

# Legislative Assembly.

Thursday, 27th November, 1941.

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

## QUESTION—YOUTH EMPLOYMENT.

*As to Royal Commissioner's  
Recommendations.*

Mr. SHEARN asked the Minister representing the Minister for Education: 1, Has the Government taken any action to carry out the following recommendations of the Royal Commissioner on Youth Employment, Mr. Justice Wolff—(a) The formation of an advisory council to consider from time to time the revision of the curriculum of primary and post primary schools consisting of the Minister for Education, Director of Education, Superintendent of Technical Education, and a representative of commerce and industry? (b) The payment of a subsidy of 10s. per week in respect of each destitute orphan boy maintained and trained by farm schools? (c) A State scheme for unemployment insurance? 2, If not, is it the Government's intention to take any action to carry out these recommendations?

The MINISTER FOR THE NORTH-WEST replied: 1, (a) No, but representatives of industry and commerce at present function on the various advisory boards in connection with the different trade groups at the Technical College and in that way contact is maintained with industry. Regarding primary and post-primary curricula—this is at present a matter for the Director

and officers of the inspectorate. (b) Since the advent of child endowment all children at farm schools are eligible for an additional 5s. weekly up to 16 years of age, with the result that all are now being paid for at a rate in excess of 10s. weekly. (c) A Commonwealth scheme for this purpose was devised on an Australian-wide basis. 2, Answered by No. 1.

## QUESTION—DEFENCE.

*As to Air Raid Precautions.*

Mr. NORTH asked the Minister for Health: 1, Have any arrangements been made for the construction of air raid shelters? 2, Is it intended to make provision for this type of precaution, and if so, to what extent?

The MINISTER FOR HEALTH replied: 1, No. 2, Not at this stage.

## QUESTION—AGRICULTURE.

*As to Female Labour on Farms.*

Mrs. CARDELL-OLIVER asked the Minister for Employment: 1, Does the Government consider there is need for female labour to assist in farming operations particularly flax growing, fruit picking, and other activities of a closer settlement nature? 2, If so, have any steps been taken to obtain such labour, and what arrangements, if any, have been made? 3, Is it considered that the female basic wage is adequate to provide applicants with a decent standard of living? 4, If applicants were available, what provision has been suggested for their accommodation? 5, If women's organisations were prepared to assist in finding female labour, would the Government provide tents or suitable accommodation for the use of such organisations? 6, If not, why not?

The MINISTER FOR EMPLOYMENT replied: 1, The position is that the demand for female labour in factories, shops, and domestic service is greater than the supply. This shortage of female labour will tend to increase in the future. 2, Answered by No. 1. 3, This is a matter for the Arbitration Court. 4, Answered by No. 1. 5, When specific cases are put up the matter can be dealt with. 6, Answered by No. 5.

## BILL—MARKETING OF EGGS REGULATION.

### *Second Reading.*

Debate resumed from the 5th November.

**MR. J. HEGNEY** (Middle Swan) [4.35]: I support the second reading of the Bill. Representations have been made to me by egg producers in my electorate urging me to do so. Since I first entered Parliament quite a number of egg marketing Bills have been introduced and I have supported each of them with the object of helping those engaged in the poultry industry, particularly in connection with egg production, to secure a reasonable return for their labour. The first that I can remember was introduced by the member for Guildford-Midland (Hon. W. D. Johnson). That measure had particular reference to the metropolitan area, but contained a provision to enable its application to be extended to country districts as well. That Bill was strenuously opposed by Opposition members, especially those associated with the Country Party.

**Mr. Patrick:** It was opposed by members on both sides of the House.

**Mr. Sampson:** Why not deal with the Bill instead of condemning people?

**Mr. J. HEGNEY:** A number of other similar Bills were introduced, but none proved satisfactory. A few years ago another effort was made and legislation was passed. It proved to be ineffective and has been practically a dead letter. Now the member for Canning (Mr. Cross) has made a further attempt to deal with the problem and although I do not agree with all its provisions, I can accord the Bill my general support.

**Mr. Sampson:** The principle is good.

**Mr. J. HEGNEY:** We can deal with various phases when the Bill is discussed in Committee. I have received complaints about the charges imposed upon egg producers in connection with the handling and distribution of their products. One person in my electorate complained that 41 dozen cooking eggs had been sent to the market and two dozen of them were rejected for cracks. In addition, 29 dozen had been sent for pulping. That individual received an account for £2 10s. 7d. against which there were charges amounting to 11s. The charges included sales fee 6d., candling and grading 4s. 6d., and stabilisation charge 3s. The producer

himself had a license permitting him to candle and grade his own eggs. Despite the fact that he had candled and graded the consignment before sending the eggs to market, he had to pay a fee for that work to be done over again.

**Mr. Sampson:** It is all set out in the regulations.

**Mr. J. HEGNEY:** This individual received a net return of £1 19s. 7d. for his consignment. At the bottom of the docket there appeared a note saying that the eggs had been re-candled under instructions from an inspector. It hardly seems fair that a person who has secured a license, showing that he was qualified to candle eggs before despatching them to market, should have to pay a candling fee in such circumstances. In this instance, after sending many dozen eggs to the market, the producer received a return of about 8d. per dozen. The price of eggs has fallen as low as 6½d. a dozen and under those circumstances it is quite impossible for poultry men to make a living.

**Mr. Sampson:** The price of eggs was as low as 4d. a dozen when I was poultry farming.

**Mr. J. HEGNEY:** I support the second reading and will deal with one or two matters during the Committee stage.

### *Point of Order.*

**Hon. C. G. Latham:** I wish to raise a point of order, Mr. Speaker, and to ask you whether this Bill is in order as regards Clauses 26, 27 and 28. I contend that those clauses impose an excise duty on eggs. If you will permit me, Sir, I will read the clauses before stating my views—

26. (1) Subject to this Act every licensed dealer and licensed retailer shall in every year contribute towards the expenditure to be incurred by the board during that year in the administration of this Act, and in carrying out its duties and functions under this Act.

That subclause refers not to the person producing eggs but to the dealer and retailer.

(2) The amount of the contribution to be paid by each dealer and retailer shall be determined by the board in each and every year, and shall be paid by such dealer and retailer at the times, in the instalments, and in the manner hereinafter mentioned.

(3) Prior to the first day of July in each and every year, or as soon thereafter as possible, the board shall cause to be prepared an estimate of the expenditure to be incurred during the year commencing on the said first day

of July, by the board in the administration of this Act and in carrying out its functions and duties, and shall thereupon determine the amount of the contribution to be paid by each dealer and retailer for such year under this section.

(4) As and when the board has determined the amount of the contribution as aforesaid, the board shall cause notice thereof to be given to each licensed retailer and each licensed dealer.

27. (1) For the purposes of this Act there shall be established a special fund, to be administered by the board through a separate trust account, and to be known as "The Eggs Stabilisation Fund."

(2) For the purposes of maintaining the said fund, but subject to this Act, every licensed dealer and retailer shall in each and every month contribute and pay to the board at the times, in the instalments and in the manner hereinafter mentioned, such amount as may be determined by the board from time to time in respect of eggs produced in Western Australia and sold by or through such dealer or retailer.

28. Notwithstanding anything to the contrary contained in sections twenty-six and twenty-seven of this Act—

(1) (a) no dealer or retailer shall be required to contribute in any year to the expenditure of the board under section twenty-six of this Act an amount exceeding a sum equal to one per centum of the gross proceeds in that year derived by him from carrying on his business as a dealer or retailer, as the case may be; and

(b) no dealer or retailer shall be required to contribute and pay in any year to the Eggs Stabilisation Fund under section twenty-seven of this Act an amount exceeding a sum equal to twenty-five per centum of the gross proceeds in that year derived by him from carrying on his business as a dealer or retailer, as the case may be.

I have traversed sufficient of the Bill to show you, Mr. Speaker, that it proposes to impose an excise duty on eggs, and that so far as the dealer and the retailer are concerned the excise duty is fixed at one per cent. but not to exceed 25 per cent. of the gross proceeds in a year. If I cast my memory back—

Mr. Speaker: I do not think the hon. member is in order in making a speech in raising a point of order.

Hon. C. G. Latham: I wish to point out, Sir, what my point of order is. May I continue?

Mr. Speaker: Very well!

Hon. C. G. Latham: In my opinion, what the Bill proposes is an excise duty. Some

years ago an excise tax was imposed, upon similar lines, on all petrol sold by retailers in this State. You may remember, Sir, that either we copied the South Australian Act or South Australia copied ours; but a decision was given by the High Court that the measure imposed an excise duty and that therefore the State Parliament had no power to pass it. The Act in question imposed a duty of 3d. per gallon on all petrol sold, but in the case of this Bill the amount of the excise duty is undetermined: it may be one per cent. or may be 25 per cent. of the gross proceeds. In the circumstances I ask whether a private member is in order in introducing a Bill which imposes an excise tax.

Mr. Speaker: I knew that this point of order was to be raised, and I have searched all the authorities. I think that so far as Parliamentary procedure is concerned, the point of order is answered by Subsection 1 of Section 46 of the Constitution Act Amendment Act, 1899, which reads—

Bills appropriating revenue of moneys or imposing taxation shall not originate in the Legislative Council; but a Bill shall not be taken to appropriate revenue or moneys, or to impose taxation, by reason only of its containing provisions for the imposition or appropriation of fines or other pecuniary penalties, or for the demand of payment or appropriation of fees for licenses, or other services under the Bill.

If the point is purely that the Bill proposes an excise duty, I do not think it is within my jurisdiction to decide it. The matter then becomes one for the courts. I rule that the Bill is in order.

#### *Debate Resumed.*

MR. McDONALD (West Perth) [4.47]: With the objective of the mover of the Bill that there shall be a reasonable price for eggs produced by egg producers in Western Australia, I am quite in agreement. It is generally accepted that one of the functions of Parliament is to facilitate any reasonable machinery which will avoid violent fluctuations of prices, at the same time giving adequate protection to the consumer. I am not satisfied, however, with the form of this Bill. I have not been able to convince myself that the measure is going to be in the best interests of the producers or of those engaged in the trade of distribution and sale of eggs; and of course we should satisfy ourselves that the measure will be satisfactory from the point of view of consumers. It is not as if we had

no legislation on the subject. We have an Act which is only three years old, passed in 1928; and although the member for Canning (Mr. Cross) says that the Act which is now on the statute-book has been found unsatisfactory in some respects, there are certain people engaged in the egg trade who think the present legislation is satisfactory.

Mr. Cross: They naturally would think so.

Mr. McDONALD: The Minister indicated clearly that he preferred the present legislation to the legislation which is contained in this Bill. After all, the existing legislation, being only three years old, has not had very much of a trial. Under the existing legislation the present board has power to acquire eggs and sell them, and from the proceeds it can meet the cost of administration of the board. Again, under the present legislation there is no charge such as now proposed by the Bill upon producers and dealers.

Mr. Cross: They pay the charge voluntarily now.

Mr. McDONALD: They may be doing so. The member for Canning in his second-reading speech told the House that in Perth there are only five retailers of eggs within the meaning of the Act.

Mr. Cross: There are not many more.

Mr. SPEAKER: Order! The hon. member will have the right of reply.

Mr. McDONALD: I take the hon. member's word; so far as I know it is correct. There are something like five retailers who sell more than 300 dozen eggs per week. So far as Perth is concerned these five retailers are the only persons to be levied for the purpose of the expenses of the proposed board, and for the purpose of the stabilisation fund, plus the dealers who are also to be levied, and are those who deal wholesale in eggs. The hon. member has not stated how many dealers there are, but I presume the number would not be very great. In this State the first burden of financing the scheme would fall upon very few people.

Mr. Cross: That is the position at present.

Mr. McDONALD: They accept that position voluntarily, but it will be a different matter if we are going to impose this obligation by Act of Parliament, and if we impose a liability to pay into the fund up to one-quarter of the gross proceeds of their business. It is proposed that the board shall take up to one-quarter of the gross proceeds

of the business of the retailers and wholesale dealers.

Mr. Cross: They would get that back.

Mr. McDONALD: They will get it back in part, if not in whole, by the deductions which they will be able to impose by means of a levy on the price that is to be paid to the producers of the eggs. That charge will fall upon the producer.

Mr. Sampson: To save the collapse of the market.

Mr. McDONALD: Many producers of eggs will be outside this legislation. As the Minister pointed out, there is a large body of persons in the egg trade who will not be covered by the Bill. For every retailer who is covered and regulated by this measure, I suppose there will be at least ten who will be outside it. Those persons will make no contribution or levy for the purpose designated, and will not be subject to price control. As the member for Canning (Mr. Cross) pointed out, they will carry on their business precisely the same as they would have done before the Bill became law. I do not object to egg producers wishing to stabilise their business, but I maintain that the proposal obviously requires further consideration. First of all, it is essential that a Bill such as this should be brought down by the Government after the advice of experts has been obtained and after facilities have been offered for the authorities to get into touch with the various classes of persons affected by the industry. The House would then have some assurance that the Bill is backed by the Government experts, whose advice has been tendered to the Minister.

There are many people whose voice is entitled to be heard, those who are amongst the 10 or 12 producers who apparently constitute a little body that will in the first place carry the financial burden of this legislation, plus the dealers. Those producers are somewhat concerned as to where they are going to be under this legislation. They may at present be contributing voluntarily towards the stabilisation of the egg market, but it will be a different thing if they become liable by Act of Parliament to carry in the first place the financial burden of conducting the board and, secondly, the burden attendant upon the stabilisation of the industry. I have no desire to do other than put the position clearly.

The Bill will enable retailers and dealers who are covered by it to recover part, and

possibly all—certainly perhaps the greater part—of their contributions to this levy or excise, as it is, upon the producers, but even so the Bill will scrap the existing scheme which the Minister for Agriculture says is working fairly well, and substitute a new scheme which I suggest has not received the examination which legislation of this kind demands. When we interfere with the livelihood of people they should be given an opportunity to be heard. I am not satisfied they have been heard as fully as they should have been in relation to the changes and obligations that will be brought about by this measure. The member for Canning might well allow the Bill to be reserved for further consideration. He has now broken the ice, and possibly there may be some fruits of his labour in the shape of a Government measure brought down in due course, a measure which, if changes are required, will effect them after sufficient examination of the position and advice has been given by experts.

**HON. C. G. LATHAM** (York) [4.56]: I do not oppose the second reading but am anxious that the poultry people should have an opportunity profitably to conduct their business. I am particularly concerned about one point, namely, that we have adopted the system of branding eggs in this State. I do not know what advantage has accrued from that system so far as the local markets are concerned. It is all right to brand an egg and place it in cold storage for export. That is the proper thing to do because the egg will then remain fresh. Unfortunately, however, eggs are branded and sent to shops. Sometimes they are a fortnight old, and people, because of the branding, think they are buying fresh eggs. It is preferable that eggs should not be branded for local consumption, and that the responsibility should be thrown upon the retailer to sell either fresh or stale eggs according to his classification of them. At present, because eggs are branded, people think that is a hall mark of quality.

Mr. J. Hegney: Many consumers ask for unbranded eggs.

Hon. C. G. LATHAM: It is not possible, legally, to buy unbranded eggs today.

Mr. J. Hegney: I know that but people ask for them.

Hon. C. G. LATHAM: Most people would prefer unbranded eggs because there is a chance of their being fresh.

Mr. J. Hegney: That is why they ask for them.

Hon. C. G. LATHAM: We ought to give more consideration to this type of legislation. I have ascertained that in South Australia eggs are branded a different colour. Different marks are used so that the consumers have some idea of the age of the egg. We have not done that in this State. At one time the date was marked on the egg, but that was not found to be satisfactory. Sometimes the eggs were several days old when they were tested. We are charging our own people 1½d. a dozen more for eggs, while no guarantee of the freshness of those eggs is afforded to them. After all the freshness of the egg counts, but it is easy enough to find out if an egg suffers from internal defects by holding it up to a light. We should go further than that. I am sorry this measure has not been introduced by the Government. It has been introduced by a member who is without any qualifications, and is not a good judge of this sort of thing.

Mr. Cross: Do you think I am a real child?

Mr. SPEAKER: Order!

Hon. C. G. LATHAM: I would not think for one moment that the hon. member was a real child, but neither would I think he was a know-all. We travel from eggs to moneylending and then to fair rents and everything else, and we must realise that no member of this House, who is worth his salt, is an expert in everything.

Mr. SPEAKER: I think we should get back to the Bill.

Hon. C. G. LATHAM: We are getting back to it now. The fact that the hon. member has introduced this Bill does not put the hall mark of perfection on it.

Mr. J. Hegney: The other Bill was not sponsored by the Government.

Mr. Warner: And it is no good, either!

Mr. SPEAKER: Order!

Hon. C. G. LATHAM: It has many defects. This class of legislation should be introduced by the Government. Despite the fact that you, Mr. Speaker, have given a ruling with which I have not disagreed this Bill will be the cause of no end of litigation. Under what authority will the payment of the proposed levies be enforced? A penalty

of £100 is prescribed, but that matter will probably also be overcome. The levy should be imposed by a Government department. This Bill is not a bad attempt for a layman; and the member for Canning has had advice from poultry-farmers. Very often the advice of people running their own businesses is the worst possible advice. The difficulty is to get them to be of one opinion. This is a very lengthy measure. I hope the hon. member will take the advice of the member for West Perth (Mr. McDonald) and, having expressed himself, be satisfied to wait until after the election, and ask the Minister controlling this department to introduce a Bill. We will then have legislation which can be enforced and consideration will probably be given to the general public. The present proposals would only increase, unnecessarily, the price of the commodity. The public get no guarantee. The chances are that if I bought two or three dozen eggs, not less than four or five would be stale, and sometimes are bad. It is time we gave consideration to the matter of ceasing to brand eggs for home consumption.

Mr. Sampson: Country eggs are not branded.

Hon. C. G. LATHAM: I do not care whether they are branded or not. Action can always be taken against a person selling articles not up to standard. The person who is selling has to accept the responsibility. The fact that an egg is branded conveys nothing to the general public. I hope this legislation will be withheld until next session.

MR. WATTS (Katanning) [5.5]: My main objection to this Bill is that it repeals the Act of 1938.

Mr. Cross: I will tell you why later.

Mr. WATTS: It will be interesting to know why, but whatever the hon. member says will not convince me of the necessity to repeal that Act, even if this Bill becomes law. The difficulty under the 1938 Act, as I understand it, is that because the producers themselves have to apply for the poll for the election of the board, and pay their own expenses, they have not up to the present succeeded in having a board appointed. As a consequence, the provisions of the 1938 Act, in effect, are inoperative. This Bill has exactly the same effect as that Act. If a board is to be appointed, it has to be done on the ballot of the pro-

ducers who have to pay the expenses. We have no guarantee that they will appoint a board under this measure.

My suggestion to the member for Canning is that he should not, by this measure, if he succeeds in having it passed, repeal the 1938 Act. Let us have both measures on the statute-book. They are sufficiently different in methods and procedure to warrant the producers in selecting the one under which they will apply for a board. They gain nothing by seeking a board under this Bill so far as their financial responsibilities in its creation are concerned. In view of the substantial differences in the measures, I do not see why they should not have a choice.

We are assured by the member for Canning that a substantial body of the producers desires this legislation. I am assured by an equally strong section of the producers that they desire nothing of the kind.

Mr. Cross: Where are they?

Mr. Patrick: Those outside the Canning electorate.

Mr. WATTS: Many more eggs are produced outside the Canning electorate than within it, and it is on behalf of those producers I speak. I do not question the hon. member's statement that some producers desire this legislation, but there is a substantial body which does not desire it. That is another reason why we should leave the 1938 Act on the statute-book, even if we pass this measure, because the producers will then be able to determine what they want. The 1938 Act empowers the board, when created, to acquire all the eggs. The producers under that Act are greater in number than under this proposed legislation because it provides for a qualification of 75 head of poultry whereas the member for Canning desires 150 head. As the Minister for Agriculture pointed out, 40 per cent. of the eggs will not be covered by this Bill.

The provision in the 1938 Act which states that the board may acquire all the eggs released from all claims under mortgages or liens, has no relation to the proposals in this Bill, which seeks to set up a stabilisation fund. I admit the proposal bears some resemblance to the voluntary stabilisation fund at present in existence; but it does not establish the fact that the bulk of the producers desires it. Nor am I satisfied that the bulk of the producers

wants this Bill, because they have had no chance to arrive at a decision as to whether they want a board under the Act.

Hon. C. G. Latham: They have not yet raised the money.

Mr. WATTS: They have not had the financial means to do that. The Minister is apparently of the opinion that the 1938 Act is the better one. I recently asked him whether a request had been received from any section of the producers for the Government to pay the cost of a poll under the 1938 Act, and he replied that a request had been received, and that he was prepared, at that time, to give favourable consideration to the Agricultural Department dealing with the matter. Subsequently he was asked, if the Act were amended, would he still pay for the poll? He said that if this Bill became law he would give the matter consideration. The Minister is, presumably, prepared to assist any substantial section of the producers which wants a board created under one Act or the other.

I am at a loss to know why the member for Canning brought this Bill down. We have an Act on the statute-book which has never been given an opportunity to be carried into full effect, and which has not been substantially objected to by any large section of the producers, although it may have been regarded with some suspicion by the member for Canning and those producers who form a small portion of the district which he so ably represents in this House. It is impossible for me to work up any enthusiasm for this measure. If it is carried, it will bring into being a licensing system which I regard as an evil one. We all know what licensing can give rise to. It brings about trafficking in licenses. The license finally becomes something which can be sold and resold; it becomes portion of the goodwill of the business. There is no need for a license. If it is necessary to know where these retailers are to be found—and there will only be a limited number of them—let us have a system of registration and not one of licensing, which has already been the subject of considerable protest in this House and which, I believe, has proved to be unsatisfactory in many ways.

Recently, in the district I represent, a milk vendor died and when a valuation of his estate was made for probate purposes, the Commissioner of Stamps asked how many gallons of milk he sold per week. In-

quiry was made as to why he wanted that knowledge, and he said it would assist him, as the value of the license was assessed at so much per gallon. It was pointed out to him that there were no licenses in the country districts. Subsequently claims for the value of that license were withdrawn. I mention that to indicate what a state of affairs will arise if retailers are to be licensed. If we are to have this legislation, all that is necessary is the registration of the retailers, and the licensing of premises for storage purposes to see that they are fit and proper places in which to store eggs. It is not my intention to oppose the second reading of the measure; it may be possible, in Committee, to make it workable.

MR. CROSS (Canning—in reply) [5.15]: I have been twitted from almost all quarters on my action in introducing this Bill. I do not know why that should have been so, but the simple fact is that 60 per cent. of the total commercial poultry farmers are located in my electorate. The sharp increase in the number of poultry keepers in my district and the fact that they are making a success of their work, even under extreme difficulties, convinced me that they are building up what will prove to be one of the most valuable export industries of the State. When I realised the difficulties under which they are working, naturally I felt sympathetic.

The Primary Producers' Section of the P.P.A. and the Commercial Poultry Farmers' Association asked me to introduce a deputation to the Minister for Agriculture requesting him to bring down a Bill providing for definite amendments to the Egg Marketing Act of 1938. I introduced the deputation and the Minister promised to give the matter serious consideration. Later, however, he declined to introduce a Bill. His refusal was followed by a request to me to introduce a Bill as a private member. I asked for an indication of the working of the 1938 Act and for information of what was really required in the new legislation—the principles that should be incorporated—and promised to go as far as I could to get the measure passed in order to assist the industry. An official communication to me in September pointed out that after several conferences agreement had been reached on the various conditions, and notes were forwarded indicating what was desired in the new legisla-

tion. I shall read part of the letter in order that members may understand exactly why I propose the repeal of the 1938 Act. The poultry keepers decided to request the deletion of the provisions of Section 4 dealing with the acquisition of eggs. They desire the adoption of the principles of stabilisation existing in the Dairy Products Marketing Regulation Act. After further discussion and consideration, they requested that the number of head of adult female poultry which would render a producer eligible for registration should be 150, instead of 75 as provided in the Act of 1938. The letter contained the following:—

Summed up, the producers desire an Act which is in principle very similar to that of the Dairy Products Marketing Act. In the notes which are attached hereto, an endeavour has been made to indicate some of the provisions which it is desired should be incorporated in the new Act, but no attempt has been made to more than indicate the general lines, as it seemed that to do otherwise would be improper. If, however, I can be of further service in this connection, I shall be glad if you will call upon me.

The suggested provisions are—

Section 2 (1).

Amend definition of "Eggs" to include eggs in liquid, powdered or processed form.

"Producer" means person who keeps one hundred and fifty (150) head of female poultry.

Section 3 (6).

If poll is adverse to formation of board, then Government to pay cost of the poll; if favourable, then cost of poll to be charge on funds of the board when it comes into existence.

Of course I could not include a proposal that would entail a charge on public funds, but I think that I have got around the difficulty fairly well.

Delete from Marketing of Eggs Act, 1938, the following sections:—

Section 4, Subsections 1, 2 and 3.

Section 11, Subsections 1, 2, 6, 7, 8.

Section 12, Subsections 1 and 2.

Section 13, Subsections 1 and 2.

Section 14.

Section 15, Subsections 1, 2 and 3.

Section 16, Subsections 1, 2 and 3.

Section 18.

Use as basis for additional sections the following provisions of the Dairy Products Marketing Regulation Act, 1934-37:—

Section 15—Deputy members.

Section 17—Officers of the board.

Section 18—Departmental inspectors.

Section 20—Licensing of agents, merchants, retailers, producers owning 150

birds or more and who sell direct to consumers.

Section 21—Licensing of storage places.

Section 22—Licenses to be annual.

Section 25—Power of board to grant, refuse and cancel licenses.

Section 26—Transfer of licenses for storage place.

Section 27—Power of board to require returns and particulars.

Section 28—License, how cancelled.

Section 29—Administration contribution to be paid on proceeds of eggs, but proceeds of eggs to be subject to administration contribution only once.

Section 30—Stabilisation contribution.

Section 31—Limitation of rate of administration and stabilisation contribution.

Section 32—Powers and functions of the board.

Section 36—Dairy products intended for storage and export.

Section 39—Dairy products for export or storage to be graded.

Section 40—Storage to be in a licensed storage place.

Section 41—Substitute for this section purposes for which board may expend stabilisation funds—

(a) Making good any financial loss in respect of surplus eggs unsold at end of each week.

(b) Making good any financial loss where eggs are placed in licensed cool store arising from—(1) fall in price; (2) fall in quality; (3) costs of storage.

(c) Payment of an amount sufficient to bring net financial return from export up to net financial return for similar grade of eggs if sold on the local market.

Member: Why all this?

Mr. CROSS: I have been told that the producers did not ask me to introduce the Bill and, to combat that statement, I am telling the House just what the producers asked me to do.

Section 42—Application of the funds of the board.

Section 43—Advance by Treasurer or under Rural Credits Act.

Section 51—Sales of dairy produce by certain persons prohibited.

Section 52—Powers of inspectors.

Section 56—General penalty.

Provision to be inserted in Egg Marketing Act, 1938, empowering board to take over assets and liabilities of the voluntary egg stabilisation committee.

That is what the producers asked to have embodied in the new measure. When so many amendments were desired, I thought the simplest way would be to repeal the existing Act and introduce a new measure. The



poultry keepers were really throwing overboard the main principles of the existing Act, particularly the provision for acquisition, and if members study the proposals they will see that I have got very close to their requests. These gentlemen told me that, having no experts amongst their number, they sought the advice of the departmental experts. Several conferences were held between the two sections of the industry, and when I introduced the deputation to the Minister, the two sections had agreed upon what was wanted. I was present when they asked the Minister to introduce legislation, and after he had stated he would not do so, I told them that I would. That is how the Bill comes to be before the House.

I am sorry the member for Toodyay (Mr. Thorn) is not present because he challenged me to say what section, if any, of the producers asked me to introduce the Bill. I repeat that I was asked to do so by both sections. Having taken the matter up and realising that this is going to be a valuable export industry for the State, I intend to do all in my power to assist it. If members wish to help, they will find that I am not wedded to everything contained in the Bill, but I am here to do something for the egg producers and for the State. Legislation has been introduced by various members to benefit the producers of wheat, currants, potatoes, and onions, and I look to them to support this Bill.

Hon. C. G. Latham: When did you support such measures?

Mr. CROSS: Doubtless the Bill contains a good deal of verbiage—

Mr. Raphael: Verbiage or garbage?

Mr. CROSS: —but that is unavoidable in making provision to control the egg market in this State. The Minister for Agriculture, in speaking on the Bill, asked for certain information, and I shall attempt to provide it. He asked whether many of those whom it is desired to control were of their own volition levying themselves and supplying eggs under the authority of the present committee. A considerable number of those engaged in the industry is contributing to the present voluntary stabilisation committee. The Minister also wanted to know what safeguard there would be to prevent an unduly high price being maintained over a limited period and whether there was a danger of

the consumer being exploited. That was a legitimate question and members are entitled to an answer. My reply is that there is no danger of the producer being exploited, because an attempt in this direction would react against the moneys in the stabilisation fund. The price that can be charged is determined by the absorptive capacity of the market. This means that the price is fixed according to the number of eggs the market can consume. If a price greater than the absorptive capacity of the market was charged, the result would be that a large surplus of eggs would be accumulated, which would later have to be sold at such a serious reduction on the original price that it would lead to a great loss to the stabilisation fund. Actually, that aspect will be governed by the law of supply and demand.

The Minister also wanted to know what rule governed the quantity of eggs lifted from the market for export. During the export season all the surplus eggs are deemed to be available for export, and after the local market has absorbed all it can, the remainder are graded and packed for export. In other words, the quantity that cannot be absorbed by the local market is packed for export. Another point on which the Minister sought information was how the agents financed their purchases and the storing on a falling market, and he also asked what agreement existed between the committee and the agents. The agents arrange their finances through the usual channels. On a falling market, however, they are guaranteed against loss for surplus eggs from the moneys of the stabilisation fund. The charges made by agents for selling eggs on the local market are the same as those that have operated for many years. That is all the information I have for the Minister. The proposal to take over the assets—

Mr. SPEAKER: The hon. member is only entitled to reply.

Mr. CROSS: The Minister asked what would happen to the liabilities of the present voluntary stabilisation board. An amendment appears on the notice paper dealing with that matter. The position is that the voluntary stabilisation board has no liabilities; it has in hand some £2,000, which will be taken over by the proposed new board. Replying to the member for West Perth, I point out that the object of the Bill is to create as little disturbance to the industry

as possible. Most of the eggs produced in the State are exported.

Mr. Patrick: Most of the eggs are not exported.

Hon. C. G. Latham: Not half of them.

Mr. CROSS: I have the figures. More than 60 per cent. of the eggs produced in this State at present are being exported.

Hon. C. G. Latham: I say they are not.

Mr. CROSS: The hon. member does not know how many eggs are exported.

Hon. C. G. Latham: You can get the export figures from the Government Statistician.

Mr. SPEAKER: Order!

Mr. CROSS: I have a mass of figures, but I do not wish to weary the House with them.

Hon. C. G. Latham: We do not want you to do that.

Mr. Raphael: How far back do the figures go?

Mr. CROSS: They are recent figures. I have returns for only a couple of weeks. The point is that the measure will not permit anything to be done that is not being done at present; what it will do is to make that compulsory. The Bill will make the stabilisation fund compulsory. The idea is to take surplus eggs from the market when there is a glut, thus preventing dealers and agents from buying them at a low price and putting them in cold storage, to be taken out again when eggs are scarce and sold at high prices. Such persons become speculators in eggs, and neither the producer nor the consumer receives any benefit. In my opinion, the Bill does not go far enough and I have said so to many of the producers. Eventually they will have to handle their own eggs and sell them in their own market.

The member for Middle Swan (Mr. J. Hegney) made mention of the returns obtained by producers. I think I am in order in replying to him, Mr. Speaker, because he told the House about a man who had sent 79 dozen eggs to the market. Three or four weeks later that producer received a docket. The docket is on the hon. member's desk and any member who so desires can inspect it. This is the kind of deal that that producer got: Out of the 79 dozen eggs, which had been carefully candled and graded at his own place, 49 dozen were shown, after having been graded on the egg floor, as being standard cooking eggs, al-

though they were standard eggs when they left the producer's property. A number of other eggs had blood spots, and for these he got nothing. Some were cracked, and for these a low price was paid. A further number was stated to be suitable for cooking purposes only. If the hon. member will carefully read the letter that I read, he will find that the average return for those eggs was less than 6d. a dozen; but they were sold in the city to consumers at 1s. 3d. and 1s. 4d. a dozen.

Producers of eggs are being robbed; and this Bill is an attempt to stabilise the price of eggs. It is something for which the producers asked. I have discussed the measure with some of the leading producers in districts outside my electorate and they are in accord with it. I have discussed it with Mr. Knight, one of the biggest producers in the electorate of the member for Swan. Mr. Knight should know what he is talking about, and he does. I have also discussed the measure with producers in the electorate of His Honour the Speaker. They have been in the industry for many years and know what they are talking about. The Bill is an honest attempt to give these producers a fair crack of the whip. They are struggling on without Government assistance and are making good. After the war they will form the nucleus of a valuable export industry.

Question put and passed.

Bill read a second time.

#### *In Committee.*

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

Clauses 1, 2—agreed to.

Clause 3—Operation:

Mr. WATTS: I move an amendment—

That the proviso be struck out.

If the measure is as good as the member for Canning says it is, then it is good for the whole State. It is not right that the Governor should have authority first to exempt from and then to include in its provisions any section of the community that would otherwise be covered by the measure.

Mr. CROSS: I oppose the amendment. For instance, I am aware of what takes place in the electorate of the hon. member, because I resided in it before he was there.

Mr. Watts: Times have changed since then.

Mr. CROSS: But not in this respect. The farmers in that electorate sell a few dozen eggs a week to the local storekeepers and the Bill will not interfere in any way with that practice. The local storekeeper, however, might send a few cases of eggs to Perth and these would come under this legislation. Members will realise that it would be undesirable to include the North-West part of the State in this legislation.

Mr. SAMPSON: The board in New South Wales has not authority over the whole State. The amendment is impracticable, because in many districts of the State there are no persons engaged in the production of eggs. I hope the member for Katanning will not persist with his amendment.

Amendment put and negatived.

Clause put and passed.

Clause 4—agreed to.

Clause 5—Interpretation:

Mr. WATTS: I move an amendment—

That in line 16 after the word "producer" the words "subject to sections six and sixteen of this Act" be inserted.

The Bill in its present form contains three definitions of "producer." One is to be found in Clause 6. It is customary, when looking for a definition in an Act, to regard that found in the interpretation clause as being the one that controls the measure. But there are two other definitions in Clauses 6 and 16, and the amendment will be an indication that the interpretation is subject to the qualifications of those clauses.

Mr. CROSS: I oppose the amendment. One of the definitions is only for the purpose of voting for the election of members to the board.

Mr. WATTS: The member for Canning misunderstands the amendment. All I wish to do is to indicate to those who will read this measure that there are other definitions of "producer" in the Act. I have not the slightest intention of interfering with the general definition of producer.

Amendment put and passed.

Mr. WATTS: I move an amendment—

That in line 21 after the word "a" the word "daily" be inserted.

The notice, it is proposed, shall be published in the "Government Gazette" and in a newspaper published in Perth. Some newspapers in Perth have a very small circulation, whereas the daily newspapers have a large circulation. I have no ob-

jection to the notice appearing in other publications, if those responsible think the matter requires greater publicity; but the notices should be published in a daily newspaper, to which the greater number of the public has access.

Mr. Cross: I have no great objection.

The MINISTER FOR WORKS: This may not be as comprehensive as might be desired. It is not a question of inserting a notice in a daily paper, but of inserting it in one that circulates throughout the State. That is what we need to provide for.

Mr. Watts: That is dealt with in the next amendment I propose to move.

Amendment put and passed.

Mr. WATTS: Pursuant to the suggestion of the Minister for Works I move an amendment—

That the following words be added to the definition of "public notice":—"and circulating throughout the State."

The MINISTER FOR WORKS: I do not know that this is fair to other papers. There are weekly papers circulating throughout the State. Why prevent the notice appearing in them? For instance, the "Sunday Times" is sent throughout the State.

Mr. Cross: And the "Primary Producer."

The MINISTER FOR WORKS: Yes, I want to know the reason for the proposed restriction.

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

Clause 6—Appointment and constitution of the Board:

Mr. WATTS: I move an amendment—

That in line 2 of Subclause 5 the words "two, both" be struck out and the words "four, all" inserted in lieu.

The clause deals with the number of elective members who shall sit on the board, and specifies that there shall be two, both of whom shall be producers. The net result is that out of a board of five two will be producers. If the amendment is agreed to there will be four producers on a board consisting of seven members. It is essential to my mind that the producers of this commodity should have a great deal better representation than two-fifths. The same trouble has been experienced for a considerable time in regard to producers' representation on other organisations or boards in Australia. I am glad to be able to say that only recently

the new Federal Government has seen fit to increase to at least 50 per cent. the representation of producers on various boards. That policy should be adopted in this instance. I do not suggest that other sections of the community interested in this matter should not be represented on the board, because I believe their interests require conservation, and there are people other than producers who are experienced in the industry and whose advice and assistance would be of value. However, the producers should have a majority representation on the board. I do not wish to minimise the other representation suggested in the Bill, and therefore think it reasonable to leave that representation intact, and to increase the producers' representation.

Mr. CROSS: I oppose the amendment. I discussed it with producers, and they said there was not a million to one chance of its passing through this House, let alone another place. Every member knows that there is no likelihood of producer control of the board being agreed to.

Mr. Mann: You can influence your side of the House in an important matter like this.

Mr. CROSS: There would be no chance of the proposal being accepted in another place. The suggested representation is quite satisfactory. Two out of the five members will be producers, there will be a representative of the department—probably Mr. Baron Hay, who would be a good man for the position—another man who knows something about the industry, and a consumers' representative.

Mr. MANN: I am surprised at the member for Canning's refusal to agree to the amendment. He told us that he had introduced the measure at the special request of the producers, that his heart went out to the unfortunate men who were trying to make a living by poultry-farming. I was looking for the nigger in the woodpile, and apparently here it is! The hon. member knows that when he brought this lengthy Bill down the Minister gave it his blessing.

Mr. Patrick: He damned it with faint praise.

Mr. MANN: The member for Canning is out of step with the Federal Government which consists of members of his own party.

Mr. STYANTS: The attitude adopted by the member for Beverley is difficult to

understand. This is an instance where we on this side of the House have introduced legislation to assist producers, but although we have gone a fair and reasonable distance along the road, members opposite want to "hog" the whole lot. I wonder what the hon. member would say if we submitted a proposal for the Arbitration Court to comprise four members elected by the trade unions.

Hon. C. G. Latham: You have two out of three on the Bench!

Mr. STYANTS: One! That, in effect, is the type of proposal to which the member for Beverley wants us to agree. I consider that the constitution of the board as proposed in the Bill provides fair representation for all sections of the community. The producers who, I will admit, are the principal ones concerned, are given two representatives on a board of five. The Government has certain representation and the consumers, another important section of the people, are also represented.

Mr. Patrick: Mr. Scully said there was no reason why producers should not have majority control.

Mr. STYANTS: I am not responsible for what Mr. Scully said, and I doubt whether the hon. member would quote Mr. Scully except to suit his own purpose. Probably what appeared in the Press concerning Mr. Scully's remarks required some qualification. Producer control of a board is a principle that has never been agreed to by this Parliament.

Mr. Patrick: What about the Dried Fruits Board?

Mr. STYANTS: I hope the clause will be agreed to.

The MINISTER FOR WORKS: One objection to the amendment is that it would increase the membership of the board from five to seven. The proposed composition of the board gives fair representation to the producers. Members opposite must agree that it would be wrong to have on a board such as this, which fixes prices, a majority of producers. Someone mentioned the Dried Fruits Board, but that board has no power to fix prices.

Hon. C. G. Latham: It does, though!

The MINISTER FOR WORKS: Prices have been fixed in the way in which prices are often fixed, by an unauthorised method, by the setting up of a limited number of agents in this State, who agree amongst

themselves. The Act does not empower the board to fix prices. It is true that the Dried Fruits Board is composed entirely of producers.

Hon. C. G. Latham: With an independent chairman.

The MINISTER FOR WORKS: But in this instance the board will engage definitely in price-fixing. I suggest the public would not have much confidence in a board such as that contemplated by the member for Katanning. If members desire to popularise the board, here is the opportunity. The difficulty is to maintain prices on a fair basis. The Minister for Agriculture pointed out that at certain periods of the year there is always a serious glut of eggs which makes the fixing of prices the more difficult. What is required is a board sympathetically inclined to the producers and animated with a desire to secure adequate prices. That is the utmost that could be expected. The present board has done excellent work and there has never been a suggestion that the consumers' representative has not given the producers a fair deal. Antagonism will be eliminated if the proposal in the Bill is agreed to. To give the producers a majority on the board would not improve the situation.

Mr. SEWARD: I support the amendment. I can see the point made by the Minister for Works, and perhaps the member for Katanning would agree to alter his amendment to provide for three instead of four.

Mr. Cross: A board of five members is quite large enough.

Mr. SEWARD: Such a board may not be large enough. We consider it essential to have adequate, if not majority representation of producers on the board. The Minister referred to the necessity for the producers receiving a reasonable price, and that is the object of the amendment. I remind the Minister that a regulation has just been tabled which affords a very good illustration of how the interests of producers are overlooked when they do not have adequate representation on a board of this description. The regulation I refer to provides that in fixing costs the producer is not allowed to take into consideration any interest paid on other than debts to the Government, and, further, is not permitted to have regard to payments he has made during the year under a hire purchase agreement. Such a regulation is most extraordinary. How could the man's costs of production be ar-

rived at if he has to eliminate such expenditure?

The Minister for Works: That is out of capital expenditure.

Mr. SEWARD: The expenditure on interest on debts and payments under a hire purchase agreement are part of the producer's commitments and must be taken into consideration in arriving at his cost of production. That very instance shows how necessary it is to have adequate producer representation on boards of this description. I suggest to the member for Katanning that he considers having a board comprising three producer representatives, three to represent other interests, and a chairman who would be independent and have the casting vote.

Mr. WATTS: I am surprised at the opposition that has been displayed. I am not averse to the suggestion put forward by the member for Pingelly, and would be satisfied with equality of representation; but I shall not agree to any board constituted to deal with the handling of primary products on which the producers have minority representation. The time has long gone past when we can contemplate a board of that description. There have been complaints throughout the country about the statutory boards on which the producer has minority representation. However good may be the representation of the other sections, the producers believe that unless they have equality of representation there is an imminent risk of their interests being overlooked. If the member for Canning will withdraw his objection to the amendment, I am prepared to insert, if the Committee is agreeable, the words "three or" instead of "four or." Beyond that I will not go. It is essential that they should have at least equality, if not a majority, on the committee.

Mr. McDONALD: This matter involves a principle of far-reaching application. When any body of producers does not require compulsory powers by legislation, it may have 100 per cent. representation on any organisation it creates for the purposes of marketing its products. When it seeks, from the people of the State, through the Legislature—I am seeking now on behalf of no section of the people—powers which they could possibly exercise for their own benefit as against other sections, it is our duty to see that the balance is held fairly. I do not object to equality of representation, but I would not agree that these producers should

have the majority of representation. Western Australia is passing through extremely difficult times and we might extend to primary producers the indulgence of equal representation.

Hon. C. G. Latham: They would not abuse it; it would be against their interests.

Hon. N. Keenan: No.

Hon. C. G. Latham: Where would their markets be if they did abuse the privilege?

Mr. McDONALD: The producers may go through still more difficult times, and they deserve all the encouragement we can offer. For that reason I am prepared to agree to equal representation if the member for Katanning will confine his amendment to that.

Hon. C. G. LATHAM: It is our policy to have majority representation. For the first time, for a long period, we have a Government which is prepared to admit that we are right. Just recently it has done what we have attempted to do for a long while. The farmers are not likely to abuse the privilege. Most of the eggs consumed in Kalgoorlie come from Adelaide.

Mr. Styants: Why is that?

Hon. C. G. LATHAM: Because people can buy them cheaper than is possible from this end. Kalgoorlie consumers are not concerned about Western Australian production. The farmer knows what it costs him to produce his article, and he is entitled to receive a little more than the cost of production.

Mr. Styants: That is what we have been trying to get for him.

Hon. C. G. LATHAM: Farmers have not got it. Every manufacturing industry fixes a selling price commensurate with its costs, but when the farmer endeavours to obtain a reasonable price, objection is raised. The Committee, and the House itself, has protested against the farmer fixing a price for his commodity. The general public has not backed that opinion. For a long time butter was produced in this State far below cost. That created trouble for everybody.

The Minister for Works: This Government introduced both measures.

Hon. C. G. LATHAM: If the Government had introduced this Bill it would have appreciated the point I am raising. The producers have to depend on this market. The importation of eggs from the Eastern States cannot be stopped, and they, therefore, fix a competitive price.

The Minister for Works: The difficulty is not in fixing a price but in getting it.

Hon. C. G. LATHAM: That may be so.

*Sitting suspended from 6.15 to 7.30 p.m.*

Mr. CROSS: I oppose the amendment.

Hon. C. G. Latham: I thought you represented the producers.

Mr. CROSS: I do, but I knew that I could not get the Bill through if provision was made for producer control. Members of the Opposition would not agree to the workers having majority representation on the bench of the Arbitration Court.

Hon. C. G. Latham: They have it now.

Mr. CROSS: They have not.

Hon. C. G. Latham: Yes, they have—the President and a member.

Mr. CROSS: Any section that has the right to fix its own prices should not have majority control on a board. The Bill provides fair representation for the producers and they are satisfied with it.

Mr. SAMPSON: The Bill does not provide fair representation. The proposal is most reactionary, and quite unworthy of the hon. member who is trying to do something to assist the producers. To say that representatives of the growers should not be in a majority is to live in days long past. No member awake to the trend of modern political thought would be guilty of this, and I am disappointed with the member for Canning. I want him to stand for majority representation. If the Bill affected trade unionism, the proposal would be termed "scabbing on the workers," and that is the effect in relation to the producers.

Mr. FOX: I oppose the amendment.

Mr. Sampson: And thou, too, Brutus! Our onion king!

Mr. FOX: If anyone is qualified to speak of reactionary measures, it is the member for Swan.

The CHAIRMAN: Order!

Mr. Sampson: I will give an opinion of you in a moment.

The CHAIRMAN: Order! If the member for Swan defies the Chair, he will not remain in his place much longer. The member for South Fremantle should understand that personalities must not be introduced.

Mr. FOX: The number of members of the board should be kept to a minimum in order to lessen expenses. The member for Canning will have an opportunity to suggest

a representative of the consumers who, I am sure, would be sympathetic to the producers. There is a board in my district, and all its members are sympathetic and anxious to ensure that the producers get a fair deal. The board provided for in the Bill should work satisfactorily.

Mr. MANN: I hope the member for Canning will agree, if not to four, to three representatives of the producers. The Minister for Works raised a point regarding representation. What about the men who are growing vegetables in his electorate? The people are sympathetic and realise that the producer is entitled to a fair return. Other industries have a right to fix the prices for their commodities, and surely the producers of eggs, in this enlightened age, should have some say in the control of their industry! Members on the Government side should realise that the producer has no wish to exploit the public; all he asks is the right to live. If the hon. member wants the Bill to pass, he should accept the amendment.

Mr. SAMPSON: I was disappointed to hear the member for South Fremantle express such out-of-date sentiments. I am prepared to keep the strength of the board down so long as the producers have a majority of members. The member for South Fremantle should not embrace views that were in vogue when the Minister for Mines was a lad.

The Minister for Mines: That was not long ago.

Mr. SAMPSON: Well, last century! Two representatives of the producers would be satisfactory so long as the board consisted of three members. But whatever comes or goes, there must be a majority of growers' representatives. Are we to hand over the lives or the businesses of these producers to others? No wonder people are drifting in from the country! We do too much to discourage the securing of a livelihood from the land.

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

Ayes	..	..	..	17
Noes	..	..	..	19
				—
Majority against	..	..		2
				—

## AYES.

Mr. Berry	Mr. North
Mr. Boyle	Mr. Sampson
Mrs. Cardell-Oliver	Mr. Seward
Mr. Hill	Mr. J. H. Smith
Mr. Keenan	Mr. Warner
Mr. Latham	Mr. Watts
Mr. Mann	Mr. Willmott
Mr. McDonald	Mr. Doney
Mr. McLarty	

(Teller.)

## NOES.

Mr. Abbott	Mr. Shearn
Mr. Coverley	Mr. F. C. L. Smith
Mr. Cross	Mr. Styanis
Mr. Fox	Mr. Tonkin
Mr. Hawke	Mr. Triat
Mr. W. Hegney	Mr. Willcock
Mr. Hughes	Mr. Wilson
Mr. Millington	Mr. Withers
Mr. Needham	Mr. J. Hegney
Mr. Panton	

(Teller.)

## PAIRS.

AYES.	NOES.
Mr. Thorn	Mr. Johnson
Mr. Stubbs	Mr. Collier

Amendment thus negatived.

Mrs. CARDELL-OLIVER: I move an amendment—

That the following words be added to Sub-clause 5:—"and one of whom shall be a woman."

In this Bill the member for Canning endeavours to protect small producers. On any farm it is the woman who feeds the fowls and markets the eggs. In passing my amendment the Committee would be paying a tribute to farm women. These women are the producers of eggs. They play a great part in the industry.

Mr. CROSS: The amendment proposes to limit the right of the producers to elect members. It is open to them to elect a woman. In fact, they can elect either two men or two women as their representatives.

Mrs. CARDELL-OLIVER: Although I agree with the member for Canning that two women might be elected, I think the position should be clarified by providing that one woman must be elected. Many boards have been elected in this State, but no women have been elected to them. Consumers have had difficulty in obtaining fresh eggs since the present Egg Board was created.

Mr. WATTS: I do not feel disposed to support the amendment in the place where the member for Subiaco proposes to insert it. I thought her intention was to insert it at the end of Subclause 6.

Mrs. Cardell-Oliver: I shall do it there too.

Mr. WATTS: In view of the amendment that is coming, I support this one.

Amendment put and negatived.

Mrs. CARDELL-OLIVER: I move an amendment—

That in line 2 of Subclause (6) after the word "members" the words "one of whom shall be a woman" be inserted.

The Committee was not disposed to accept my previous amendment, but I hope it will be magnanimous enough to pass this amendment.

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

Ayes	..	..	..	..	17
Noes	..	..	..	..	20

Majority against	..	..	3
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# AYES.

Mr. Boyle  
Mrs. Cardell-Oliver  
Mr. Hill  
Mr. Hughes  
Mr. Keenan  
Mr. Latham  
Mr. Mann  
Mr. McDonald  
Mr. McLarty

Mr. North  
Mr. Sampson  
Mr. Seward  
Mr. Shearn  
Mr. Warner  
Mr. Watts  
Mr. Willmott  
Mr. Doney

(Teller.)

# NOES.

Mr. Abbott  
Mr. Berry  
Mr. Coverley  
Mr. Cross  
Mr. Fox  
Mr. Hawke  
Mr. W. Hegney  
Mr. Leahy  
Mr. Millington  
Mr. Needham

Mr. Pantou  
Mr. F. C. L. Smith  
Mr. J. H. Smith  
Mr. Styanis  
Mr. Tonkin  
Mr. Triat  
Mr. Willcock  
Mr. Wilson  
Mr. Withers  
Mr. J. Hegney

(Teller.)

# PAIRS.

AYES.  
Mr. Thora  
Mr. Stubbs

NOES.  
Mr. Johnson  
Mr. Collier

Amendment thus negatived.

Clause put and passed.

Clauses 7, 8—agreed to.

Clause 9—Payment of members:

Mr. WATTS: I move an amendment—

That the following further proviso be added to the clause:—"Provided further that the total amount paid to the Chairman in any year shall not exceed one hundred guineas and the total amount paid to any member of the board in any year shall not exceed fifty guineas."

The great desire of the member for South Fremantle is to save expense and consequently I expect him wholeheartedly to support this amendment, because it will ensure that the expenses will be kept at a reasonable amount. The amendment does not limit the number of meetings of the board. I suggest that in one portion of the year more than one meeting per week would be necessary; but in other portions of the year fewer meetings would be required.

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

Clause 10—agreed to.

Clause 11—Powers of Board, how exercised:

Mr. WATTS: This clause provides that the chairman of the board shall be nominated by the Governor. It seems to me that the board, having been constituted by the election of two producers and the nomination by the Governor of three members, is best qualified to elect its own chairman in the usual manner. Because I believe that, I move an amendment—

That in lines 1 and 2 of Subclause 2 the words "who shall be nominated by the Governor" be struck out with a view to inserting the words, "who shall be elected by the members of the board in the prescribed manner."

Mr. CROSS: I oppose the amendment. The Governor would be advised by the Minister and the department which would have a knowledge of the men suitable to fill the position of chairman. Generally, chairmen of boards such as this are nominated by the Governor.

Mr. SAMPSON: I am sorry the member in charge of the Bill feels that he must be controlled by some method that has obtained in the past.

Mr. Cross: It is a safe method.

The Minister for Mines: The old school tie again!

Mr. SAMPSON: Yes. I am with the Minister on this occasion. Let the members of the board, as the Minister for Mines suggests—

The Minister for Mines: I did not suggest anything of the sort.

Mr. SAMPSON:—elect the man they think best qualified to be the chairman. This pandering to the Government, whatever Government it may be—

The Minister for Mines: You must not say anything detrimental about the Government. That is against the Standing Orders.

Mr. SAMPSON: I agree with the Minister, but it is a fact nevertheless. The member for Canning is usually so vigorous in his thought, but in this instance his opinion is actuated by methods that have prevailed in the past. Why is he trying to stultify the Bill before it emerges as an Act? We should have the very best measure possible and the poultry farmers of Canning and Swan will not thank the hon. member for opposing the amendment. I hope the Committee will agree



to allowing the members of the board to select the best man to be chairman and so prevent some antediluvian dud, some political hack perhaps, from being wished upon them.

The CHAIRMAN: I ask the hon. member to keep to the subject matter of the amendment.

Mr. MANN: I hope the member for Canning will agree to the amendment. I know an important board the chairman of which is elected by the members. I do not think the Government would select a political hack but the chairman should be chosen by the members. Why should the board be bound by the Government's decision?

The MINISTER FOR WORKS: I think the producers' representatives in this Chamber had better be careful. This is what could happen: The Government would appoint three members, one of whom would be a first-class officer of the department, another the consumers' representative, and the third a representative of the trade, probably a merchant. If it were left to the board to select the chairman, the merchant might be elected. How would that suit members opposite? I think they had better let the position remain as it is. Doubtless what would happen would be that the Agricultural Department officer would be chosen as chairman, and he would be unbiased. The departmental officer would not be antagonistic to the producers. At any rate that has been the experience in connection with the honorary board. No Government would appoint the wrong man but a man who would be unbiased. That is necessary, because provision is made later for the chairman to have two votes in the event of an emergency and members opposite would not desire to give a merchant two votes. It is not a question of a political hack being appointed, as was suggested by the member for Swan.

The CHAIRMAN: I hope the Minister will not discuss that aspect.

Amendment put and negatived.

Mr. WATTS: I move an amendment—

That in lines 2 and 3 of Subclause 2 the words "and, if the numbers are equally divided, he shall have a second or casting vote" be struck out.

I did not put this amendment on the notice paper because I had moved to increase the representation of the producers, an amendment that the Committee has seen fit to reject, and also because I had moved for the

chairman of the board to be elected by the board, which amendment the Committee has also rejected. I have no guarantee that the emergency to which the Minister for Works made reference will not arise in the proceedings of the board. While it would be doubtless quite wrong as the Minister suggested, for a merchant on the board to have two votes, as chairman, I think it would be equally wrong for any nominated chairman to have two votes. If he were an elected chairman it might be assumed that at least a majority of the board had sufficient confidence in him and it might be reasonable in those circumstances, as is usually done, to give him a casting or second vote. I submit my amendment in view of the present constitution of the board and the fact that the chairman has to be nominated and we have no idea who he might be.

Mr. W. HEGNEY: I do not know whether it is the intention of the member for Kataning to move for the insertion of other words if this amendment is carried. I do not believe in plural voting so, on principle, I support his amendment. A man should have one vote only, and the clause should provide that the chairman should have either a deliberative or a casting vote. What would be the position if the amendment were carried and the Bill remained silent on the position arising when an equal number of votes was cast? I suggest the question should then be resolved in the negative.

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

Clause 12—Deputy members:

Mr. WATTS: This clause provides that if one member of the board is absent by reason of illness or other incapacity, the Governor may appoint some other person to act during his absence. As this board will consist of persons representing various interests, the nominee should be a person with similar qualifications to the absent member. I move an amendment—

That in line 5 after the word "person" the words "similarly qualified or representative of the same interest" be inserted.

Mr. CROSS: I accept the amendment.

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

Clause 13—agreed to.

Clause 14—Departmental inspectors:

Mr. WATTS: I ask the Committee to reject this clause. It is that which gave rise to a point of order, and authorises the Min-

ister to make use of an inspector on the staff of the Agricultural Department for the purposes of this Act. This provision is most unsatisfactory. Further back in the Bill we have given the board power to appoint the necessary inspectors, and by this clause departmental inspectors who are under the control of the department will be performing duties for the board. If the board is to carry out its job, it should be vested with full authority. The Minister said the board had no semblance of connection with the Crown. Departmental officers should not be employed in the service of the board. The clause further provides that the Minister may fix the remuneration to be paid by the board to departmental officers. That is an unnecessary interference with the board's powers.

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

Ayes	..	..	..	..	14
Noes	..	..	..	..	23
Majority against					9

AYES	
Mr. Coverley	Mr. Millington
Mr. Cross	Mr. Needham
Mr. Fox	Mr. Tonkin
Mr. Hawke	Mr. Triat
Mr. J. Hegney	Mr. Willcock
Mr. W. Hegney	Mr. Withers
Mr. Leahy	Mr. Wilson

(Teller.)

NOES.	
Mr. Abbott	Mr. Panton
Mr. Berry	Mr. Raphael
Mr. Boyle	Mr. Sampson
Mrs. Cardell-Oliver	Mr. Seward
Mr. Hill	Mr. Shearn
Mr. Hughes	Mr. J. H. Smith
Mr. Keenan	Mr. Styants
Mr. Latham	Mr. Warner
Mr. Manu	Mr. Watts
Mr. McDonald	Mr. Willmott
Mr. McLarty	Mr. Doney
Mr. North	

(Teller.)

Clause thus negatived.

Clause 15 to 17—agreed to.

Clause 18—Dealers and retailers to be licensed:

Mr. WATTS: I move an amendment—

That in lines 2 and 3 of Subclause 1 the words "applied for and obtained a license from" be struck out and the words "be registered by" inserted in lieu.

The clause provides that no person shall carry on the business of a dealer or retailer unless he shall have first applied for and obtained a license from the board. Upon the fate of this amendment depends a number of other amendments of which I have given notice, because it will determine

whether the Committee is going to agree to the principle of licenses. I understand the member for Canning desires that retailers shall be controlled by the board and this can be done just as easily by registration as by licensing. A licensing system gives the holder something to sell and re-sell, and in other industries we have run the risk of building up goodwill and a practice of trafficking in licenses that was never intended. I ask the hon. member to accept the principle that registration by the board shall be the sine qua non of carrying on business by a retailer.

Mr. CROSS: I cannot see any danger of trafficking in licenses occurring. If a man had a license he would have no right to sell it, because the new owner of the business would first have to apply for and obtain a license from the board. In any event, what is the difference between registering and licensing a person? The difference is very slight.

Mr. McDONALD: The amendment should be accepted. It will not affect any essential principle of the Bill and will eliminate the element of a license implying something that is permissive. Under a later provision of the Bill a license may be refused, and against that decision there is an appeal, which shows that the board may or may not grant a license. I would be reluctant to have legislation passed that would restrict the opportunities of people reasonably to enter this industry.

Mr. SEWARD: I support the amendment. Once a license has been granted, provided a dealer carries on in a proper manner, he may anticipate a renewal and, if it is not renewed, he may appeal to a magistrate. Instead of adopting a licensing system, however, provision should be made for the board to register dealers.

Mr. STYANTS: The member for Canning would be well advised to accept the amendment. The issuing of licenses by the milk board created very undesirable conditions. If the clause is retained, application must be made for a license and, if the board refuses to grant one, legal proceedings must be instituted. That principle is wrong. A dealer who applies for registration and pays the fee should be registered and given the right to sell eggs. That would be the position under the amendment. In addition to that, if under this legislation the same procedure is adopted as that which operates

under the Milk Board, a license will certainly become a valuable asset, and something that can be traded in. I am not prepared to vote for legislation having that result.

Mr. CROSS: Some members entirely overlook the fact that this board will not operate at all in the same way as the Milk Board, because small shops will not be interfered with. Small shops need not either register or have a license. I do not believe there will be more than a dozen registered dealers. Producers send in their eggs to the market, and the dealers candle and grade them, and later send to the producers returns stating the quality of the eggs and the prices obtained. If a dealer was unfair to producers the board would probably cancel his license. Most of the producers say they are not getting a fair deal from the dealers in the returns from eggs sent to the market, but they have no redress. I ask the Committee to pass the clause now, and if I have made any statement that is wrong, "registration" can be substituted for "license" in another place. It is probable that the egg-producers will have to obtain a market of their own and do their own candling and grading.

Amendment put and passed.

On motions by Mr. Watts, in lines 6 to 9 of Subclause 1, the words "may apply to the board for the requisite license at any time within one month after the board is duly constituted, and may continue to carry on business in the meantime" struck out and the following words inserted in lieu:—"may continue to carry on business pending registration for which he shall apply within one month after the date on which the board was duly constituted"; in line 1 of Subclause 2 the words "a license" struck out and the word "registration" inserted in lieu, and in line 3 the word "license" struck out, and the following words added to the subclause:—"the board shall issue a certificate of registration in the prescribed form to every registered dealer or retailer;" and in line 1 of Subclause 3 the words "a license" struck out and the word "registration" inserted in lieu.

Clause, as amended, agreed to.

Clause 19—agreed to.

Clause 20—Licenses to be annual:

On motion by Mr. Watts, in line 1 after the word "All" the words "registrations and" inserted.

Clause 21—Licenses to be in prescribed form:

On motion by Mr. Watts, in line 1 of Subclause 1 after the word "licenses" the words "and certificates of registration" were inserted.

Mr. WATTS: I move an amendment—

That in lines 2 and 3 of Subclause 2 the words "carrying on business as a retailer or dealer, or" be struck out.

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

Clause 22—Power to grant, refuse and cancel licenses:

Mr. WATTS: This clause has reference to licenses to dealers and retailers. These have been discarded by the Committee. Later, in Subclause 2, reference is made to the license for a storage place. I move an amendment—

That in line 1 of Subclause 2 the word "license" be struck out and the words "certificate of registration" inserted in lieu.

The board has power to cancel licenses in circumstances where it thinks the actions of the retailer are improper. I agree with this provision, because the proviso to the subclause gives a right of appeal.

Amendment put and passed.

Mr. WATTS: For the reasons I have already given, I move an amendment—

That in line 3 of the proviso to Subclause 2 after the word "Act" the words "or any certificate of registration" be inserted.

Amendment put and passed.

Mr. WATTS: I move an amendment—

That in lines 6 to 8 of the proviso to Subclause 2 the words "in Perth or to a stipendiary magistrate sitting in such other place as the Minister may approve" be struck out.

It is new to me that it should be necessary for the Minister to approve of the place where the appellant is to conduct his case. The Committee has already agreed that the Government may exempt certain portions of the State from the operation of this measure; but it is only reasonable that the appellant should be able to appeal, if he has a grievance, to the nearest stipendiary magistrate. I shall move to insert words in place of those struck out.

Mr. CROSS: I have no objection to the amendment, as I think it will improve the clause.

Amendment put and passed.

Mr. WATTS: I move an amendment—

That the words "nearest to the place of business of the dealer or retailer or the storage

place in respect of which such certificate of registration or license has been cancelled or refused" be inserted in lieu of the words struck out.

Amendment put and passed.

Mr. WATTS: I move an amendment—

That in line 11 of the proviso to Subclause 2 after the word "license" the words "or certificate of registration" be inserted.

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

Clause 23—License for a storage place may be transferred:

Mr. WATTS: By Subclause 2 a prescribed fee is to be paid on transfers of licenses. I have always held the opinion that prescribed fees are sometimes too high. The fee should be fixed by the statute, and with that end in view, I move an amendment—

That in line 4 of Subclause 2 the word "prescribed" be struck out.

If the amendment is agreed to I shall move a further amendment to add the words "of five shillings."

Mr. CROSS: I do not know what fee will be prescribed by the board, but it may be a nominal fee of 1s. I am prepared to agree to the amendment if the member for Kataning will move to insert in lieu of the word to be struck out the words "of not more than five shillings."

Mr. WATTS: I agree.

Amendment put and passed.

Mr. WATTS: I move an amendment—

That at the end of Subclause 2 the words "of not more than five shillings" be added.

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

Clause 24—Power to require return and particulars:

Mr. WATTS: Certain returns are required under this clause. Similar returns required under other enactments are now so numerous that they are becoming increasingly cumbersome for people engaged in business. To leave the requirements of the individual business in regard to these returns to the sweet will of the board from meeting to meeting would be entirely wrong, though it would be satisfactory if regulations were promulgated by the board setting out what each and every one of the people concerned had to supply by way of particulars to the board. All would then be on the same level and would know exactly what they had to do, and if either House

of Parliament thought any of the regulations were unreasonable action could be taken to have them disallowed. I therefore move an amendment—

That in lines 8 and 9 of Subclause 1 the words "the board may deem necessary for the purpose of this Act" be struck out, and the words "may be prescribed by regulation" inserted in lieu.

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

Clause 25—agreed to.

Clause 26—Contribution by dealers and retailers to expenditure:

On motions by Mr. Watts, clause amended by striking out of line 1 of Subclause 1 the word "licensed" and inserting the word "registered" in lieu; by striking out of line 2 the word "licensed"; by striking out of line 3 of Subclause 4 the word "licensed" and inserting the word "registered" in lieu; and by striking out of line 4 of Subclause 4 the words "each licensed."

Clauses 27 and 28—agreed to.

Clause 29—Powers and functions of the board:

Mr. WATTS: I move an amendment—

That in paragraph 2 after the word "licenses" the words "and certificates of registration" be added.

Having given the board a certificate of registration to issue we must now give it power to issue.

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

Clause 30—agreed to.

Clause 31—Eggs intended for storage and export:

Mr. WATTS: I move an amendment—

That in line 5 of Subclause 1 after the word "retailer" the words "out of the eggs in his possession or control" be inserted.

As I read the subclause it means that the board could direct the retailer to get hold of eggs to satisfy the board's requirements.

Mr. CROSS: I think we had better leave the clause as it is because the whole object of the board will be to remove surplus eggs from the market. When there has been a glut of eggs the existing voluntary board has removed surplus eggs and had them put in cold storage. The Bill gives power to the board that is to be constituted to order surplus eggs to be so treated and then later on if there is a shortage in the market, to release those eggs from cold storage.

Mr. WATTS: The position is not at all clear to me. The clause deals with the quantities, classes or qualities of any eggs which must be stored by dealers or retailers. The implication to my mind is that it is not a question of the board saying to the proprietor of a storage place, "Here are a million eggs of which you must take care," but of its saying to a dealer or retailer whose business is handling, say, about 400 dozen eggs, "Here are a million eggs; fix them up for us," or else, "Acquire a million eggs, because we want you to look after them." In either of those circumstances a considerable hardship might be imposed on the dealer or retailer. The words I suggest do not damage the intention of the mover of the Bill, but they do make the position of the retailer a little clearer.

Mr. Cross: I am not over particular about it.

Amendment put and passed.

Mr. WATTS: I move an amendment—

That in lines 7 and 8 of Subclause 5 the words "or as may be required by the board" be struck out.

This follows on the previous consent given by the Committee for the board to prescribe its regulations, and not suddenly to arrive at a conclusion that it wants something extra.

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

Clauses 32 to 34—agreed to.

Clause 35—Application of the moneys in the Eggs Stabilisation Fund:

Mr. WATTS: I move an amendment—

That in lines 4 and 5 of Subclause 4 the words "or as may be required by the board" be struck out.

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

Clauses 36 to 47—agreed to.

Clause 48—Assets vested in board:

Mr. CROSS: In the drafting of this Bill the fact was overlooked that the present voluntary board may have liabilities. Should any accounts be owing, which would constitute a liability, the board, when it takes over the assets, will also take over any liabilities. The voluntary stabilisation committee, however, has done a good job and is in a sound financial position. I move an amendment—

That in line 3, after the word "assets," the word "liabilities" be inserted.

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

Clause 49—Repeal of the Marketing of Eggs Act, 1938-39:

Mr. SEWARD: I suggest that this Act should not be repealed. A poll has to be taken before the board proposed under this Bill can come into existence. Although the member for Canning has stated that he has had requests from some producers to bring down this Bill, and no doubt he has, on the other hand other producers do not want it. If a poll is taken which results against the creation of this board, then neither board could come into existence.

Mr. Cross: We would still have the voluntary stabilisation committee.

Mr. SEWARD: If the producers elect a board under this measure the other will go out of existence, but if they prefer to operate under the present Act, they can.

The Premier: Would this Bill and the present Act conflict?

Mr. SEWARD: No.

Mr. WATTS: I strongly urge the Committee to delete this clause. The 1930 Act has never been brought into operation.

Mr. Cross: The producers do not want it.

Mr. WATTS: There has been no ballot to appoint a board. That Act works on almost entirely different lines from this Bill and the board constituted under it may acquire all the eggs without a stabilisation fund. Because no ballot has been held, the Act has not been operative.

The Premier: Suppose someone wanted a board constituted under this Bill?

Mr. WATTS: The Governor-in-Council is not without commonsense. Both measures have the provision that a certain number of producers have to make application to him. If such a request is made under the 1938 Act, the Governor would permit the ballot under that Act; if, on the contrary, this proposed Bill were on the statute-book and a request was made under it, I presume the Governor would grant that request and would not grant any subsequent request under the earlier Act. Having granted one application, he would not grant the other. Until one or other of these boards is brought into existence, there can be no control of eggs. The member for Canning says a large number of producers want an Act entirely different from the 1938 statute. Since we discussed the second reading, I have received a mes-

sage on behalf of 200 poultry producers who form the poultry section of the P.P.A. stating that, for the reasons I have given, they infinitely prefer that the 1938 Act be not repealed. Let us leave the producers the right to say which they want—compulsory acquisition, price-fixing and control under the 1938 Act, or stabilisation and the other proposals in the measure before us.

Mr. CROSS: It is strange that the poultry section of the P.P.A. has not got into touch with the sponsor of the Bill and has allowed three years to elapse without making any attempt to use the Act. That section was a party to the conferences in August last and agreed that its members did not want the principle of acquisition. In replying to the second reading debate, I read a letter containing the official notification to that effect. This Bill incorporates the proposals agreed upon in conference. We do not want to have two measures in operation as that would create the greatest confusion. The Act should be repealed so that producers will know definitely where they stand. If the poultry section of the P.P.A. is sincere, why was action not taken earlier?

Mr. Seward: Who would pay for the poll?

Mr. CROSS: It would not cost much. Anyhow, there are enough poultry keepers in my electorate to carry a poll.

Mr. Watts: Are they going to pay for it?

The CHAIRMAN: The member for Canning will disregard interjections.

Mr. CROSS: I hope the Committee will defeat the move of the Opposition to create confusion.

The MINISTER FOR WORKS: Members may rest assured that they cannot have two Acts. If we permitted that, what would be the position of the Governor-in-Council? There would probably be applications under both measures. We are not going to have that. Members must decide which they want. Unless members have been playing with Parliament in dealing with this measure, the Act must go by the board. I am not particular which measure is adopted, but the choice will not be left to the producers. Parliament is the body to decide that. I have never heard of such a preposterous proposal as that of having the two Acts.

Hon. C. G. LATHAM: I agree that to a certain extent some difficulty might arise, but not so much as the Minister fears.

The Minister for Works: You do not know of a similar case.

Hon. C. G. LATHAM: The Divorce Act and Rules of Court deal with the one subject.

The Minister for Works: There are not two Divorce Acts.

The Minister for Mines: And they do not have elective boards.

The Minister for Works: Parliament is the body to decide this matter.

The Premier: What if there were two sections of about equal strength asking for boards to be constituted under each of the two Acts?

Hon. C. G. LATHAM: I have been waiting for the member for Katanning to return. Doubtless he will be able to present a very good case for his amendment.

Mr. WATTS: I am surprised at the suggestion that the amendment is merely designed to create confusion.

Mr. Cross: It will.

Mr. WATTS: There is no real need for any confusion. Neither of the measures can become operative until a certain number of producers ask for a poll.

The Premier: Suppose two sections of producers about equal in number formed deputations?

Mr. WATTS: There would be no deputation; a petition has to be presented signed by not fewer than 50 producers engaged in the industry.

The Premier: Suppose a petition came from 200 in each section?

Mr. WATTS: The organisations would decide under which measure they proposed to take action, and that would constitute the request to the Governor-in-Council. Probably some of the poultry keepers in the Canning electorate are not clear whether they want this measure. If we had both measures on the statute-book—they provide for entirely different systems of handling eggs—the producers could then decide which they wanted.

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

Ayes	..	..	..	..	20
Noes	..	..	..	..	18
					—
Majority for	..	..	..	..	2
					—

## AYES.

Mr. Berry  
Mr. Coverley  
Mr. Cross  
Mr. Fox  
Mr. Hawke  
Mr. J. Hegney  
Mr. W. Hegney  
Mr. Hughes  
Mr. Leahy  
Mr. Millington

Mr. Needham  
Mr. Panton  
Mr. Raphael  
Mr. Rodareda  
Mr. Styanis  
Mr. Tonkin  
Mr. Triat  
Mr. Willcock  
Mr. Withers  
Mr. Wilson

(Teller.)

## NOES.

Mr. Abbott  
Mr. Boyle  
Mrs. Cardell-Oliver  
Mr. Hill  
Mr. Keenan  
Mr. Latham  
Mr. Mann  
Mr. McDonald  
Mr. McLarty

Mr. North  
Mr. Sampson  
Mr. Seward  
Mr. Shearn  
Mr. J. H. Smith  
Mr. Warner  
Mr. Watts  
Mr. Willmott  
Mr. Doney

(Teller.)

Clause thus passed.

Clause 50, Title—agreed to.

Bill reported with amendments.

**BILLS (3)—RETURNED.**

- 1, Law Reform (Miscellaneous Provisions).  
Without amendment.
- 2, Plant Diseases (Registration Fees).  
With an amendment.
- 3, Rights in Water and Irrigation Act Amendment.  
With amendments.

**BILL—FIRE BRIGADES ACT AMENDMENT.***Council's Message.*

Message from the Council received and read notifying that it insisted on its amendment to which the Assembly had disagreed.

**BILL—WORKERS' COMPENSATION ACT AMENDMENT.***Council's Message.*

Message from the Council received and read notifying that it had agreed to the Assembly's amendment to the Council's amendment No. 1, subject to a further amendment made by the Council.

**BILL—INDUSTRIES ASSISTANCE ACT AMENDMENT.***Second Reading—Ruled Out.*

Order of the Day read for the resumption from the 5th November of the debate on the second reading.

**MR. SPEAKER** [9.25]: After long and careful consideration of the provisions of this Bill, I have come to the decision that it must be ruled out of order.

Fixing rates of interest (being revenue) and fixing times for the payment of interest and the repayment of principal are appropriations within the meaning of Subsection 8 of Section 46 of the Constitution Act, 1899; and consequently that subsection makes the Bill out of order unless the purpose of the appropriation has, in this session, been recommended by Message from the Governor.

Under the provisions of the Bill, interest is to be remitted or waived for the first twelve months and repayment of principal is to be remitted or waived during the first four years, and both interest and principal are payable in respect of statutory advances made under the Industries Assistance Act, 1913-1931.

I am further supported in my ruling by the following passage from "May's Parliamentary Practice," 12th Edition, page 460:—

Prior to 1875, it had been held that a proposal for the remission of statutory advances by the Treasury did not come within the standing orders. This exemption no longer exists, as these advances are made recoverable by statute, as specially debts due to the Crown.

The Bill provides for a remission of statutory advances and is, therefore, out of order.

*Dissent from Speaker's Ruling.*

Mr. Seward: I have listened attentively. Mr. Speaker, to what you have said; but—

Mr. Speaker: If the hon. member wishes to discuss the ruling, he must move that it be disagreed to.

Mr. Seward: I move—

That the House dissent from the Speaker's ruling.

I point out that the Bill does not make provision for the payment or repayment of interest or for the repayment of advances from Consolidated Revenue. When I was introducing the Bill, I was careful to point out that the money proposed to be dealt with was money made available by the Commonwealth to the State. It is not part of the ordinary Consolidated Revenue of the State which is raised by taxing the people of the State. It is special money, provided by the Commonwealth to be utilised in certain directions. Those directions have been

laid down by the Commonwealth, and this House has been led to believe that they have been agreed to by the State Government.

The Premier: We also agreed to pay the money back.

Mr. Seward: Of course. There is nothing in the Bill to indicate that the money must not be paid back. We have no right to assume, when passing a Bill, that some event will take place in the future that might prevent certain action being taken.

The Premier: We know by our experience.

Mr. Seward: If that were so, we could not pass any Bill at all.

The Premier: Yes, we could.

Mr. Seward: We have no right to assume that some person will not be able to meet his obligations to the Crown if this Bill passes.

The Premier: We have only our experience, which has proved to be right.

Mr. Seward: I cannot agree with that. First, we have to bear in mind that this money has been made available at a rate of interest lower than that at which other money could be lent to the recipients.

The Premier: It was lent to the Government.

Mr. Seward: And that being so, how can it possibly be contended that, because a man could not meet his obligations if he had to pay interest at the rate of 5 per cent. or 6 per cent., he therefore could not meet them if he had to pay only 1½ per cent., or whatever the interest may be—certainly not more than 2 per cent.? It is illogical, unreasonable and unfair to take up the attitude that a private member cannot introduce a Bill such as this because somebody will be prevented, or may be prevented, from doing something at some future date. The men concerned made application to the Government; they presented their case to the Government. They said, "This is our position. We ask you to give us a certain amount of money in order to carry on." Does the Government contend that, knowing these men could not meet their obligations, it would say to them, "Here is £100 or £200"? Certainly not! The position of those men was investigated by the Agricultural Bank. Before the advances were made, I take it that the authorities would assume that the recipients had a reasonable prospect of meeting their obligations at a

certain time, given normal seasons to enable them to do so. Yet we are told tonight that because of some event that might happen—an event entirely on the lap of Providence—these people may be prevented from meeting their obligations. I say again it is wrong to assume that any such event will happen. I was careful, when moving the second reading of the Bill, to explain that the whole of this money—£570,000—had been lent to the State by the Commonwealth conditionally upon its being lent to the settlers. The settlers, in turn, were under obligation to pay it back to the State, and the State to the Commonwealth. Therefore, it is not Consolidated Revenue in the accepted meaning of those words.

The Premier: It is the responsibility of the Government to pay it back.

Mr. Seward: Consolidated Revenue is money paid to the Government by way of taxation. But this is special money which should have been paid into a special trust account, to which it should be returned and from which in due course it should be refunded to the Commonwealth. The conditions governing the loan of that money were agreed to at a conference between the respective Governments; and last year the Premier told us what those conditions were.

Apart from all that, I refer members to May, 13th edition, page 516, at which the following appears:—

Bills applying to land revenues of the Crown, to improvements of Crown property, although by statute such land revenues are carried to Consolidated Revenue, do not require the recommendation of the Crown.

The recipients of this money are clients of the Agricultural Bank and the money was expended upon the improvement of their properties. In contradistinction to your ruling, Mr. Speaker, the Bill does not require any recommendation of the Crown and can therefore be introduced by a private member. I maintain regretfully that your ruling should be disagreed to.

Mr. Sampson: I second the motion.

Mr. Watts: I regret that we should have a ruling of this nature to disagree with, because it seems to me that the measure is hardly of the type that you, Mr. Speaker, view it. There is a Commonwealth statute which makes exact provision for the time when and the manner in which this money is to be repaid by the State to the Commonwealth. It prescribes that whatever the rate



of interest may be, a sum equal to half that, I think, shall be paid by the Commonwealth to the State in relief of the amount of interest payable in respect of the debt. All this Bill seeks to do is to enable those who have received assistance from the fund by way of drought relief to repay the money on exactly the same terms upon which the State has to pay the money back to the Commonwealth.

If there is any appropriation, I take it that it has been made under the Industries Assistance Act of 1915, as varied up to date, and it does not seek to vary or increase that appropriation, or to make any inroads whatever upon any of the revenues of the Crown either directly or indirectly. It seeks to determine what should have been determined long since by regulation under the Industries Assistance Act Amendment Act, 1940, and that is, the means by which and the time within which the moneys advanced for drought relief should be paid by the farmers. In short, it seeks certainly to carry out the undertaking given last year that the benefits—or concessions, as they were then called—bestowed by the Commonwealth upon the State, should be passed on to the recipients of this money.

For the life of me, I cannot believe that the rejection of the Bill on the lines that you, Mr. Speaker, mentioned, is just. My friend, the member for Pingelly (Mr. Seward), quoted a reference from the 13th edition of May. I have had in my possession for some time a quotation from the 10th edition of May, at page 535. It is there stated that unless a new and distinct charge be imposed upon the public revenue, the orders which regulate financial proceedings are not applicable. No new and distinct charge is imposed upon the public revenue. Even allowing for the moment that these moneys are public revenue, what new and distinct charge is imposed upon public revenue by the Bill now in process of rejection under your ruling? I certainly can find none. I venture to suggest that upon a fuller consideration of the circumstances, this House will find none, because I believe the position is that no new and distinct charge has been imposed upon the public revenue. Because no new and distinct charge has been so imposed it is competent, in my opinion, for a private member to deal with the matter. I therefore propose to support the motion to disagree with your ruling.

Mr. McDonald: One is not aware beforehand that questions of this kind will arise, and to come to a conclusion in the course of a few seconds on a matter which may be somewhat involved is, I always feel, not very satisfactory. *Prima facie* I would say, with great respect, that I think your ruling would be in accordance with parliamentary practice as laid down by May, but I think, having regard to the surrounding circumstances of this case, that it would be reasonable to give the benefit of the doubt on the side of the rights and privileges of the private member. In some cases we have to apply the practice of May with some regard to the fact that May applies to parliamentary practice in a parliament that is supreme; whereas our parliament is limited by the position we occupy under the Constitution and by the fact that certain of our sovereign powers have been transferred to the Federal Parliament.

The Premier: The Federal Parliament has limited jurisdiction and administration.

Mr. McDonald: Both have limited jurisdiction. The sovereignty which is exercised by the Imperial Parliament is, under our present constitutional basis, shared by the Federal and State Parliaments.

The Premier: And other powers have been delegated to the Commonwealth.

Mr. McDonald: Yes, as in the case of control of the air. But under our constitutional practice conditions arise that could not arise in England. This is a case where the Commonwealth Government has made available to the State a certain sum to be applied for a specific purpose, and as it was to be applied for the relief of a section of people who had suffered from drought, it was provided that the repayment of the principal and interest should be on specially easy terms, and there seems no doubt whatever that in prescribing those specially easy terms of repayment of principal and interest, it was intended by the Commonwealth Parliament that those easy terms should be enjoyed by the people for whose relief the money was appropriated. Parliament having decided that the money should be advanced under the Industries Assistance Act, and that Act ever since 1915 having provided that all moneys advanced under it should be repaid with a certain rate of interest—I think it was five per cent.—

The Premier: It has been altered.

Mr. McDonald: Well, whatever the rate may be, in those circumstances it might seem *prima facie* that if that rate is reduced by the Bill there would be some infraction of the terms of Section 46 of the Constitution relating to the appropriation of revenue. But if we look at the real position, apart from the nominal position, or at the position of convenience we arrived at for the purpose of administration, we all know that this was money advanced to the State to be passed on to the farmers and then to be returned by the farmers to the State and by the State to the Commonwealth. It was, therefore, far removed from revenue in the ordinary concept of that term, and when we passed the Bill last year and agreed to this particular money being advanced—not as a special transaction under separate legislation, which might well have been the case, but to its being advanced for the sake of administrative convenience under the Industries Assistance Act it was provided that the terms of repayment and the amount of interest should be prescribed by regulations made under that Act.

The reason it was left to regulations was, as the Government explained, that the terms of repayment had not been decided upon by the Commonwealth Government. No doubt if we had known those terms, Parliament would have inserted in the Act the precise terms upon which repayment had to be made and interest charged to the farmer. Because we have left the Government to make regulations on that matter, which regulations are subject to the control of this House, and since this is not revenue in the ordinary sense, but as the member for Pingelly said, really trust money, I feel there is justification for a submission that this is purely a case the conditions of which—although *prima facie* they may appear to be within the ban of May's "Parliamentary Practice"—are such as were never, and could not be envisaged by the Imperial Parliament.

The Premier: This is just an ordinary loan by the Commonwealth to the State and we are responsible for every penny.

Mr. McDonald: I agree, but it is not an ordinary loan.

The Premier: I mean a loan in the ordinary sense of repayment being necessary.

Mr. McDonald: It is a loan in the sense that it has to be repaid, but it was a loan

for a special purpose, to be given to special people on special terms. Those special privileges were intended to be enjoyed by the ultimate recipients or borrowers, namely, the farmers. It was a separate transaction lifted right outside the loan programmes of the States. It was money earmarked from every possible point of view, though the repayment had to be guaranteed by the State. It was a special transaction for a special purpose for a special class of people and may justifiably be considered as outside the ordinary realm of revenue.

The Minister for Works: For all that, the specialty has to be repaid.

Mr. McDonald: Of course it has; I admit that, but we are not concerned with the repayment.

The Premier: I am!

Mr. McDonald: We are concerned as to whether this is a transaction of the kind envisaged by May's "Parliamentary Practice" and by the Imperial Parliament in practice relating to revenue. I venture to think it is the sort of thing that could not arise in the Imperial Parliament. It is due to special conditions here, owing to our Federal system; and with great respect, while I appreciate that *prima facie* the case might be considered to be within the ban of May's "Parliamentary Practice," the circumstances are such that Parliament should allow the interpretation of the practice to be in favour of the larger powers of the ordinary member of the House.

Mr. Speaker: I would like to point out to the member for West Perth that, unfortunately, I cannot give the benefit of the doubt to anybody but must be guided by May's "Parliamentary Practice." There is no doubt that this is public money that has to be repaid, and there are regulations on the Table dealing with those repayments.

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

Ayes .. .. .	18
Noes .. .. .	20
<hr/>	
Majority against .. .	2
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AYES.	
Mr. Abbott	Mr. McLarty
Mr. Berry	Mr. North
Mr. Boyle	Mr. Sampson
Mrs. Cardell-Oliver	Mr. Seward
Mr. Hill	Mr. Shearn
Mr. Hughes	Mr. Warner
Mr. Latham	Mr. Watts
Mr. Mann	Mr. Willmott
Mr. McDonald	Mr. Doney

(Teller.)

## NOES.

Mr. Coverley  
Mr. Cross  
Mr. Fox  
Mr. Hawke  
Mr. J. Hegney  
Mr. W. Hegney  
Mr. Leahy  
Mr. Marshall  
Mr. Millington  
Mr. Needham

Mr. Panton  
Mr. Raphael  
Mr. Roonreda  
Mr. F. C. L. Smith  
Mr. Styant  
Mr. Tonkin  
Mr. Triat  
Mr. Willecock  
Mr. Withers  
Mr. Wilson

(Teller.)

## PAIRS.

## NOES.

Aves.  
Mr. Stubbs  
Mr. J. H. Smith  
Mr. Patrick  
Mr. Thora  
Mr. Kelly

Mr. Collier  
Mr. Holman  
Mr. Wise  
Mr. Johnson  
Mr. Nulsen

Question thus negatived.

Bill ruled out.

### BILL—ADMINISTRATION ACT AMENDMENT (No. 2).

#### Second Reading.

**THE PREMIER** (Hon. J. C. Willecock—Geraldton) [9.55] in moving the second reading said: This Bill proposes to amend the Administration Act, 1903-39, by inserting a new section to be known as 98A. The necessity for this amendment arises from the present state of war. The purpose of the Bill is to make soldiers' estates, worth up to £1,000, exempt from payments under the Administration Act and the Death Duties Act. During the last war, whilst there was an amendment of the Supreme Court Rules, no amending Act was passed by Parliament, and the procedure was that an estate of the value of £500, of a soldier who was killed in action or who died as a result of war service, was granted exemption.

The value of money has altered since then, and now, instead of the amount being fixed at £500, the Government proposes by this Bill that, should a man with the overseas forces die as a result of action in the present war, and leave an estate worth up to £1,000, it will be exempt from duties; also that court fees will not be charged. That action has been taken already. The Chief Justice has agreed to the Supreme Court Rules being amended to make provision that the estates of soldiers coming within the purview of this Bill will not be liable to pay these fees. The Bill is a simple one and the death duties taxing measure will follow immediately. I move—

That the Bill be now read a second time.

On motion by Mr. Doney, debate adjourned.

### BILL—DEATH DUTIES (TAXING) ACT AMENDMENT.

#### Second Reading.

**THE PREMIER** (Hon. J. C. Willecock—Geraldton) [9.57] in moving the second reading said: This Bill is related to the previous one. If it is desired to impose taxation, or if any Bill or Act contemplates the imposition of taxation, such imposition has, under the Constitution Act, to be introduced in a separate Bill. The Administration Act Amendment Bill lays down the principles and this measure, called the Death Duties (Taxing) Act Amendment, is the Bill which imposes the tax. Consequently, these Acts have both to be amended. The taxing measure will have to be amended in regard to the non-imposition of death duties on soldiers' estates up to the value of £1,000 in the manner I have already outlined. I move—

That the Bill be now read a second time.

On motion by Mr. Doney, debate adjourned.

### BILL—CHARCOAL INDUSTRY.

#### Second Reading.

**THE MINISTER FOR INDUSTRIAL DEVELOPMENT** (Hon. A. R. G. Hawke—Northam) [10.0] in moving the second reading said: This Bill, as the Title indicates, aims at regulating the manufacture, inspection and sale of charcoal. During the last two years there has been an extensive development of the gas producer industry in this State and the Government has been careful to give the greatest possible encouragement to the development of the industry. For this reason no early attempt was made to bring the production of charcoal under control. It was thought that that side of the industry should have a reasonable opportunity to develop before any legislative control was applied. The industry as a whole has had more than two years to develop and become established to an extent sufficient to enable it in all its phases to stand up to legislative control and direction.

The Bill proposes that manufacturers of and dealers in charcoal should be registered. Only those registered as charcoal manufacturers will be entitled to engage in the business of charcoal manufacture; only those registered as dealers will be able to carry on the business of charcoal dealers. One of the most important proposals is that which aims

at establishing a minimum standard for charcoal. Only charcoal that reaches at least the minimum standard may be sold to persons and firms requiring it. The actual minimum standard will be established by way of regulation, and certain factors will govern the minimum standard to be fixed.

Mr. Sampson: Will this apply to all charcoal, apart from that required for internal combustion engines?

The MINISTER FOR INDUSTRIAL DEVELOPMENT: The first factor will be that of cleanliness, which concerns the freedom of charcoal from dust and other impurities; the second factor will be that of grading, which will have relationship to the minimum and maximum sizes of the charcoal; the third factor will be that of tar content and its relation to volatiles; the fourth factor will be that of hardness and its relationship to the resistance to shattering of the charcoal when manufactured; the fifth factor will be that of ash content; the sixth factor will be that of moisture content, and the seventh factor will be that of calorific value. A deal of consideration has already been given by expert officers of the departments concerned to the system to be followed in the establishment of the proposed minimum standard, and as a result of that consideration, the seven factors have been worked out.

If the Bill becomes law, a very strict control will be exercised over the manufacture of charcoal and subsequently an equally strict control over its sale. Those who manufacture charcoal for sale must properly label it and state on invoices adequate particulars covering the quality, and it will be necessary also for those who sell charcoal retail to supply particulars covering the charcoal they offer for sale.

Mr. Sampson: Will this apply even to blacksmith's charcoal?

The MINISTER FOR INDUSTRIAL DEVELOPMENT: It will apply to all charcoal manufactured for sale for use in gas producer units.

Mr. Sampson: Not for blacksmiths?

The MINISTER FOR INDUSTRIAL DEVELOPMENT: If a blacksmith uses a gas producer unit and buys charcoal for the purpose, the measure will apply.

Mr. Sampson: But if he uses the charcoal in his forge?

The MINISTER FOR INDUSTRIAL DEVELOPMENT: In that instance, I should say it would not apply. Certain ex-

emption are provided, and, where they apply the charcoal, of course, will not be covered by the provisions of the Bill. A clause dealing with regulations sets out just what must be done, and as is natural in a Bill of this sort, a good deal of the power necessary to ensure the successful operation of the measure will be contained in the regulations covered by Clause 28. If members study Clause 28, together with Clause 17, they will get an adequate idea of the main principles upon which this legislation is to operate. The measure will be administered by the Minister for Forests or any other Minister appointed by the Government. An important provision deals with the portions of the State to which this legislation will apply. Power is taken to enable proclamations to be issued for the purpose of exempting any part of the State from the operation of the measure. Members will realise that in a State such as Western Australia is, it might be difficult, and indeed inadvisable, to operate this legislation in certain districts, particularly in the more remote districts. Therefore it is not intended that this legislation, if passed, shall have immediate and State-wide application. It is realised that the legislation will be experimental, and so it is thought that the measure should be operated, at least in the early stages, with the greatest discretion possible.

Undoubtedly the time is due for legislative control of the charcoal industry. Probably it is within the knowledge of every member that inferior charcoal has been placed on the market during the last two years. The person who has a gas-producer unit attached to his motor vehicle cannot be expected always to be a judge of what is good charcoal. In his first experience with his gas-producer unit and charcoal he has, to a large extent, to trust to luck; he has to believe that the charcoal which he purchases is up to standard, is safe, and will not damage the engine of his vehicle. From time to time we have had samples of charcoal brought to us at the Department of Industrial Development, and certain samples I have in mind have been poor indeed. In certain instances the charcoal has been only partly burnt, with the result that it would not be capable of producing any power at all. In other instances it has contained a fair amount of dust.

Mr. Marshall: What do you mean by dust? Earth dust?

**THE MINISTER FOR INDUSTRIAL DEVELOPMENT:** Yes, earth dust and other kinds of dirt. We can imagine what would happen to the engine of a motor vehicle with charcoal of that type being used for the purpose of generating power. It is considered that those engaged in the production of charcoal have had more than two years' freedom, more than two years without any control whatever, and therefore have had every reasonable opportunity to develop the industry upon a sound basis. We know very well that there are still manufacturers engaged in the business of charcoal production whose charcoal, when produced, does not reach a reasonable standard of quality. It is considered that until some measure of control has been established and until some minimum standard is set up under legislation, some manufacturers will continue to manufacture in a careless or unskilful or slovenly way, and that poor-quality charcoal will be put on the market.

**Mr. Sampson:** The prices paid for charcoal do not provide a living. It is a shockingly underpaid industry.

**THE MINISTER FOR INDUSTRIAL DEVELOPMENT:** That is not the point at all.

**Mr. Sampson:** No?

**THE MINISTER FOR INDUSTRIAL DEVELOPMENT:** An industry may not be profitable to those engaged in it. Because it is not profitable, some manufacturers may put up the poor quality of charcoal, which might be cheaper for them to produce than a charcoal of good quality. However, the question of price is one that comes under the jurisdiction of the price-fixing authorities. If the manufacturers can prove that it costs them more to produce a good-quality charcoal than they are receiving for the charcoal they at present produce, their representations in that regard will receive consideration; and if the evidence they are able to produce warrants an increase in price, that increase will certainly be granted to them. I am sure that the motorists who operate gas-producer units would prefer paying a higher price for good-quality charcoal if they could always be sure it was of good quality, to paying a lower price for an inferior quality of charcoal which in the long run would prove highly expensive to them.

**Mr. Doney:** Are you yet able to say which particular type of charcoal it is that most readily causes fires?

**THE MINISTER FOR INDUSTRIAL DEVELOPMENT:** No, I have not any knowledge at all about that matter. I have not heard of many fires in the country having been caused by this producer-gas.

**Mr. Doney:** There was one very big fire today.

**THE MINISTER FOR INDUSTRIAL DEVELOPMENT:** I have not seen the report. It might very well be that the establishment of a minimum standard for charcoal, and the insistence upon production of charcoal to that standard or above it, would have the effect of minimising the danger of fire from the use of gas-producer units. From everyone's point of view it is desirable that legislative control of the industry be now established. Certainly it will be in the best interests of those who use gas-producer units that the charcoal industry be controlled, especially as regards the minimum quality of charcoal to be produced in the future.

As I have explained, the industry has been allowed a reasonable time to establish itself. It has had that opportunity free from control of any kind except the control of competition as between one manufacturer and another. The industry is a highly important one. It is likely to become increasingly important. I think every member of the Chamber now realises that the war is likely to continue for a considerable time, thus necessitating a greater use of substitute fuels in Australia for the purpose of enabling our motor transport activities to be carried on. The gas-producer units themselves are under strict control because of the promulgation of appropriate national security regulations. No gas-producer unit can be manufactured for sale unless it has first been severely tested and has passed the test applied to it. If we establish strict standards of efficiency for the gas-producer units themselves, it is a logical development that we should also make an effort to establish a minimum standard for the charcoal to be produced for use in those units. I move—

That the Bill be now read a second time.

On motion by **Mr. Watts**, debate adjourned.

**BILL—STAMP ACT AMENDMENT.***Second Reading.*

**THE PREMIER** (Hon. J. C. Willcock—Geraldton) [10.20] in moving the second reading said: This Bill contemplates two small amendments to the Stamp Act. The first amendment is an addition to Section 73 of the Act, which deals with documents treated as conveyances. I propose to read the section, and to state where the amendment will be inserted in it, so that members will fully understand the effect of the amendment. Section 73 reads—

Except as in this Act otherwise provided, every instrument, and every decree or order of any court or of the Commissioner of Titles, whereby any property on any occasion, except a sale or mortgage, is transferred to or vested in any person . . . .

And this is where the amendment, as follows, is inserted—

and every instrument which is or is intended to be a record or acknowledgement of any verbal promise or agreement previously made (whether voluntary or upon any good or valuable consideration other than a bona fide pecuniary consideration) to give or settle any property in any manner whatsoever . . . .

The section then proceeds—

is chargeable with duty as a conveyance or transfer of property: Provided that a conveyance or transfer made for effectuating the appointment of a new trustee or any conveyance or transfer under which no beneficial interest passes in the property conveyed or transferred or made to a beneficiary by a trustee or other person in a fiduciary capacity under any trust whether expressed or implied, or the retirement of a trustee is not to be charged with any higher duty than ten shillings.

The amendment is necessary in order to enable the department to continue collecting stamp duty on a class of document which is really a deed of gift or a settlement.

Hon. C. G. Latham: Has it not been possible to collect that duty in the past?

The PREMIER: Yes, but a recent judicial decision has removed such documents from the incidence of the Act; hence the reason for introducing this Bill. People have been able to evade payment of this duty by clever conveyancing. For years these documents attracted conveyance duty not only in this, but in the other States.

Recently an appeal was lodged in New South Wales against a deed of gift being charged conveyance duty, and the Full Court of New South Wales held that the Commis-

sioner of Stamps had correctly assessed the deed as chargeable with such duty. An appeal against the assessment of the document as chargeable with conveyance duty was taken to the High Court by the donor, who was successful, the decision being given against the Commissioner. That was the case of *Mack v. Commissioner of Stamp Duty*, N.S.W., reported in *Commonwealth Law Reports*, page 373. The amendment now proposed will overcome the deficiency in the wording of the Act and enable the department to collect the duty which it was able to collect before this High Court decision was given.

I regret to report to the House that persons, through the advice of their lawyers, are already adopting this class of deed of gift to dispose of some of their assets and thereby avoid paying stamp duty, taxation and probate duty. It is necessary that this practice of avoiding payment of duty should be stopped; and this slight amendment will overcome the weakness in the Act disclosed by the decision of the High Court.

A case recently came under notice where a donor made a gift by deed of £2,000 to each of his three children by promising to pay on demand the amount stated in the deed. On account of the High Court's decision, the duty on each document could only be assessed at 10s., instead of £20, the State revenue losing thereby approximately £60. The document purported to be a record of a verbal promise made by a donor to give and pay to another person the sum of £2,000 on demand, and until such demand was made, to pay interest at 5 per cent. per annum. It operates in the same way as a deed of gift or a settlement, inasmuch as it settled £2,000 on the donee, except that the money had not passed at the date of the deed, but it could pass on the following day or on demand.

Deeds of gifts and settlements, which do not resort to this type of legal draftsmanship, are already charged by the Act with conveyance duty. It is considered that if a donor wishes to avail himself of a written document for the ultimate purpose of creating a deed of gift or settlement, the same duty should be payable as would be paid by any person who openly and straightforwardly executes a document which does come under the heading of deed of gift or settlement. It must be

understood by members that the amendment does not create a new duty in any shape or form. The amendment is designed to prevent people from evading the payment of stamp duty which most members of the public have paid in the past and will be liable to pay in the future. It will make certain that the Stamp Act cannot be evaded by a very shrewd advantage being taken of the existing statute.

Hon. C. G. Latham: Will the measure have retrospective effect?

The PREMIER: No.

Hon. C. G. Latham: Some people will have missed paying the duty.

The PREMIER: Those who, prior to the passing of this Bill, have taken advantage of the form of conveyancing to which I have referred, will of course not pay the duty.

Mr. Hughes: They will score.

The PREMIER: Yes. The method has not been adopted frequently. A person could give £2,000 to another person, but, instead of paying it in cash, he could say, "I will pay you the £2,000 on demand and, until demand, I will pay you 5 per cent. on it." Instead of executing a gift, he could make a verbal promise, and then could give a written promise.

Hon. C. G. Latham: A written acknowledgment.

The PREMIER: Yes. In that way persons could avoid paying settlement duty. Members may think that I have given a somewhat complicated explanation, but really the matter is simple. A person could make a gift without executing a document, but the donee, in the absence of a written record of the transaction, would experience extreme difficulty in proving his legal right to the gift. He would have to tender unimpeachable evidence that the gift had, in fact, been made. Therefore, to safeguard the position, a written document must be executed.

Hon. C. G. Latham: An acknowledgment.

The PREMIER: Yes. If then the donor died the following week or ten years afterwards, the written acknowledgment would be available to the donee to prove his claim. He could present it to the executor of the donor and demand payment of the gift. Where there is a written acknowledgment, there can be no evasion of payment, and consequently the money would have to be paid over.

Mr. Sampson: Surely the person would be put to proof.

The PREMIER: The written acknowledgment would be sufficient proof. Unless there is a bona fide document, however, it would be hard for a person to prove his claim. The court would certainly require unimpeachable evidence from responsible persons. This duty has always had to be paid and still will have to be paid when the Bill is passed. The amendment is designed to prevent the evasion which the ruling of the High Court has shown to be possible.

Mr. Sampson: Fines can be imposed for non-use of stamps.

The PREMIER: The document cannot be registered unless it is stamped. The next amendment is one which the House may welcome. Representations have been made for some time for such an amendment to be made. The amendment proposed is to the second schedule and is to reduce the rate of duty chargeable on the transfer of shares. Not much trading in shares is undertaken in Western Australia. At the Stock Exchange it is quite unusual to see more than three or four transactions in a week, except in bonds or Commonwealth stock. Sometimes a week passes without any transaction being recorded, and it is felt that this is to some extent due to the fact that our stamp duty is higher than the duty in the other States.

The duty at present charged in Western Australia is 1s. for every £5 or portion of £5 of the purchase price, which is equal to £1 per cent. In other States, except South Australia, where no duty is charged, the cost is 3d. for every £5 of purchase price, which is equal to 5s. per cent. If a person desired to buy Swan Brewery shares to the value of a thousand pounds, he would buy them on the Melbourne register, and the stamp duty would cost him 5s. in a hundred pounds, or a total of £2 10s., whereas on the Perth Exchange he would have to pay £10. On getting the shares in Melbourne he would have them transferred from the Melbourne to the Perth register which would cost him nothing, and on the whole transaction, by dealing in Melbourne, he would save £7 10s. That is done regularly, and I suppose people would be foolish if they did not take advantage of the better conditions operating in Melbourne.

Hon. C. G. Latham: That could be avoided by compelling them to register here.

The PREMIER: They cannot be compelled to register here where there is a register in both places. There is a head office in Melbourne with furniture which is a tangible asset represented by share capital, and they have a register there and that is the way the whole business is done. I suppose it is unusual for a Treasurer to introduce a proposal for a reduction of taxation, for that is what stamp duty amounts to, but I do not consider the proposal will be disadvantageous to the State because it will induce more people to have dealings in Western Australia. This amendment has been sought by the Stock Exchange for several years. The recent Royal Commission on the Companies Bill recommended that the duty on share transfers should be brought into line with that in existence in the other States. This measure will put our Exchange on a par with Exchanges in the Eastern States and more business may be transacted here instead of agents doing it in the other States.

The other amendment proposed is to the second schedule of the Act and provides for the insertion under the heading "Conveyance" of an item to charge conveyance duty on the documents as referred to in the amendment to Section 73 of the Act. I think members will agree that the Bill is desirable. It does not require payment of any amount from anybody that has not been paid before, and gives relief in regard to stamp duty on the transfer of shares. The measure is desirable in the interests of the State, and I move—

That the Bill be now read a second time.

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

## **BILL—WORKERS' HOMES ACT AMENDMENT.**

### *Second Reading.*

THE PREMIER (Hon. J. C. Willcock—Geraldton) [10.35] in moving the second reading, said: The four amendments in this Bill are desirable. Some will commend themselves to members, and I hope all of them will do so. The first amendment is designed to alter the definition of "worker." At present the Act defines a "worker" as one whose remuneration does not exceed £400 per annum, and any other person is not eligible for assistance under the Act.

Anybody whose salary, remuneration, or emolument exceeds that figure, is not entitled to participate in the benefits of the Act. The Act, however, makes no differentiation between applicants who have families and those who have not, so that an application received from a man whose remuneration is slightly over £400 but who has a fairly large family, would have to be declined, whereas an application from a man whose remuneration was just below £400 but who had no family, would be accepted.

The amendment is designed to put the man with a family in a little better position than he is at present in comparison with the man who has no dependants. A man with a family has no advantage under the existing provisions over the man with no family. It is proposed to widen the definition to permit of an addition of £25 to the limit of £400 for each child under the age of 16. If a man has one child he will be eligible for assistance if he earns £425 or under; if he has two children he may earn a salary of £450 and still be eligible; if he has three children he may earn £475; and if he has four children he may earn £500.

The second amendment proposes to increase the maximum advance under the Act from £800 to £900. On account of the increase in the cost of building the board is finding it impossible to provide a five-roomed brick house of reasonable accommodation for an advance of £800 unless the applicant is able to find a substantial deposit in addition. As an indication of the increased cost of building, I have obtained from the Workers' Homes Board particulars of two types of dwellings—one a five-roomed brick house and the other a four-roomed wooden house—and I have compared the increase in the tenders over the last two years or so. Tenders were called for these two types of houses in August 1939; and again in 1941 for the wooden house, and in September 1941 for the brick house. The tenders related to the same type of house, though in the later tenders some economies had been attempted which made the difference in the later price as compared with the pre-war price even less than the actual variation would have been for exactly similar houses. The contract price for a wooden house in 1939 was £459, and a month or two ago the tender price for a house, not quite so good, was £586. Tenders were received



in 1939 for the five-roomed type of brick house at £777 whereas the latest tenders called in September of this year reveal a price of £892.

Mr. Seward: Did you make any comparison in regard to cement brick houses?

The PREMIER: I suppose the difference would be about the same. It arises from many causes. Sales tax, rise in wages and non-procurability of certain articles used in the building of houses have all contributed to the increased cost. Screws can hardly be purchased in this State. Other articles which could previously be procured at a cheap rate are now entirely off the market and the substitutes which have to be used almost invariably cost more. The building trade is very brisk. Contractors say they are not very particular whether they tender for work or not. A builder may say, "I will add an extra £30 or £40 to my tender, and if I do not get the job I do not mind as I have plenty of work."

Mr. Sampson: Tradesmen are not available.

The PREMIER: The builders are asking for extra remuneration today and consequently the cost of building has risen. The board does not want to stop its activities altogether, but it is impossible to obtain a five-room brick house on the advance made by the board. The value of money has altered. People may say that a worker cannot afford a house which costs £500. It must be remembered, however, that the basic wage has been increased during the last two or three years by 6s. or 7s. a week, from £4 4s. to £4 10s. 5d. The payment for the extra £100 is only about 2s. 6d. a week, so that the basic wage earner, or the basic wage earner with a margin, can afford to borrow the extra amount.

The Government is curtailing all its building activities—Workers' Homes Board and public building. When the war is concluded a number of people will be desirous of carrying on this occupation, and if we conserve our money until that time there will be plenty of people who can be employed in this direction. Consequently the Government is not today spending even the average amount of money through the Workers' Homes Board. The Government does not desire to build wooden houses only, because they cannot be built except in certain restricted localities, and people who want wooden houses have to go long distances

from where they work. The board has asked for this Bill to be introduced in order that it can make advances to the maximum amount of £900 instead of £800 which was previously the case.

The third proposal under the Bill is one to vary the rate of interest charged as ground rent on leasehold land. The Act at present provides that ground rent shall be based on an interest rate of 3 per cent. on the appraised value of the land. I do not know why this amount was fixed. I think that was about the usual rate of interest at that time, but it has increased since. It is not a wise provision to fix a definite rate in the Act. This amendment proposes to give the Treasurer the right to fix the rate of interest dependent on the circumstances existing at the time.

Because the board only charges interest on the appraised value of the land, it is, in many instances, appraised at a slightly higher figure than its actual value, because the Workers' Homes Board has to pay interest at the rate of  $4\frac{1}{2}$  per cent. to the Treasury. Obviously it could not buy a block at £100 and pass it on to an applicant at that price, because the board would pay  $4\frac{1}{2}$  per cent. to the Treasury but would only receive 3 per cent. from the man to whom the advance was made. The board, consequently, has appraised the value of the land so that it would receive the same amount of interest as was charged against it by the Treasury. The proposals will not make any difference to those people who have contracts or are paying a certain amount of ground rent on their houses. When the land is re-appraised—which has to be done under the Act every 20 years—they can be brought into line to conform to the new rate of interest.

The fourth proposal makes provision for the establishment of a sinking fund. The Act now provides that any purchaser of a home may make additional repayments of £10, or of multiples of £10, upon payment of which his capital debt is adjusted. The War Service Homes Act, which is administered by our Workers' Homes Department in this State for the Commonwealth Government, has a system whereby anybody who is a tenant, purchaser or lessee can, at any time, pay in any amount in excess of the ordinary instalment. That amount can be used for any one of three or four different

purposes. It can be used to renovate the property when it is necessary; or it can be used to effect additions or improvements, such as installing sewerage.

The Workers' Homes Board, as agents for the War Service Homes, finds that that privilege has been availed of by the clients under the War Service Homes Act. It thinks a similar provision under this Act would be availed of to a great extent. People might want to take an extended holiday—perhaps two or three months' leave—and do not want to be faced, on their return, with a bill for six or eight weeks' rent. They could pay the money into the sinking fund so that when they go on their holiday they would have sufficient money accumulated to keep their payments going until they returned. That is something which is not compulsory but it is beneficial to the clients of the board. Those are the four amendments we are seeking to make by this Bill, and I think they will commend themselves to members. I move—

That the Bill be now read a second time.

On motion by Mr. Shearn, debate adjourned.

## ANNUAL ESTIMATES, 1941-42.

### *In Committee of Supply.*

Resumed from the 6th November; Mr. Withers in the Chair.

*Votes—Labour, £1,600; Factories, £7,500; Arbitration Court, £5,600; State Insurance Office, £5; Council of Industrial Development, £6,670; Child Welfare and Outdoor Relief, £128,100—agreed to.*

*Vote—Mines, £127,705;*

**THE MINISTER FOR MINES** (Hon. A. H. Panton—Lcederville) [10.52]: The returns for the mining industry cover the 12 months ending in December of each year, and I am pleased to say that the industry for the year 1940 showed very satisfactory results. During 1940 the quantity of ore treated was 4,291,709 tons for a reported yield of 1,154,843 fine ounces of gold. This was equivalent to an average of 5.38dwts of fine gold per ton, and is the lowest average grade of ore ever treated in the State. The tonnage treated was the largest yearly figure ever recorded. It speaks well for the industry that it was able to treat such low-grade

ore at a profit. This is a very important development, as it results in the ore reserves being greatly increased with a consequent longer life to the various mines now in production. The valuation of the gold produced was £A12,306,816, equivalent to £2 17s. 4d. per ton of ore treated. It is interesting to note that the value of the gold produced was more than double the total value of of wool and wheat production for the same year, and was nearly half of the total value of all primary products obtained in the State.

The number of men employed in the industry at the 31st December, 1940, was 14,594, a decrease of 622 compared with the figures on the 31st December, 1939. Unfortunately, since January of this year, a great decrease has taken place owing to the war and the necessity for man power in the services, and production is already down to the extent of about 60,000 fine ounces of gold, compared with the quantity produced in the corresponding period of last year. There seems to be no possibility of obtaining anything like the production this year that we had in 1940. One mine, Hill 60, closed down, though this was not altogether due to lack of manpower. It was a very low-grade proposition. The Youanmi mine will be closing down, orders having been received from London to close down in six months after the best of the ore has been taken out. This mine is closing partly on account of lack of manpower because it has an average of over six dwts. The regrettable part is that once the mine shuts down, it will soon fill up with water and there will not be much likelihood of its being opened up again. One unfortunate position due to the war is that several mines that were ready to start operations have been held up. There is a particularly fine show at Evanston which has been bought by a fairly wealthy company. How it will fare for men I do not know. There is another show at Davyhurst which is ready to start, but it is hung up for want of men. Whereas three or four years ago it was difficult to find an old man working on a mine, some of the old hands who are able to obtain health certificates are now returning to the mines. Obviously, while the war continues and the present drain on manpower exists, the industry cannot possibly produce the quantity of gold that was won in 1940.

Minerals other than gold produced during the year were valued at £923,980. Included in this amount were coal produced to the value of £364,500, arsenic £59,977, silver £34,934, asbestos £14,534, gypsum £14,082, and antimony £10,180. There is a very fine lode of blue asbestos deposits in the Hamersley Ranges, Gascoyne, and a recent report by the Assistant State Mining Engineer following his inspection confirms the impression of the department that the body of ore is very extensive. Every endeavour is now being made to have the deposits opened up and regular home and foreign markets established. There is a market in the United States of America for blue asbestos, but unfortunately the shipping difficulty is great. For the first time vermiculite was produced during the year, the value being £757. This was obtained from Bulong and Ravensthorpe. Considerable interest was evinced in this mineral, which has a great number of uses. These include insulation against sound and heat, the making of bakelite products, filters, printing ink and paint. It is also used for wall decoration, both interior and exterior. A special display of this mineral is featured in the hall of the Mines Department, and has attracted a great deal of attention. Another display featured in the Mines Department hall is that of the ceramic resources of the State. Various clays have been exhibited and classified. These were shown to be suitable for the manufacture of porcelain, fine white ware, domestic chinaware, cream coloured ware, sanitary ware, wall and roofing tiles, house bricks, fire bricks, assayers' refractory ware, drainpipes and so forth.

Minerals should play an ever-increasing part in the State economy now that ship-building, munition-making and manufacturing are expanding so rapidly. Minerals known to exist in quantity in this State, and which would be required for these purposes, include bauxite, alunite, phosphates, iron, tin, copper, asbestos and mica. There is difficulty in obtaining such of these minerals required for munition-making as have hitherto been obtained from overseas; as a consequence, those of them available here are being inquired for.

As a result of strong representations made by the State Government, the Commonwealth agreed to the Copper and Bauxite Advisory Committee visiting Perth to investigate our deposits. The members of the committee discussed these deposits with the department-

al officers, and expressed themselves as being impressed with certain of the deposits. It is quite possible that the committee will recommend some assistance towards the early development of at least one property, situated at Whim Creek; and the committee has asked for further details regarding other properties. It also examined the alunite operations, and stated that the matter of obtaining potash from alunite should be pressed on with, being most promising.

Petroleum is the mineral needed more urgently than any other. Assistance has been given to the Freney Kimberley Oil Company, and boring is still proceeding on their holding. The bore is now over 4,000 feet in depth. Unfortunately at the moment the bore is at a standstill, as a great deal of the plant has to be renewed. The Petroleum Act and the regulations under it were recently amended, and made much more liberal, with the immediate result that one of the largest oil companies in the world applied for and secured a large tract of country for immediate exploration. Earlier in the session, the Leader of the Opposition stated that the Caltex company, which was granted the right to explore for oil in this country, was, in the words he used, sitting down on its reservation with the object of letting the smaller Freney company proceed for the benefit of the large company, which thus would be enabled, if the smaller company proved successful, to reap the benefit.

The Leader of the Opposition does not usually make unfair statements, and I believe he must have been misinformed. The Caltex company has no reservation. There are no reservations under the Petroleum Act. The company was granted the right to explore, and in fact has already spent £50,000 on the work. It has had two parties out, and was expecting to complete its exploring work by this time next year. It has been working in close co-operation with the Freney company, and the American geologists have, I understand, given the Freney company valuable information concerning the results of their explorations and the operation of their 4,000-ft. bore. The last report from the Government Geologist, who is most competent to judge the value of the work done by the company to date, includes the following:—

I am of opinion that the work being carried out in the field by the geological officers of

Caltex Ltd. represents the most detailed and highest grade work of its kind ever carried out in this State.

The company has spent £50,000 in two years. In the first place it did extensive geophysical exploration by aeroplane. It brought fully equipped vehicles out for its American geologists. Two other geologists were also employed, one of them a young Western Australian. The party has worked for two years in the North, carting supplies and implements out. Mr. Bremner was at my office only a few days ago, and he then told me that the company was well satisfied, and said, "We ought to be able to bore here." If they get so far, they will spend at least £100,000 in putting a bore down. It is a pretty big job to explore 123 square miles, the area of country they are going over.

Financial and advisory assistance was granted in connection with investigations proceeding into the alunite deposits situated at Lake Brown. At the University a pilot plant was established, and tests are still proceeding with a view to utilising this mineral for the reduction of alumina, potash and sulphur. As regards bauxite, I may mention that it was originally believed that there was too much silica in our bauxite; but the experts report that owing to the geological formation of this State our bauxite can be removed far more easily than is the case elsewhere.

During the year a Royal Commission was appointed to inquire into the coalmining industry. Following the recommendations of the Commission a panel system of working at Collie is being introduced which will minimise the likelihood of any future creep, and which will confine the effect of any such creep, should one occur, to a single panel. It will be remembered that a very serious creep occurred at Collie, and should there be any further such occurrence, the effect will be confined to a single panel and the whole mine will not be affected. Regulations have been introduced requiring companies to supply a statement of the developmental work proposed to be undertaken during the ensuing six months, together with a statement regarding the developmental work carried out during the previous similar period. The approval of the Minister has to be secured for the developmental work proposed to be undertaken and by that means the mines are being developed so as to ensure future supplies

of coal being available. The development will provide for an increased number of working faces and will allow for expansion in the output of coal.

For a long time there has been much dissatisfaction, particularly on the part of the miners, on the ground that developmental work was not being carried out on a proper basis. It is a tradition in coalmines that night shifts shall not be worked, and therefore operations are practically confined to day shifts. Owing to the lack of a proper working plan time after time men have been called upon, because of want of bords, to work other than on day shift. Consequently, after much discussion, the Royal Commission to which I have already alluded was appointed, and now the companies have to supply a proper plan of developmental work as I have already indicated. It is the duty of the departmental officers to see that the mining operations are carried out according to the plan after it has received Ministerial approval. Under that system it is anticipated that there will be much less dissatisfaction in the industry, a greater quantity of coal made available for operations and a larger number of bords provided for working.

The health of the miners engaged in the mining industry, particularly that of those in gold mines, is of the utmost importance and it is pleasing to note from the examinations conducted by the Commonwealth Health Laboratory, that the percentage of normal men in the industry has increased from 80 in 1925 to 96 in 1940. This is due in great measure to the improved ventilation in the mines.

Mr. Marshall: And a large number of new men have gone into the industry.

The MINISTER FOR MINES: A large number of new men have entered the industry, but that has always been so. The hon. member knows as well as anyone else that the average life of a miner a few years ago was from 35 to 40 years. The prospect of life is much greater than that now. My predecessor in Ministerial office told me that one of the most disappointing features of his work was the signing of what is termed the death certificates of miners. During my term as Minister for Mines only on rare occasions have I been called upon to sign certificates concerning men suffering from silicosis, tuberclosis, or silicosis with tuberculosis. The improvement is rather

astonishing, and in fact we are quite perturbed if the necessity arises to sign two certificates within a month.

Hon. N. Keenan: Is not that also attributable to the very severe tests carried out?

The MINISTER FOR MINES: In the first place the man seeking to engage in mining operations has to be in good health and without any sign of his lungs being affected. It would be of little avail putting into mines men who are termed "clean skins" unless we made sure that the dust trouble was adequately dealt with and proper ventilation installed. Much improved methods of ventilation are now the vogue, and we have two inspectors doing nothing else but inspecting mines from the standpoint of dust and ventilation. They make tests and ascertain where there is an excess of dust, and they have power to order the management to take the necessary steps to eradicate the trouble. Many additional fans have been installed in the mines and the condition of the atmosphere underground is being continually improved. The position regarding dust and fumes from the roasters and dry-crushing machines has also been greatly improved. In addition to the ventilation officer stationed at Kalgoorlie an assistant ventilation officer has recently been appointed to assist in this important work. The first "Bulletin of Mining and Ventilation Practice" has been published and more will follow. This will enable all interested to become acquainted with the best methods of mining practice.

Regulations were recently introduced to provide for the additional protection of men working underground. They are now required to wear safety helmets of an approved type, these being supplied by the employer to the employee free of cost. I take this opportunity of informing the Committee that my experience in connection with the Chamber of Mines, since I have held my present portfolio has been that wherever the necessity has arisen for the provision of safety precautions to be taken, the Chamber has been anxious to help. Miners now wear safety helmets when working underground. That has been made compulsory and it has saved many miners from severe head injuries.

Another regulation recently passed provides that no drilling shall be carried out

in any developmental face until all broken ore has been removed and the face washed down and examined for misfires. Quite a number of men have suffered injuries consequent upon explosions following misfires. Most of the work is done by contract, and naturally the men do not take all the precautions they should. When a face is fired out the common practice is for the men to hurry back to clear the machine and get to the broken ore. Should there be a misfire they are apt to suffer injuries because of the consequent explosion. In view of the regulation that has been promulgated the face has to be thoroughly washed down and examined for misfires before work can be resumed. That should eliminate the possibility of such accidents.

The Mine Workers' Relief Act, 1932, has been made more liberal in its general application, and special sections have been inserted to cover cases of extreme hardship. Provision has also been made for mine workers who are engaged in any form of military service at home or abroad to be protected against forfeiture of laboratory certificates or claims for benefits due to their war service. The rates of compensation under the Mine Workers' Relief Act have been recently increased in amount. Investigations are proceeding at present into the question of providing medical treatment for gold miners who have contracted tuberculosis without silicosis as a result of their work in the mines, and it is hoped that the result of these inquiries will be that treatment will be provided that will result in the cure of most of the men affected.

Over 250 men are being assisted under the prospecting scheme which continues to function with very satisfactory results. Since the inception of the scheme in June, 1933, 8,713 men have been assisted with ration orders, and equipment. To the end of June, 1941, the expenditure on ration orders, equipment, explosives and provisions amounted to £270,927, which included £80,904 from the Commonwealth grant. The amount refunded since the scheme started to the end of June, 1941, was £52,642, being £36,390 to the State and £16,253 to the Commonwealth. The sum of £6,062 was refunded during the past 12 months. Assisted prospectors have reported the crushing of 77,339 tons of ore for 37,698 ozs. of gold since July, 1933. Since the outbreak of war the number of men on the scheme has decreased,

due to enlistments of the younger ones and the absorption of others on the wages lists of the mines. The men now receiving assistance are mainly those too old to enlist or obtain employment. The prospecting scheme, in my opinion, proved a wonderful success. Of the 8,700 men a large number were really at a dead-end in the metropolitan area. They knew nothing about mining and would have been diffident about applying to a mine for work. Having gained experience in this prospecting scheme and learnt the technical terms of the industry and become accustomed to handling tools, they have been absorbed in the industry and have become competent miners. From that point of view alone, the scheme proved highly successful; but, in addition, these men found a great deal of gold. Some extremely good shows now working were discovered by some of them.

As a result of the efforts of the State Government and others, the Commonwealth Government was induced to make available refunds of the gold tax on the first 25 ozs. per year won by prospectors and of the whole or part of the tax paid by producers, other than prospectors. Consequently, numerous prospectors and producers in the State have been able to obtain considerable sums by way of refund of the gold tax. In addition, a sum of £111,000 was granted to the State for the purpose of making advances to persons engaged in the production of gold. The greater part of this money has been expended, part by way of large advances to major companies and the balance by way of small grants to minor producers. Although we have made every endeavour, it has been finally decided that there is no possibility of obtaining any relaxation of the gold tax. We have not much chance of getting more than the £111,000, but we appreciate having received that amount. It has proved of great assistance to the department, because money could be advanced to English companies that were experiencing great difficulty in obtaining funds from the Old Country.

Some of the larger grants from the sum of £111,000 were—

	£
Mt. Magnet G.M. Ltd., for development work .. .. .	12,000
Mt. Charlotte (Kalgoorlie) G.M. Ltd., for purchase and erection of plant .. .. .	30,000
Norseman Development N.L. for development work .. .. .	3,000

Norseman Associated G.M. N.L., for development work .. .. .	3,000
Consolidated Gold Mines of Coolgardie, Ltd. (Tindals), for the purchase and erection of treatment plant .. .. .	30,000
Porphyry (1939) G.M. N.L., for reconditioning old treatment plant and purchasing new plant .. .. .	6,000
King Solomon's Mines, for developmental work and purchase of additional plant .. .. .	4,500
Ora Banda United Mines. N.L., for development work .. .. .	9,500

From loan moneys under the Mining Development Act, over £2,000 was granted to assist in development and the purchase of plant for eight mines in various parts of the State. During the year various technical officers of the Department gave advisory assistance to the Department of Industrial Development to help in the development of industries connected either directly or indirectly with the mining industry.

As a result of the expansion of the work controlled by the Government Mineralogist and Analyst, and also because the site of the present building is required by the Perth Hospital for part of the new buildings now being erected, a site for a new chemical laboratory was selected at the corner of Adelaide Terrace and Plain Street. A new modern laboratory is now in course of erection on that site at a cost of about £30,000. The foundation stone was laid by the Premier on the 2nd September last. During the year the Government Mineralogist and Analyst carried out a vast amount of work for the fighting services and the Defence Department, in addition to the usual work done by that branch.

This particular section of the department has grown out of all knowledge, particularly since the outbreak of the war. It is responsible for analysing large quantities of food-stuffs. It also analyses all the water for use on troop ships, to ensure that only pure water is taken on board. It is also called upon to submit analytical tests of various things for the services and it has now been asked to assist in testing steel and iron for munitions. An investigation was made into the composition of the air in various mines at Kalgoorlie after firing explosives, with and without the use of a proprietary production said to neutralise acidic toxic gases when placed with the explosive charge; and it was found that the neutraliser did not remove nitrous fumes completely. Numerous

assays were made of various minerals, including gold, copper, magnesite, iron, ochres and oxides, vermiculite, alunite, bauxite, barite, laterite and numerous others.

In the Geological Survey Branch systematic field work on the Mt. Magnet and Yilgarn Goldfields continued, but was interrupted during the year to enable the concentration of the field staff on special investigations into industrial minerals and of those minerals brought into special demand for war requirements. A geological bulletin on the southern portion of the Yilgarn Goldfield was published, while the field work in connection with the northern portion of the Yilgarn Goldfields is still in progress. The general survey of a portion of the Mt. Margaret Goldfield is still proceeding. Tindals Mine, Coolgardie, was reported on. Among other inquiries made during the year were the following:—

Dandarragan: Complete examination was made of the phosphatic deposits. The field work has been completed and a report is being prepared.

Bauxitic laterites in the Darling Ranges were investigated.

Northampton was visited to inquire into the future possibilities of the production of lead and copper in that district.

Yinnatharra was visited with a view to inspecting mica and bismuth deposits.

A visit was made to Greenbushes in connection with bucket dredging operations and the compiling of data relative to the talc, magnesite and vermiculite deposits of the State.

Petrological work was carried out in the Mt. Margaret and Yilgarn Goldfields.

State Batteries during the year treated 100,455 tons of ore and cyanided 194,994 tons of sands. The yield by amalgamation was estimated at 44,419 fine ozs., and from tailings 14,412 fine ozs., or a total of 58,831 ozs., worth £A578,291. The yield was approximately 1,000 ozs. less than that of the previous year, but the value, due to the increase in the price of gold, is some £6,000 higher. While the utmost care was exercised in regard to loan fund expenditure, the following battery items were proceeded with during the year:—

Erection of new tailings plant of nine vats and installation of special clean-up equipment at Cue at a cost of £900.

Extension of tailing plant at Boogardie, £286.

Extension of cyanide plant at Coolgardie, £233. The battery at Bamboo Creek, which was erected in 1911, has been reconstructed.

In a number of cases cyanide plants were renewed from revenue. All plants were kept

in first class condition. It was fortunate that the purchase of large stocks of stores from abroad has assisted to keep down working costs, which have been affected by the shortage of shipping. The use of petrol in State Batteries has been almost eliminated. Many goods previously imported have been replaced by locally manufactured articles and in some cases the local has been found to be better than the imported article.

Since the introduction of petrol rationing some disability has been caused to ore carters and private mine owners in obtaining sufficient petrol ration tickets to enable them to use their trucks for taking their ore to the nearest battery. Whenever a disability under this heading has been brought to the notice of the department it has been able to assist by approaching the Liquid Fuel Control Board and obtaining the necessary ration tickets to enable the carting to be done. For a while great difficulty was experienced with regard to petrol in the back country. It was found that while a prospector could take a truck out with six or seven tons of ore, there was some difficulty in its getting back. However, the Liquid Fuel Control Board has been very good and whenever we have approached its members they have appreciated the value of the industry and have given assistance.

As I stated, at the outset it was difficult to say what was going to happen to the industry if the war lasted for any length of time. Talking with some mine managers I found that they have the opinion that the limit has been reached regarding recruiting of men from the mines. Those left are either key men who are on the reserve list of occupations or men who would be ineligible to enlist owing to age or physical disability. It was rather unfortunate for the industry that the war occurred when it did because within 12 or 18 months there would have been 3,000 or 4,000 more men employed in the industry. Other industries like the wool and wheat industries are in the doldrums and consequently it is just as well that we have a gold industry, with gold the price it is. I am of the opinion that we have nearly reached the peak so far as loss of man-power from the mines is concerned, and that the industry will remain as essential to Western Australia in the next few years as it has been on many occasions in the past.

Progress reported.

*House adjourned at 11.34 p.m.*