the circumstances, Government control is far better than allowing individuals to run lotteries and to encourage people in that form of gambling. Western Australia has benefited a great deal as a result of the lotteries. After all, it is merely a form of voluntary taxation, and if the money were not available from that source for the support of our institutions and charities, other means would have to be adopted. Every week sufficient is derived from the lotteries to enable large sums of money to be provided for the improvement of our hospitals and other institutions.

I am pleased that the Government has seen fit to legislate for an extended period for the Commission from one year to three years. In difficult times it is necessary to have some form of contract to enable business to be carried on with a reasonable element of continuity, and the Government's proposal will help the Lotteries Commission materially. I desire to extend my congratulations to the members of that body. Western Australia has been particularly free from criticism regarding its lotteries, and that has been largely due to the excellent management of the undertaking. I do not think it would be pos-

sible to get men to render better service than has, for instance, Mr. Kenneally. I believe the allocation of the funds available has been satisfactory from every angle.

Although when I was a member of another place I fought repeatedly to ensure that the legislation introduced to provide for the continuance of the operations of the Lotteries Commission should be confined to one year, I have come to the conclusion, not because there is a change of Government, that it is merely common sense to make the period of office of members of the Commission one of three years.

Hon. J. A. Dimmitt: This is the second three-year period.

The Minister for Mines: Yes, that is so.

Hon. C. G. LATHAM: It does not appear that that is so from the Bill. It looks as though the period from 1944 to 1946 is one of two years.

Hon. L. B. Bolton: Yes, but it is inclusive.

Hon. C. F. Baxter: It is a three-year period.

Hon. C. G. LATHAM: As I read the Bill, I cannot make it any different, and it appears to me that it provides for two-year periods.

Hon. J. A. Dimmitt: I think it is a misprint.

Hon. C. G. LATHAM: I will not argue that. At any rate, if I have done nothing else, I have drawn the Minister's attention to what appears to be a misprint so that he can amend the Bill when it is dealt with in Committee. I have not the principal Act before me, so I do not know what it contains, but the Bill refers to the Act of 1932-1947.

Hon. G. Fraser: But there could be no amending Act of 1947 because this is 1947 and we have not yet dealt with the legislation.

Hon. C. G. LATHAM: At any rate, I support the second reading of the Bill, and I think it wise on the part of the Government to provide a longer tenure of office for members of the Commission so that they may have greater security in their administrative duties. That is particularly important in view of the large commitments confront-

ing the Lotteries Commission in dealing with the Royal Perth Hospital, the Home for Aged Women, country hospitals and other institutions, which it is servicing with the advantage of this voluntary form of taxation. As I remarked earlier, if the money were not raised in this way, it would have to be obtained by other means, and we would have to go, cap in hand, to the Commonwealth Government, asking for more funds. I think it is preferable to have the lotteries controlled by an Act of Parliament and thus allow a large section of the community to satisfy their desires in the manner suggested.

**HON. W. R. HALL** (North-East) [4.59]: I support the Bill, irrespective of its purpose being to extend the life of the Lotteries Commission for two years or for ten years. The Commission will function for many years to come, irrespective of what Government may be in power. The excellent work it has done is very creditable, and has been of great advantage to the State. I would like to see one alteration effected, and that is to secure a greater distribution of money in prizes. In my view more money should be set aside for prizes. A great percentage of the cash should be distributed amongst those who are fortunate enough to hold winning tickets. The Lotteries Commission is to be congratulated on the work it is doing, irrespective of the arguments we have heard in this Chamber. It has done a wonderful job. I hope the Bill passes and that the Commission will continue the excellent work it has done in the past.

**HON. G. FRASER** (West) [5.1]: I support the Bill. My only regret is that it does not make the Lotteries Commission permanent instead of continuing it for only three years. We have had arguments about this for several years, and in the early days a Bill came down for approval every twelve months. As a result of the opposition that was put up, we have now reached a three-year period. We must face facts. There is no doubt the Lotteries Commission will be in existence long after we have gone. Why dilly dally with the matter every two or three years and bring down these continuance measures? Why not introduce a Bill that will make the Lotteries Commission permanent? Mr.

Baxter referred to street collections. There is no doubt the Lotteries Commission has greatly reduced the number of these appeals.

Hon. A. Thomson: And it also did away with a lot of unfair lotteries.

Hon. G. FRASER: I do not propose to discuss crossword puzzles and other competitions that were introduced. In the early stages of the life of the Commission collections were taken up every Friday, and at various times during the week as well. When the street collection legislation was first introduced in this Chamber the maximum number of days allotted for such appeals was 50 in the year. The policy of the Government—both the present one and the previous one—has led to the reduction of the collections to 24 in a year. One benefit derived from the Lotteries Commission has been to cut down the street collections by about half. Much good has been achieved by the lotteries and there is little doubt that much more will be achieved in years to come.

Reference has already been made to the support given to the Royal Perth Hospital, the Aged Women's Home, etc. There are many charitable organisations, apart from hospitals, that have received assistance from the Commission and which were starving for finance before this legislation was brought down. Although those other institutions are being assisted by the Commission, it is also necessary for them to make some Friday collections in order to increase their revenue. In cutting down the number of collection days in the year to 24, I think the Government has gone a little too far.

There are many deserving institutions that cannot get a Friday collection because most of these days are given up to orphanages and similar organisations. With the Lotteries Commission in control, those organisations are debarred in many instances from the right to conduct lotteries of their own of any magnitude. The Commission may permit lottery tickets to be sold in certain circumstances but prescribes the number that may be disbursed. The institutions about which I am speaking find they get too little revenue from the present system whereas in the early days there was no limit to the number of tickets that could be sold. As I have said, my

only regret about this Bill is that it does not provide for making the Commission permanent.

**HON. L. B. BOLTON** (Metropolitan) [5.7]: I support the measure. The Minister would have been more honest, I think, if he had stated that the Government was forced to continue the Lotteries Commission, not because of the money that would have been sent out of the State for a similar purpose but because of the enormous sums that are raised and distributed from the profits made by the Commission, which moneys would have had to be found by the Government or by some other means. I favoured the Lotteries Commission from its commencement; and I still support it. I am not perturbed that the prizes are not larger than they are.

I feel that at least one section of the community is contributing towards the charities of the State that would not do so by any other means. In that way we are getting something from these people who would otherwise not put their hands in their pockets even to the extent of sixpence or a shilling towards some Friday collection. With other members I think there are too many appeals on Fridays. I remember in the early days of the establishment of the Lotteries Commission it was suggested that these appeals would be entirely eliminated because the profits from the lotteries would go to the organisations which found it necessary to make these appeals from time to time. I have no fault to find with the Lotteries Commission or with the work it is doing, and I have much pleasure in supporting the second reading.

**HON. G. BENNETTS** (South) [5.9]: As one who is connected with many charitable movements on the Goldfields, I desire to congratulate the Lotteries Commission on the service it is rendering to the people there. Lotteries represent the poor man's gamble. The only way in which the poor man has a chance to make a rise is through the half-crown lotteries. On the Goldfields we have raised a great deal of money through the collection box and in various other ways.

With the assistance we have received from the Lotteries Commission we have been able to put the hospitals in decent order, supply

a motor ambulance, and erect homes at Esperance for the Fresh Air League. We are very proud of the results achieved, with the assistance of the Lotteries Commission, by the Fresh Air League, which is the means of taking children from a hot climate to the seaside. On every occasion that we have gone to the Commission, and to its chairman, Mr. Kenneally, we have been favourably received. The contributions by the Commission have been generous at all times. I am pleased to be able to support the Bill.

On motion by Hon. A. Thomson, debate adjourned.

### BILLS (3)—FIRST READING.

- 1, Constitution Acts Amendment (No. 1).
- 2, Industries Assistance Act Amendment (Continuance).
- 3, Constitution Acts Amendment (Re-election of Ministers).

Received from the Assembly.

### BILL—SUPREME COURT ACT AMENDMENT.

*Second Reading.*

**THE MINISTER FOR MINES** (Hon. H. S. W. Parker—Metropolitan-Suburban) [5.12] in moving the second reading said: This is a short Bill merely to rectify a legal anomaly. The Supreme Court Act provides in Section 177 as follows:—

Affidavits for use in the Supreme Court, or in any other court, or for any purpose or in any way whatsoever authorised by law, may be sworn and taken in any place out of Western Australia—

(b) before a British ambassador, envoy, minister, charge d'affaires, secretary or embassy of legation, consul-general, consul, vice-consul, acting consul, pro-consul, or consular agent, exercising his function in such place.

A query has been raised as to whether an Australian Minister comes under the definition of British Minister. We therefore ask that the word "British" shall include Australian. It seems rather strange that that should be necessary, but it has been suggested by the Commonwealth legal advisers that this should be done. It is therefore desired to amend the Act so that the word "British" shall include the word "Australian."

Hon. G. Fraser: What is the definition of "Minister"?

The MINISTER FOR MINES: It means a Government Minister, charge d'affaires, secretary or embassy of legation, and so on. It is a Minister outside Australia.

Hon. G. Fraser: What sort of Minister?

The MINISTER FOR MINES: There is only one sort involved, namely, the Minister at the legation or embassy. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

*In Committee.*

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

Clauses 1 and 2—agreed to.

Clause 3—Amendment of Section 177:

Hon. C. G. LATHAM: We have not had an opportunity to check this legislation. I presume the Minister is right in stating that it is necessary to include the word "Australian" in the definition. This is the first time I have heard that an Australian is not a Britisher. It is extraordinary that we have to make an Australian a Britisher by Act of Parliament. Abroad, a British passport is regarded as a British one even though it may be an Australian passport. The Minister might have given us some instances to indicate why this amendment is necessary. If the alteration is going to make the position any better, there can be no objection, of course, but to my mind it is simply saying that there are two classes of people—the British and the Australian. I think the amendment is quite unnecessary, but the Minister might have told us how the question first arose.

The MINISTER FOR MINES: I am sorry the hon. member did not apply for the adjournment of the debate on the second reading. Progress can be reported if he desires.

Hon. C. B. Williams: No, you explain! You cannot get out of it that way!

The MINISTER FOR MINES: On the 25th January, 1946, the Prime Minister wrote to the then Premier as follows:—

The office of an Australian Consulate-General in New York has recently been created, and it is the intention of the Government in due course to set up Consulates in various

other countries in order that Australian representation abroad may be more comprehensive.

The question of the powers which should be conferred upon the Consul-General in New York, other Consular officers and Diplomatic officers who, to a large extent, perform consular functions, has been receiving consideration. The power to perform notarial acts, which is a normal function of a Consular officer, has received particular consideration.

Many statutes of the States provide that notarial acts may be performed abroad by "British Consular Officers," and British Diplomatic representatives, which expressions may also include Australian Consular and Diplomatic officers, although this is not free from doubt. It would seem anomalous that persons desiring the performance of notarial acts in respect of documents for use in Australia should be compelled to approach the British representatives in countries where an Australian Diplomatic mission or Consulate is in existence.

It is suggested that any necessary amendments be made in order to make it clear that any notarial act required by a State Act may be performed outside Australia by Australian Diplomatic and Consular representatives to a similar extent as these may now be performed by British representatives.

Pending the passage of any such legislation, I should be glad of advice as to the requirements of the various State Acts with respect to declarations, affidavits, etc., which are executed overseas, in order that interim instructions in these respects may be issued to our representatives.

In consequence of that, the Solicitor General wrote on the 20th March last year as follows:—

The swearing, affirming, declaring and taking in any place out of Western Australia, of affidavits, affirmations, statutory and other declarations, acknowledgments, examinations and attestations are now covered by Section 177 of the Supreme Court Act, 1935-1945 (Act No. 36 of 1935), read together with Sections 98A, 99 and 106 of the Evidence Act, 1906-1930.

I attach herewith copies of the relevant sections.

I hope that will clear up the matter for the hon. member.

Hon. Sir HAL COLEBATCH: I would like to ask the Minister if he could give us any idea when the Acts of 1946 will be available. I do not think this Bill applies to any measure passed last year, but we may find ourselves in a rather awkward position if we have to amend an Act of 1946 when we do not know its provisions. When shall we receive the 1946 statutes?

The Honorary Minister: Ask the Government Printer!

The Minister for Mines: I am afraid I should want notice of that question.

Hon. A. L. LOTON: I would like to ask the Minister to report progress.

Hon. E. M. HEENAN: Mr. Chairman—

Hon. C. B. WILLIAMS: On a point of order, Mr. Chairman, you were asked a question.

The CHAIRMAN: Mr. Loton merely said he would like to ask the Minister to report progress.

Hon. E. M. HEENAN: This matter is altogether too simple to warrant any further time being spent on it. In the event of its being necessary for affidavits to be sworn in New York for use in our Supreme Court, there is some doubt as to whether our Australian representative could take them, owing to the definition in our Supreme Court Act which refers to the British ambassador. Our legal authorities apparently think it is questionable whether the Australian ambassador is included in that definition and this amendment is designed to remove that slight doubt. No-one is saying that the Australian ambassador is not British or vice versa.

Hon. G. FRASER: This is to satisfy the legal eagles.

Hon. C. G. LATHAM: It has been going on for years.

The MINISTER FOR MINES: No, it has not. In New York there is a British ambassador and an Australian ambassador. Can we say that the Australian ambassador is the British ambassador?

Hon. C. B. WILLIAMS: Under no circumstances.

The MINISTER FOR MINES: Our Act simply uses the words "before the British ambassador." We say, "Very well, 'British' will include 'Australian'."

Hon. C. G. LATHAM: I would say it would include "New Zealand" and "South African" and "Canadian."

The MINISTER FOR MINES: It is enlightening to hear the hon. member say so; but eminent lawyers consider there is a doubt about it. This measure is to clarify the position.

Hon. G. FRASER: Legal affidavits would be taken in America and sent back here?

The Minister for Mines: Yes, for use in Australia.

Hon. G. FRASER: Then why the need for legislation in this State? Surely we have the nous to put our interpretation on these matters. If it was something needed to clear up a difficulty oversea, I would agree.

The MINISTER FOR MINES: We have enough nous and that is what I am asking members to use in making the position quite clear, because people outside this Chamber may not have that nous.

Clause put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

### **BILL—THE FREMANTLE GAS AND COKE COMPANY'S ACT AMENDMENT.**

*Second Reading.*

**THE MINISTER FOR MINES** (Hon. H. S. W. Parker—Metropolitan-Suburban) [5.25] in moving the second reading said: This is a Bill to enable the Fremantle Gas and Coke Company to increase its capital and also its borrowing powers.

Hon. C. B. Williams: Why don't you nationalise it? Buy them out!

The MINISTER FOR MINES: If the hon. member would read the Act—

Hon. C. B. Williams: I am not reading any Act. Why not buy them out?

The MINISTER FOR MINES:—he would find that the Fremantle Municipal Council has that right, and I am afraid I must refer him to that body for information as to why it does not do as he suggests.

Hon. C. B. Williams: They should.

The MINISTER FOR MINES: That may be.

Hon. C. B. Williams: It should not be put on to a Liberal Government to do these things.

The MINISTER FOR MINES: The premises at present occupied by the company are situated right in the City of Fremantle and they are too small. The works stand on six acres of land in Cantonment-street, Fremantle, and have reached the limit of their capacity on that area. This was foreseen some years ago when the com-

pany purchased 42 acres at Spearwood on the Jandakot railway.

When the new works are operating they will take over a portion of the Fremantle load and also cater for new consumers at Melville and Applecross. In due course Spearwood will assume the full load and the Fremantle works will be dismantled, which is most desirable from the point of view of town planning. The works will be of the most modern type and it is anticipated that the greater part of the £150,000 estimated to be necessary to put them into operation will be spent locally. Originally the company was formed with 15,000 £1 shares. The capital issue subsequently rose to £120,000 and now it is desired that that should be extended to £250,000 and the company's borrowing powers increased from £60,000 to £125,000. The Bill provides authority for this. It does not affect the finances of the Government in any way and will assist considerably the welfare of the Fremantle district. I move—

That the Bill be now read a second time.

On motion by Hon. E. H. Gray, debate adjourned.

### **BILL—UNCLAIMED MONEYS ACT AMENDMENT.**

*Second Reading.*

**THE MINISTER FOR MINES** (Hon. H. S. W. Parker—Metropolitan-Suburban) [5.30] in moving the second reading said: The purpose of this Bill is to include building societies under the provisions of the Unclaimed Moneys Act. At present unclaimed moneys, after a short period, become the property of the Crown, the idea being that companies, banks and individuals who have in hand money, the owner of which cannot be traced, pay it to the Treasury. If the owner subsequently proves his claim the money is repaid to him. Strangely enough, although the original measure was framed on the lines of the Victorian Act, for some reason building societies were not included under its provisions. It is now desired to include building societies, so that they may pay unclaimed moneys to the Treasury. It is the desire of the building societies that they be permitted to do that instead of keeping funds in their accounts when the true owner cannot be found.



Hon. G. Fraser: For how long do they hold the money before it is classed as unclaimed?

The MINISTER FOR MINES: It is held for a period of six years. I move—  
That the Bill be now read a second time.

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—DENTISTS ACT AMENDMENT.**

*Second Reading.*

**THE MINISTER FOR MINES** (Hon. H. S. W. Parker—Metropolitan-Suburban) [5.35] in moving the second reading said: The Bill is introduced to correct an anomaly existing under the original Act. When that measure was before the House the University of Western Australia had not taken upon itself the teaching of dentistry and the granting of diplomas. The University now grants diplomas or degrees in dental surgery and dental science, and it is necessary to permit graduates, the holders of such diplomas or degrees, to practise in Western Australia. At present the law makes no provision for that. The necessity for such an alteration in the law was pointed out by the Vice-Chancellor of the University, who wrote, on the 28th March last, as follows:—

Recent consideration by the Dental Board has disclosed that, under the present Dental Act, the students who graduate from our University course in dentistry would not be able to practise legally at the end of their training.

Apparently a slight alteration to the Dental Act would correct this whole matter, and I am enclosing herewith the legal opinion obtained from our solicitors about correction required to the Act.

I would be very glad if, in order to overcome this obvious disability, your Government would have the necessary alterations in the Act made.

Hon. G. Fraser: Under the original Act there was appointed a Dental Board, which grants registration. If the Bill becomes law, will persons receiving such diplomas or degrees from the University be able to

set up straightaway in business, or will they have still to run the gauntlet of registration by the board?

The MINISTER FOR MINES: I would prefer to deal with that question in Committee. I move—

That the Bill be now read a second time.

On motion by Hon. G. Bennetts, debate adjourned.

### **BILL—DRIED FRUITS ACT, 1926, RE-ENACTMENT.**

*Second Reading.*

**THE HONORARY MINISTER** (Hon. G. B. Wood—East) [5.37] in moving the second reading said: This Bill seeks to re-enact the Dried Fruits Act of 1926. It is a strange thing, but the re-enactment of this measure was omitted during last session, and the Act consequently lapsed. I do not know who was to blame, but the fact remains that the Act did lapse. It is therefore desirable that the measure should again be placed on the statute book. The original Act, to make provision for the marketing of dried fruits and for other purposes, was introduced in 1926. Amendments to the Act were made in 1928, and legislation to continue the amended Act was introduced during 1929, 1931, 1934, 1937, 1939, 1943 and 1945.

The Act was first introduced at the urgent and repeated requests of growers, to provide for the stabilisation of their industry by means of orderly marketing. Conditions prior to 1926 were chaotic and the industry was faced with ruin. There is no doubt that the uniform dried fruits legislation has had a stabilising influence on the industry. This followed a resolution of the Agricultural Council held in Canberra in 1938. The council agreed that all States producing dried fruits should amend their Dried Fruits Acts, to make them uniform.

Throughout the Commonwealth approximately 100,000 tons of dried vine fruits are produced annually. The home consumption requirements are in the vicinity of 18,000 tons and the balance is exported principally to the United Kingdom and to Canada. Fortunately the British Government and the Dominion of Canada are anxious to secure full supplies of dried vine fruits, and up to the present adequate shipping space has been secured.

The production of dried vine fruits in this State has increased steadily from 1927 up to the present time. In 1927 production reached 1,576 tons, and in 1941 the figure was 2,924 tons. The peak production during that period was 3,903 tons in 1939. The figure is estimated this year to reach 3,613 tons. From 1927 to 1947 the increase in currants alone was from 1,158 tons to 3,058 tons. For sultanias the increase was from 118 tons in 1927 to 462 tons in 1947. For lexias the figures were, 300 tons in 1927, and 486 tons in 1947. The total tonnage increase for these three types of dried fruits was from 1,576 tons in 1927 to 3,613 tons for 1947. Those figures show that instead of languishing, as appeared to be the case in 1926, under the marketing legislation production increased by well over 100 per cent.

As I have said, it is the earnest desire of the growers that this legislation be re-enacted. The Act expired on the 31st March last and from that date up to the present time certain things were done which I suppose were illegal. It is proposed that this measure shall be retrospective in its application, so as to legalise those actions. Certain things were done and certain documents were executed as if the Act had not expired, but had continued in force, and it is therefore desired to give retrospective effect to the re-enactment of this measure. It is proposed that the Dried Fruits Act of 1926 shall, subject to the provisions of this measure, be deemed to have been in force continuously since 1926, and that no persons shall be liable to prosecution in respect of any act or omission that occurred between the expiry date of the lapsed Act and the commencement of operation of this measure. I move—

That the Bill be now read a second time.

On motion by Hon. C. G. Latham, debate adjourned.

## **BILL—INSPECTION OF MACHINERY ACT AMENDMENT.**

*Second Reading.*

**THE MINISTER FOR MINES** (Hon. H. S. W. Parker—Metropolitan-Suburban) [5.45] in moving the second reading said: This is another short Bill, the object of which is to enable non-British subjects to be registered under the Act and obtain cer-

tificates. Section 59 of the Act provides that all applications for examinations shall be forwarded to the Chief Inspector of Machinery and, before the issue of any certificate, the candidate must produce a medical certificate, shall be a British subject and satisfy the board that his knowledge of the English language is sufficient to enable him to perform the duties required as the holder of a certificate. This applies to all types of engines.

Recently an American ex-Serviceman came here well qualified to carry on, but he could not be registered because he was not a British subject. Many people who are not British subjects are qualified and quite capable of holding certificates under the Act and it is desired that such people shall be able to get certificates. The provision in the Act probably crept in because the section was copied, or thought to be copied, from the Imperial Board of Trade Act dealing with marine engineers who, of course, must be British subjects. It seems to be quite anomalous that a man, merely because he is not a British subject, may not get a certificate under the Act to run some small engine. I move—

That the Bill be now read a second time.

On motion by Hon. G. Fraser, debate adjourned.

*House adjourned at 5.47 p.m.*

## **Legislative Assembly.**

Tuesday, 9th September, 1947.

	Page
Questions : Polish nurses, as to educational standard and assignments .....	583
Fish, as to quantities caught .....	583
Koolan Island iron-ore, as to tabling file of leases .....	583
Milk, as to licensed and unlicensed treatment depots .....	583
Bills : Law Reform (Contributory Negligence and Tortfeasors' Contributions), 1R. ....	584
Coal Mine Workers (Pensions) Act Amendment, 1R. ....	584
Stipendiary Magistrates Act Amendment, 1R. ....	584
Companies Act Amendment, 1R. ....	584
Constitution Acts Amendment (Re-election of Ministers), 3R. ....	584
Rural Relief Fund Act Amendment, report .....	584
Public Trustee Act Amendment, 2R. ....	584
Fatal Accidents, Message, 2R., Com. ....	589
State Housing Act Amendment, Message .....	601
Crown Suits, Message .....	601
Road Districts Act Amendment, 2R. ....	501
Municipal Corporations Act Amendment, 2R. ....	604

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