

that the property qualifications for men are wiped out and that everyone between the ages of 21 and 60 years is liable to serve on a jury.

The MINISTER FOR JUSTICE: I agree with the argument put forward by the member for Hannans and the member for Fremantle.

Hon. A. V. R. Abbott: You believe in compulsory juries, too.

The MINISTER FOR JUSTICE: I believe in what is in the Bill. I do not want anything extraneous to it. The member for Fremantle has said that he agrees with the Bill.

Hon. A. V. R. Abbott: He says it ought to be compulsory.

The MINISTER FOR JUSTICE: He agrees with the Bill, but he would go further if he had his way. This is not going to involve such a lot of inconvenience, because the percentage of women would probably be small. Some 40 or 50 can be summoned, and only 12 good persons are required. I do not think there will be many objections. I disagree with the amendment.

Question put and passed; the Council's amendment not agreed to.

No. 3. Clause 10, page 4—Delete the word "empanelled" in line 23 and substitute the words "sworn as a juror on the trial."

The MINISTER FOR JUSTICE: I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

Resolutions reported and the report adopted.

A committee consisting of Hon. A. V. R. Abbott, Hon. J. B. Sleeman and the Minister for Justice, drew up reasons for not agreeing to certain of the Council's amendments.

Resolutions adopted and a message accordingly returned to the Council.

House adjourned at 10.5 p.m.

Legislative Council

Wednesday, 15th September, 1954.

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

ASSENT TO BILLS.

Message from the Lieut.-Governor received and read notifying assent to the following Bills:—

- 1, State Housing Act Amendment.
- 2, Government Railways Act Amendment.

QUESTIONS.

GERALDTON SILO SITE.

As to Resumptions and Compensation Payable.

Hon. L. A. LOGAN asked the Chief Secretary:

(1) When is it expected that a commencement will be made on the bulk handling silo in Geraldton?

(2) Is it a fact that there are nine houses on the selected site?

(3) If the answer to No. (2) is in the affirmative, has any notice of resumption been given to the owners?

(4) If not, when will notice be given?

(5) If resumption is to take place, will the Minister arrange for compensation to be made as early as possible, to enable owners to make alternative arrangements?

The CHIEF SECRETARY replied:

(1) The extension of the Albany terminal and other pressing work for emergency storage have meant the postponement of work including designing and planning for the Geraldton terminal.

A definite commencement date cannot be given at present, but planning and designing will be gone on with as soon as the emergency storage work is completed.

(2) Yes.

(3) Yes.

(4) Answered by No. (3).

(5) Yes.

WATER SUPPLIES.

As to Conservation by Use of Diesel Locomotives.

Hon. A. R. JONES asked the Chief Secretary:

On account of the very serious shortage of water in most country areas, and with a view to conserving the water supplies as much as possible, will consideration be given to using, for the hauling of trains in these dry areas, the first diesel locomotives which the Railway Department proposes to use on the Westland and Kalgoorlie expresses?

The CHIEF SECRETARY replied:

Sufficient locomotives are not yet available to work the Kalgoorlie passenger links. In the meantime some of the existing diesel locomotives are already working goods trains in the dry areas.

TRAINEE NURSES' EXAMINATION.

As to Tutor Sisters' Letter.

Hon. J. G. HISLOP asked the Chief Secretary:

(1) Has the letter from the meeting of the tutor sisters concerning the first year professional examination for nurses been received by the Nurses' Registration Board?

(2) If so, will the Minister make the contents available to the House?

The CHIEF SECRETARY replied:

(1) Yes.

(2) No. The letter was not received at the Public Health Department until Thursday last, the 9th September, and it has not been considered by the board.

HOUSING.

As to Vacant House in Jupiter-st., Carlisle.

Hon. L. A. LOGAN asked the Chief Secretary:

In view of the repeated statements made by the Government regarding the seriousness of the housing position, why is it that a new Housing Commission house in Jupiter-st., Carlisle, although probably awaiting minor finishing touches, has

been allowed to remain empty, when, to my knowledge, it has been habitable for the last six weeks?

The CHIEF SECRETARY replied:

The property referred to is apparently Lot 122, Jupiter-st., constructed under the provisions of the State Housing Act. It was completed on the 23rd July, 1954, and the keys handed to the purchaser on the 30th July, 1954. The purchaser has paid a deposit and fees, and is meeting repayments.

BILL—PHYSIOTHERAPISTS ACT AMENDMENT.

Introduced by Hon. F. R. H. Lavery and read a first time.

BILL—MINES REGULATION ACT AMENDMENT.

Read a third time and passed.

BILL—PRICES CONTROL.

Second Reading.

Debate resumed from the previous day.

HON. J. G. HISLOP (Metropolitan) [4.38]: Last evening I moved the adjournment of the debate on this Bill so that I could make some inquiries into certain aspects that have been presented to the House. I listened with considerable interest to the speech made on the measure by Mrs. Hutchison; and it was because of that speech that I thought I would institute inquiries, the results of which I will divulge as I proceed.

It seems to me that in this country we have a standard of living which is probably excelled by only one country in the world. Yet there appears to be so much bitterness engendered that one wonders why. I think it is a great pity that any member should continue to find it necessary, in a speech, to inflame the minds of any one section of the community. The statements of the hon. member, when appearing in print, would tend to do that; in reality they have very little bearing on the matter.

Hearing a statement made by a member that, as a result of certain action by this House, children in this State are going without food, one can but treat it on its merits. One has only to look around this State to realise that the standard of the inhabitants is such that the adult would starve long before his children. If the statement that children in this State are starving and going without food has any merit, then it should be inquired into very seriously. Personally I doubt whether there is any truth in it.

One other statement made was also designed to appeal, shall I say, to the baser instincts of a section of the community. That statement referred to the

price of meat. I cannot recall the exact words, but it was made in this frame of mind: "Why should not the worker have the best?" I am of the opinion that in this country the worker has a much greater chance to get the best for himself than anywhere else in the world.

Hon. G. Bennetts: We do not want the best for the worker, but only the equal.

Hon. J. G. HISLOP: Let us look at the statements which could inflame the minds of a certain section of the community. It is not wise for anyone who takes part in the government of a State to utter such statements. How much really good meat is there in an animal? Is there sufficient of it to go around to all the people? If we take the live weight of a bullock at 1,000 lb. and then dissect the meat from it, there is about 500 lb. of meat. If that is again dissected into cuts according to public taste, there will be approximately 25 lb. of boneless rump, 35 lb. of porter-house, T-bone and club steak, and 55 lb. of sirloin steak. So we can see that out of a bullock weighing 1,000 lb. there is only about 8 per cent. of first-class meat according to popular choice. It is not enough to go around.

The answer to some of our difficulties can be summed up in this way. We must realise that as the conditions of living have improved in this country, everybody is looking for the best. Since the war we have been accustomed to expect a higher standard of living, and we are all aiming at that. We all want more of the better things of life. So in this race it depends on who comes first, and who is willing to pay the price asked. The same conditions exist in every country of the world, and the laws of nature will go on determining the answer. I do not know how the conditions can be altered.

The following extract from an American journal sums up the position very clearly. It states—

What law makes pork cost less in December than it does in September? The well-known law of supply and demand. With pork it works like this:

More than half the pigs are born in spring—also according to law, the law of nature. They spend a good six months growing to pork-chop size.

Then, along about the time the first leaves fall, all these pigs begin to come to market. And the same thing happens as with any other perishable commodity (strawberries, eggs or oranges) when there is suddenly a lot more than there was.

The price just naturally goes down!

More pork—lower prices during the winter followed by less pork—higher prices through the summer months.

That is exactly what has taken place in this State. If one views this matter from the realistic law of nature, of supply and demand, one will find the answers to many of the problems which have been presented.

A remark was passed concerning the price of tea. Even if price control had still been in force in this State, I do not think the price would have been any different. A prices commissioner would have little or no say on the present price. The increase would have come about in the ordinary way. It interests me considerably when I hear complaints about the rise in the price of tea. Whilst the desire to raise the standard of living of all citizens is so keenly ingrained in us, we might look at the standard of living of those who grow the tea.

Prior to the war, their standard was very low; but since, they have been given the same idea as we have. The idea has become world-wide. They also are looking for a higher standard of living. Instead of being satisfied with a very small wage, they are beginning to claim and receive adequate payment for their labours. The price of our tea must therefore increase; and it will probably increase considerably more as the standard of living of the growers of tea continues to rise.

Hon. N. E. Baxter: It has a long way to go yet.

Hon. J. G. HISLOP: Therefore the increase in the price of tea must go on.

Hon. R. F. Hutchison: The present price of tea has no relation to the standard of living.

Hon. J. G. HISLOP: If we look around this State, we will find that no real shortage is suffered by anybody. The desire for luxury goods can be evidenced in most households. The companies which pay the biggest dividends these days are those manufacturing electrical goods and appliances, which are so much sought after by the average household. In other words, these luxury goods contribute to our higher standard of living. If one goes into the hotels in this State one finds them all full. We have never seen our cafes so full of customers. If we try to get a seat at a picture theatre, we have to be early. By looking at things in this way, I cannot imagine that as a nation we are very short of the necessities of life, because we spend so much of our wealth on the luxury side. I am glad that the people of this State are able to do so.

One difficulty presents itself under price fixing: the luxury industries are able to pay higher wages, to the detriment of the basic industries, thus adding to the cost of living. I am not a big employer of labour, but I know what it costs to employ office staff today. With the advent of oil in this State; with increasing general prosperity; with the discovery of uranium; and with the opening up of large numbers

of new companies, there is a great demand for trained office staff. The result is that the salaries of these workers have increased, although there has not been an increase in the basic wage. Again this is brought about by the natural law of supply and demand. That applies in many avenues within the State, and I doubt seriously whether there is more than a very small proportion of the people employed on the basic wage.

Profits are essential, but there seems to be a mistaken idea as to the role of profits in the economy of the country. We must realise that, in investing money in large organisations to provide for the public, there must be a risk, and even in business today there is a risk. Many businesses have found it necessary within the last two or three years to have large sales to recoup themselves after the difficulties they experienced in one line or other of produce, or whatever it may be, they offer to the general public. Wages are paid according to the decision of the Arbitration Court, but the man in business must be prepared to take risks and provide means to cover those risks.

I see a difficulty from a different angle as compared with that adopted by some people. I see the effects of competitive anxiety on the executives of businesses. During the war, when there was price control, it was the utter sense of frustration which was damaging considerably the health of executives in big business. Today, the reverse is doing the same thing. Competitive trading is making it very difficult for many of these executives. It seems as if, in our race for prosperity, we are verging toward the American side of life, where the executives of large businesses can expect a very short life as compared with other people.

Hon. H. Hearn: Plenty of gastric ulcers.

Hon. J. G. HISLOP: During the war, price control failed miserably; it did not then stop the rise in prices, and I greatly doubt whether it could do so at the moment. It certainly would prevent competition. Almost every business executive I have known has said that price control destroyed competition because there was not the slightest opportunity to mark up luxury goods and supply the normal goods at competitive rates. The price was fixed, and the profit allowed was not sufficient to permit of the alterations in price marking that are normally made in sales to produce the competition.

I do not think we want price control in order to get lower prices. I consider that the statement that appeared in "The West Australian" this morning about the adverse trade balance for four months is a warning that all might not be well, that our overseas markets cannot stand up to increased importations, and that we shall see further restrictions. If the price for our commodities overseas falls, there is

not the slightest shadow of doubt that prices will come down everywhere and all other factors with them. At the same time, our desire for luxuries will come down.

We are beginning to live in a fool's paradise if we believe that all of this can be in our favour without some real sense of work on the part of everyone. I am not saying that the worker does not work; but I am afraid that a large proportion of the people of Australia think that these things will come easy and that they may live in a land flowing with milk and honey. We should leave well alone. The law of supply and demand will itself produce the control. I for one am not prepared to go back to the time when we had a prices commissioner in this State costing the taxpayers a large sum of money and, in my opinion, producing nothing that was effective.

HON. C. H. HENNING (South-West) [4.55]: From what one could gather from the speeches of members in support of the Bill last night, it is definitely their policy to urge the control of prices where necessary, but I do not think that so far anybody has proved to us that control is necessary. The Chief Secretary, in moving the second reading, quoted a lot of figures, and percentages have been quoted to show that a considerable increase has occurred in the cost of living; but if the item for rent is omitted, the percentage increase is not so serious.

The price of meat has been referred to frequently. Generally speaking, it has been up, but we have to look at the matter from a far wider angle than just saying that the price of meat is so much on a wholesale basis by the carcass or side. First, it is necessary to realise that meat is sold by auction, and the price paid by any buyer is absolutely controlled by the demand for the particular grade or quality of the meat.

A majority of the people nowadays desire the best quality of meat available, and they are paying a price accordingly. Producers over a period have been trying to meet the demand for high-quality meat, particularly beef, because that has been most frequently quoted as being highly priced. In South Australia, the price of meat is controlled, but nobody has quoted the price there charged to an individual who goes along and buys meat. Neither has there been any comparison of the price in South Australia in relation to the wholesale price per 100 lb.

Prices in South Australia were fixed on the 22nd July last, and the figures are available for anyone to see. The fixed price there for rolled sirloin is 3s. per lb. I went to a butcher shop yesterday and inquired the price of choice quality light-weight beef, and it is 2d. a lb. higher here. Undercut has a fixed price of 5s. per lb. in South Australia and is selling here at

4s. 9d. The fixed price of rump is 4s. 2d. in South Australia; and the price in Western Australia, 4s. 6d. Mince is up 3d. per lb. here as compared with South Australia; and gravy beef is up 6d. per lb. Corned silverside is up 2d. per lb. in this State, as compared with South Australia.

The Minister for the North-West: That is the biggest portion of the bullock.

Hon. C. H. HENNING: There is very little difference in the prices paid for the various qualities in South Australia. For average beef, heavy to prime quality, the price in South Australia last week was 175s. as against 215s. here. The difference between other grades in South Australia and Western Australia is not so great, being only 5s.

Hon. H. Hearn: Per cwt.?

Hon. C. H. HENNING: Per hundred lb.; and 5s. is very little. If we go to a butcher who sells average grade meat, it will be found that in Perth prime rib, as it is called, can be bought for 2s. 6d.; top-side for 3s., sirloin for 2s. 8d.; corned brisket for 2s. and corned silverside for 2s. 10d. Compare these with the fixed prices in South Australia. If any member disputes those figures, I will be willing to take him tomorrow morning to that shop, and he will see for himself that the meat can be bought at those prices.

In South Australia the fixed price of forequarter mutton was 1s. 1d. per lb.; and the price in this State, 1s. 2d. For hindquarters, the price in South Australia is 1s. 5d., as against 1s. 4d. here; and for leg, the South Australian price is 1s. 11d. as against 1s. 8d. here. Chops are 2s. in South Australia, and 1s. 8d. in Perth.

When dealing with the necessity for price control, particularly in regard to meat, why was it that the Minister who introduced the measure did not have some departmental officer go around and get the prices of meat so that he could compare them with the fixed prices obtaining in South Australia?

We hear a lot about the "C" series index figure for meat; but how is it obtained? Does an official of the statistician's branch go along and, by selective shopping, see what the prices are; or does he just go to the first butcher he comes to and say, "Give me the prices for the best meats you have and the selected joints"? If any member here does selective shopping, not only of meat but of other goods, he must know that there has been no great increase in the prices that exist today as compared with those of last Christmas or before. I know that various methods for the control of meat prices have been suggested. We could get a qualified accountant or someone of that sort to go along and obtain the prices of choice meats, and of the average quality meats—someone who probably could not tell the difference between a brisket and a bowler

We heard last night that iron and steel prices are going to rise and I am not surprised. If any member turns back to "The West Australian" of the 21st May last he can read a paragraph headed "Notes on the Sydney scene," where, under the sub-heading of "Reds Bask in Sun of Freedom," there is mention of the "Tribune" and we are told something of the methods by which rolling strikes are conducted. The quotation, taken from the "Tribune" reads as follows:—

A huge slab of white-hot steel is drawn out of the furnace. It has taken some hours to get it to just the right heat to forge. The blacksmith looks round; his six strikers have vanished to a meeting. The blacksmith—good unionist—stolidly waits. The steel finally grows cold and must be returned to the furnace for reheating."

Continuing the quotation—

Here come the strikers ready to get on with the job. They stand awaiting the steel's return from the furnace, hammers at the ready, waiting for the blacksmith's word. But it doesn't come. He's gone to join the rest of the blacksmiths who are having their turn at stopping for 15 minutes to discuss their grievances.

That, evidently, is the general principle of the rolling strike. How long is it thought that such action can be taken without putting the price of steel up? I have forgotten which member mentioned that aspect, but that is not the only one. Every ship which is unnecessarily held up in harbour costs from £500 to £800 per day. In the same newspaper we read of a water-front stoppage in Sydney which cost almost £30,000. Who pays for all that? The shipowners and importers have to meet the immediate bill; but, of course, it all goes eventually into increased costs.

We are dealing at present with questions affecting the Arbitration Court and the basic wage. In the one case we set a minimum wage which any person must receive, irrespective of the quality and quantity of his work; but in addition to that there are provided certain margins for skill. In price control we have a maximum set, as opposed to the minimum; and the quality, which is the result of the skill of the producer—whether a manufacturer or primary producer—does not count in the slightest.

One fact that everyone should remember is that we can get out of a pound only what we put into it. If a man works ostensibly for 40 hours a week, but in reality only 36 or 37 hours, he still expects to receive his full 40 hours pay. But can he expect that prices will remain the same? Of course not! Unless he puts in the work he cannot receive the value in return. We read in the Press not long ago that because

one man wanted to do too much work he was prevented from doing so. An employee was sacked from the abattoir in Queensland because he was pushing a full bullock along the rails. He considered he could do it easily, but he shamed his fellow unionists because he was doing too much. If workers were allowed to work according to their ability, without being told to restrict their output, we would get more goods at a cheaper price.

We have heard of the huge profits made by various organisations and companies; but if we peruse the Second Schedule of this Act we will see that very few companies would be controlled by it; and, after all, a company has two main objectives: first of all, to pay dividends to its shareholders; and, secondly, to make provision for improved plant and machinery, so that it may not only maintain its output but also, if possible, increase it.

It is interesting to note, in today's issue of "The West Australian" that savings bank deposits in this State have gone up by £2,698,000. If we take the last issue of our "Statistical Register" and compare the deposits for the nine months with the 12 months mentioned in this morning's Press, we find that for the March-June quarter of this year the increase was £834,000. Does that show that there is no money available?

Hon. H. Hearn: Or that women and children are starving?

Hon. C. H. HENNING: Who are the people who utilise the savings bank facilities? Are they not those generally described here as the workers? Somebody saved that money, and I maintain that they are the people who have done it.

The Minister for the North-West: Not the basic-wage worker.

Hon. C. H. HENNING: For all we hear about planned economy and so on, it seems to me that there are certain people who take the view that the ideal political system is that under which the other fellow pays the taxes. I oppose the second reading.

HON. L. C. DIVER (Central) [5.10]: On the last occasion when a measure similar to this was before the House I supported it because I thought the time was not ripe for the lifting of controls. But having been relieved of price control for almost a year, we have had a certain amount of experience of the result of that action; and I feel that we can safely say it is better to allow price controls to go by the board for ever.

The people I represent are particularly concerned with the control of the price of meat, as proposed in the Bill. Having a little more than a passing knowledge of the subject of meat production, I think it only right to explain to the House why

I believe it is impracticable satisfactorily to control meat prices. If we were to have controls on meat prices at present meat would in fact be dearer. There is no doubt that the producers of meat would be able to produce to the Prices Commissioner a case which would necessitate an increase in the price of stock on the hoof, and particularly the price of sheep.

I have here a copy of Elder Smith's Weekly Gazette, published on the 2nd September; and in it are given the prices of mutton, exclusive of the skin. These prices are calculated on the estimated dressed weight. The figures are, for choice lightweight mutton, 14d. to 15d. per lb., medium weight 14d. to 15d. per lb., heavyweight mutton, 8d. to 11d. per lb., and overweight and over fat 6d. per lb. to 7d. per lb. Surely neither the Government nor its supporters expect the primary producer to produce mutton at a lower figure than that! For the best wether mutton on the hoof the animal is worth about £3 at Midland Junction—not £3 to the producer. From that is deducted the selling commission, and the rail freight; and on top of that the farmer has to produce the animal.

The Minister for the North-West: Is the value of the wool included?

Hon. L. C. DIVER: No; it is after the skins have been allowed for. That is the net return to the grower.

The Minister for the North-West: On the meat portion.

Hon. L. C. DIVER: A farmer would be very fortunate if he could get more than £3 for a good wether. The type of mutton that is sought after would weigh about 45 lb. to 50 lb.

Hon. G. Bennetts: What would you take off before it went down?

Hon. L. C. DIVER: That would depend on its breeding, the time of the year, and the market that was struck in relation to wool. He might get perhaps £3, and he might get up to £4 10s.; it all depends on the quality of the wool the animal grew. If a prices commissioner were appointed, the producers would be able to make out a substantial case for increased prices. That is bad enough now. Speaking of mutton, I can see no likelihood of an increase in price being obtained; if anything the price would be reduced, for the seasonal conditions are such that many farmers, when stock are in a killable condition, use Midland Junction as a dumping ground in order to reduce their numbers, because the coming summer will hold many terrors for stock raisers.

To indicate how difficult it would be for any commissioner of prices to determine what a reasonable price would be, for sheep towards the autumn, let me ask how many farmers there are in

Western Australian today who have fodder crops sown which they are prepared to conserve and put stock on to fatten with a view to keeping them till the next autumn market when good marketing conditions prevail, if they felt they were to be controlled by a prices commissioner. We would be in the same position as this country went through a few years ago. There would be no incentive for the farmer to leave coarse-growing crops, mainly oats, locked up in a paddock for many months, with a view to putting in stock to catch the good prices.

Under price control there is no inducement to cater for the market. Consequently, as was the experience when the late Mr. Garnet Wood was Minister for Agriculture, when that time of the year arrives, everyone is crying out about the cost of mutton, which is due simply to control; and to the fact that there is no inducement to the farmer to feed the grain to his stock rather than export it overseas.

The Minister for the North-West: When was the farmers' produce controlled?

Hon. L. C. DIVER: There was price control. An endeavour was made to control it, but it was not successful.

Hon. H. Hearn: The retail price was controlled, and that affected the other prices.

Hon. L. C. DIVER: The wholesale price was also controlled.

The Minister for the North-West: They were all sold by auction.

Hon. L. C. DIVER: It meant a ceiling price. While the Minister for the North-West may be technically right, in fact he is wrong for the simple reason that the wholesalers were controlled. They had a limit which they were allowed to charge the retailer after they bought the stock; there was a limit on the sale of a body of beef or a carcass of mutton. If that is not control of the producers, I do not know what is.

The Minister for the North-West: I asked when the producer was controlled.

Hon. L. C. DIVER: The Minister has his answer. This Bill proposes to reimpose restrictions on producers of meat in a similar manner, and with a similar effect to that which previously operated. That being so, how is it possible for me to be a party to the reintroduction of price control? I have no doubt whatever that there is a big difference between what the producer receives for his meat and what the public pays for it.

Last night Mrs. Hutchison said that she believed in rationalism. I do not know whether the hon. member looked up the meaning of the word in the dictionary before she used it; but, strangely enough, for once we agree with her. Perhaps most members on this side of the House agree

with rationalism. Webster's Dictionary says that when it is used in its economic sense—and we were dealing with a question of economics last night—rationalism is reform, of industry, for instance, by making production balance consumption and by co-operation of the rival producers and capital and labour. In its true meaning rationalism speaks of co-operation. Nowhere in the definition of the word is "coercion" used, as is proposed by the Government with these controls.

I would say to those people who represent the workers, that if they believe in rationalism they should get together and create a co-operative. Let 10,000 workers put £1 each into a co-operative; and if the master butchers and retailers are making the huge profits it is claimed they are, let these workers by a practical demonstration show us and the world that through co-operation and through their own endeavours, they can buy stock on the hoof at prices at which the wholesaler is buying it today; that they can have it slaughtered at Midland Junction under the chain system; that they can have their fellow-workers cart it to their shops in the city; and have their fellow unionists employed as butchers to sell it over the counter.

The Minister for the North-West: Do you believe in State butcher shops?

Hon. L. C. DIVER: I am talking about co-operation.

The Minister for the North-West: That is co-operation.

Hon. L. C. DIVER: To talk about co-operation and State butcher shops, is like talking about the two poles and trying to make out they are one.

The Minister for the North-West: Nothing of the kind.

Hon. L. C. DIVER: In the one case the enterprise will sink or swim by the successful manner in which it is carried out; while, in the other case, it can be unsuccessful, and the taxpayers' money will be put into it to buoy it up. It is the individual who stands to gain in the one instance when he backs private enterprise; while, in the other, the whole of the taxpayers have to underwrite the failures.

A lot of play has been made about our wonderful Australian standard of living. In years gone by an elderly gentleman was asked what was this wonderful Australian standard of living of which we are all so proud. He defined it as "beef, beer, silk stockings and picture shows."

The Minister for the North-West: Did he not mention golf?

Hon. F. R. H. Lavery: He must have been a frustrated old gentleman.

Hon. L. C. DIVER: That remark was uttered about 15 years ago, and the only pity is that the gentleman is not with us today.

Hon. G. Bennetts: Did he kill himself?

Hon. L. C. DIVER: He died at the age of about 84 years. The truth of his statement can, I think, be borne out today. We hear people talk a great deal while shedding crocodile tears about the poor down-trodden worker.

Hon. H. Hearn: The starving women and children!

Hon. L. C. DIVER: First of all, let me ask: Who is the worker? How do we define "worker"?

Hon. F. R. H. Lavery: The fellow who gets the cheque on pay-day.

Hon. E. M. Davies: The man who has his wages pegged.

Hon. L. C. DIVER: I claim that the worker in this country is often the man that is working in a small business for perhaps 60 or 70 hours a week; the man we want to control; the man to whom the Government wants to say, "You will only get this or that amount for your commodity," while perhaps he, his wife and another member of his family have kept the shop doors open for 60 or 70 hours a week to provide for the wants of the "poor downtrodden worker."

Hon. J. J. Garrigan: What about the basic-wage earners?

Hon. L. C. DIVER: I would like to reiterate the remarks of previous speakers as they relate to basic-wage earners. I would like to know how many individuals are really receiving only the basic wage.

Hon. H. Hearn: Only those in Government employ.

Hon. L. C. DIVER: That is probably so.

The Minister for the North-West: What about the thousands on less than the basic wage?

Hon. L. C. DIVER: I hear a lot about that too, but it gets no further; nothing tangible is put before the House.

Hon. F. R. H. Lavery: What about the thousands of old-age pensioners who have to buy the products?

Hon. L. C. DIVER: The hon. member would sentence those poor unfortunate individuals to their fate. I have every sympathy for the old-age pensioner or, for that matter, for any type of pensioner. The pensioner, however, is different; he has passed the stage where he can earn. He is on the receiving end, and a mighty poor show he is getting. The point I make is that that class of individual would, under price control, be sentenced to pay the maximum price for the minimum of quality in respect of any commodity he wished to buy. That is the help it is proposed to give him!

We are on the eve of a return to earlier price levels, yet there is talk of price control. Last year I had my doubts about

the price structure remaining constant. I have no doubt whatsoever about it today. Our price structure is going to recede, as any man who has anything to do with business circles and banks must know. As a matter of fact, in country areas today, many banks are being approached by clients of other banks with a request that they be permitted to transfer their accommodation from one bank to another. That is a sure sign that things are tightening up and that prices will revert to what they were.

It is no good any individual thinking that by the imposition of price control, or any patent remedy, he is going to put a prop under our price structure. We have not a big enough population to enable that to be done. If we could live unto ourselves to the extent that America is doing, there might be some hope. But we rely too much for our economic welfare on our export industries; and those industries are on the threshold of recession. The wisest thing for us to do is to allow price control to stand in abeyance. I am sure that within the next six months factors will be brought to the notice of a lot of our Labour friends—who have not the acquaintance with business circles that others may be privileged to have—that will enable them to see the wisdom of the step I propose. Last night Mr. Barker spoke about the re-imposition of control on hides.

Hon. C. W. D. Barker: Yes; I want control on everything.

Hon. L. C. DIVER: Yes. I would say that the biggest producers of hides live in the North, and those unfortunate producers have had to sell their cattle to the meatworks for years at a controlled price of cattle hides. From that, the wage earners have been able to benefit. That is one small section of the community which has been asked to subsidise the internal economy of our country.

Hon. C. W. D. Barker: They have never done so well in the history of the North as in the past few years.

Hon. L. C. DIVER: The basic wage has risen.

Hon. R. F. Hutchison: It is pegged.

Hon. J. J. Garrigan: Could they pay the basic wage?

Hon. L. C. DIVER: I would say they would have to. The greatest difficulty in the North would be to get labour at all.

Hon. H. Hearn: At any price.

Hon. G. Bennetts: They get coon labour. That is pretty cheap.

Hon. H. Hearn: What is coon labour?

Hon. G. Bennetts: I mean the blacks.

Hon. L. C. DIVER: My point is that some sections of the community think it is quite all right for some one else to pay the piper but he must not be allowed the natural increase on the commodity he may be producing.

Hon. C. W. D. Barker: Stick to the point!

Hon. L. C. DIVER: If control is to the benefit of certain individuals, it is quite all right. But the moment they are expected to make some small sacrifice for the welfare of the country—

Hon. H. Hearn: Such as paying extra rent for their flats.

Hon. L. C. DIVER: —they immediately take exception. I suppose that no industry has paid more dearly for controls than has the wheat industry. I will admit that the wheatgrowers, of their own volition, agreed to enter into a stabilisation scheme. Had they remained on the free market they would have been about £120,000,000 better off.

The Minister for the North-West: They chose to have a guaranteed price.

Hon. L. C. DIVER: Perhaps we are on the threshold of a reverse. The tide is running out at present. A ballot is being taken, and the wheatgrowers may derive some benefit if they agree to stabilisation over a period. However, I am wondering whether Governments of the future will honour the agreement if the wheatgrowers consent to be controlled again. That remains to be seen.

The Minister for the North-West: It would be an unwise Government which did not.

Hon. L. C. DIVER: We speak from a certain amount of bitter experience when we assert that there is need to be careful when considering controls. There is one more point I wish to make in relation to our position on the world's markets. We have to compete on those markets with the goods produced here. I feel pretty sure there will be a recession in connection with our export commodities; and if we have controls, how on earth are employers in industry going to maintain their staffs under a false economy? By "false economy," I mean trying to live unto ourselves, as Mrs. Hutchison would have us believe we can. That is simply impossible. In such circumstances, how can we hope to capture the markets of countries north of Australia for our secondary industries, or even compete on the British market?

With regard to price control, I think the best thing we can do is to carry on as we are at present. Let us have a free market and permit industry, by efficient management and the natural conduct of business, to capture markets, so that we can maintain full employment in Australia as far as possible. For the reasons I have given, I oppose the Bill.

HON. J. McI. THOMSON (South) [5.41]: I shall not attempt to cover the ground that other members have traversed in speaking to the Bill. I congratulate

Mr. Henning and Mr. Diver on their contributions, and I think it would be well if members would seriously consider the information and advice those two speakers gave the House. They dealt with the matter very extensively. I will make my remarks brief, because I do not wish to delay the House with repetition of what has already been said.

I see no justification for the reintroduction of price control. We had experience of price control during a time of emergency, and I would hate to have us return to the state of affairs that existed at that time. Such conditions are necessary in a time of emergency, and we are prepared to accept them. But things have returned to normal, and the only way we can maintain normality is by encouraging competition and free enterprise.

Much has been said about rent and meat, and I do not propose to cover the points already made in that connection. But I would stress that with the introduction of price control, the Minister would be able to control any item he desired to, whether it be under the schedule in the Bill, or by regulation. There are many items included in the requirements of human beings, apart from homes—for which rent has to be paid—and meat. I would refer to furnishing of a house. Members supporting the Government may not have interested themselves in ascertaining the true position with regard to this aspect.

Figures that I have indicated that there has been a reduction of 10 per cent. in the price of furniture, due to the efficiency of methods used in its manufacture, and mass production, and also to co-operation between manufacturer and retailer. That reduction has taken place since prices were decontrolled; and if there can be a decrease of 10 per cent. in the price of furniture, I think there is every justification for our looking further afield. The figures I am quoting are authentic. There has also been a decrease of 10 to 15 per cent. in the price of floor coverings since they have been decontrolled; and the price of furnishings has been reduced by 20 per cent. These are very important items.

I am afraid that those members who have spoken in support of the Bill are concerned only with the popular cry—and it is regrettable that it is the popular cry—of the man in the street, that he is being hardly done by. It is our duty to ensure that the working man is given every opportunity to improve his station in life; and the figures I have quoted clearly indicate that the relief that has been afforded, as a result of the decontrol of prices, justifies our opposition to this measure. Controls, as we knew them, were such that quite a number of people had to be employed in the unproductive work of compiling statistics and other returns. With the removal of controls the customer has received not only a better service,

but the benefit of the decreased prices that I have mentioned. The reimposition of price control would be a retrograde step, and I hope that in the interests of everyone—the people I represent and those represented by others here—the measure will not be agreed to.

On motion by Hon. R. J. Boylen, debate adjourned.

BILL—JURY ACT AMENDMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to amendment No. 3 made by the Council, and had disagreed to amendments Nos. 1 and 2.

BILL—ADMINISTRATION ACT AMENDMENT.

Received from the Assembly and read a first time.

BILL—HEALTH ACT AMENDMENT (No. 1).

Second Reading.

Debate resumed from the previous day.

HON. N. E. BAXTER (Central) [5.50]: When the Chief Secretary introduced the Bill, he informed us that the amendments it contained were straightforward and should not merit any opposition. I was at first inclined to take his word—

The Chief Secretary: You will not go far wrong if you continue to do that.

Hon. N. E. BAXTER: —but later I looked through the Bill, and compared it with the principal Act. One of the first amendments in the Bill is the very simple matter of inserting into the Act, in brackets, the figure one. The Chief Secretary did not explain the reason for that amendment, and I am a little bit vague about it. My interpretation of it is that it refers to the figure one in brackets having been omitted when the Act was reprinted, or when it was amended some time. Perhaps the Chief Secretary will explain the point when he replies to the debate.

Clause 4 refers to a local authority undertaking contracts for the removal of trade refuse and other rubbish from premises, and proposes to make it an offence for anybody to remove rubbish from his property where the local authority has undertaken contracts for the efficient removal of rubbish. I feel that it is not British justice to say to people that they cannot remove and dispose of rubbish, as many people do in a very commonsense manner, normally. They do not just throw it out into the streets, as was done in London and other big cities of the world a couple of hundred years ago. A person today is most careful where he deposits his rubbish, especially if it is of such a

nature that it may bring disease; and although at times rubbish is deposited in places where it should not be put, we still have our laws making the people who are responsible for doing that liable for their actions.

A local authority, under the present Act, has the right to frame by-laws prohibiting any person from executing or undertaking the removal of rubbish from his premises where the local authority has contracted for the removal of rubbish. This clause in the Bill is, therefore, unnecessary; it is redundant, and I could not support it in the Committee stage.

Paragraph (b) of Subsection (1) of proposed new Section 112A states that every occupier of premises must pay to the local authority or its contractor the prescribed charge for the removal of rubbish. This, also, is covered by Section 113 of the Act which provides—

If any person neglects or refuses to pay to the contractor any charge made by him under his contract with such local authority for services rendered on behalf of such person, such charge may be recovered by the contractor or by the local authority on his behalf from such person by action in any court of competent jurisdiction.

To my way of thinking the provision in the Bill is merely a repetition of what is already in the Act.

In Subsection (2) of proposed new Section 112A we have the provision that the local authority may in writing authorise the occupier of premises to remove or dispose of house and trade refuse and rubbish from his premises. Further on, the Bill provides that even when an occupier of premises has the authority in writing to remove rubbish, and does remove it, he has to pay the fee—the prescribed charge—to the local authority. He has removed it, but he still has to pay for having removed it himself! That is ridiculous and is not in keeping with our common law. It is recognised in common law that where no service has been rendered, no fee or charge shall be paid.

The Chief Secretary: What about a water supply when you are within a certain distance of a pipeline and have to pay?

Hon. N. E. BAXTER: That is a different matter. That is not a service, but a rate.

The Chief Secretary: Tweedledum and Tweedledee.

Hon. N. E. BAXTER: It is a rate that is struck, and not a service rendered.

Hon. A. F. Griffith: It is a rate about which many people are not too happy at the moment.

Hon. N. E. BAXTER: That is so. I do not admit that it is, in many cases, a justifiable rate. When the Minister explained Subsection (4) of proposed new Section 235A, he intimated that it was

more or less the result of the trouble that was experienced in this State some time ago in regard to desiccated coconut. I still think there is room for improvement in this clause, because it provides that a person shall not be entitled to any compensation by reason of anything done, or the destruction of or damage to, or loss of value of any food by action taken by the Commissioner of Public Health. There is a moot point here in that if we put on our statute book an Act stating that a person is not entitled to compensation because of an action taken by a public servant, I feel that the person who has suffered the loss may not be able to claim from the originators of the article, because they could say it was not as a result of their authority that it was destroyed, but on the authority of the Commissioner of Public Health; and under the Act no compensation would be payable.

It would be wise of the Minister to get the Crown Law authorities to examine this clause before the House passes it. I cannot agree to it as it stands. Those are my objections to the Bill. I intend to support the second reading, but I feel that I cannot support the clauses that I have referred to. If they are not amended, I shall vote against them when we are in Committee.

HON. L. A. LOGAN (Midland) [5.58]: The Bill deals with approximately five different phases of the Act, but I intend to mention only two. My remarks will coincide to a certain extent with what was said by Mr. Baxter. The first point I want to put before members is that concerning the disposal of house refuse.

I can quite understand the intention of the Bill—namely, to prevent unauthorised persons from disposing of their rubbish or house refuse by dumping it wherever they feel inclined. There is nothing to prevent any local authority from prosecuting these persons today; but what the Bill intends to do is to stop any person from disposing or removing any household refuse whatsoever, unless he gets permission to do so from the local authority. I thought we were living in a civilised world; but when we have to go to this trouble in order to cart away a bit of rubbish from the backyard, I think we are getting back to uncivilised conditions. It looks a little like Hitlerism to me.

As most members know, people have rubbish bins from which the ordinary rubbish is collected and carted away. That is a service provided by the local authority. But there is always a certain amount of rubbish that the receptacle will not hold, and which the rubbishman will not take away. As a result, it becomes incumbent upon the individual to remove it himself. He cannot leave it in his backyard, because that is against the health laws. Yet,

if he wants to take it away—and that is a necessity—he will have to get permission to do so. I do not see any commonsense in having a law on our statute book which makes it necessary for us to get a permit to do something that we have to do. I must oppose that part of the Bill.

The Chief Secretary: Where are you going to dump it if you do not get permission to dump it at the council rubbish-heap?

Hon. L. A. LOGAN: I have carted away plenty of rubbish and dumped it at the rubbish dump.

The Chief Secretary: What would you say if someone dumped rubbish on your block without your permission? That is a different thing altogether.

Hon. L. A. LOGAN: That does not come under this.

Hon. R. J. Boylen: Yes; it does.

Hon. L. A. LOGAN: It does not.

Hon. R. J. Boylen: Of course it does!

Hon. L. A. LOGAN: This deals with household refuse. If someone dumped rubbish on my property, I would be entitled to prosecute him.

The Chief Secretary: What about the local authority?

Hon. L. A. LOGAN: A local authority can do that today.

Hon. N. E. Baxter: It can make by-laws.

Hon. L. A. LOGAN: This measure prevents the individual from taking rubbish from his backyard, unless he gets written permission to do so. In addition, he has to pay rates covering the cartage of his rubbish when, frequently, he has to cart some of it away himself.

The Chief Secretary: Do you not think it is a courtesy to get the permission of the local authority to dump rubbish at the rubbish dump?

Hon. L. A. LOGAN: No. It is a public rubbish dump, and in most places notices are displayed saying, "Dump rubbish here."

Hon. F. R. H. Lavery: That may be so in country towns, but not in the metropolitan area.

Hon. L. A. LOGAN: In the metropolitan area, too.

Hon. F. R. H. Lavery: No.

Hon. L. A. LOGAN: They have one at Fremantle. We had a look at it the other day.

Hon. F. R. H. Lavery: The North Fremantle council keeps the gates closed.

Hon. L. A. LOGAN: Every city council has a public rubbish-tip.

The Chief Secretary: You can do it with impunity on their property, but you must not do it on yours!

Hon. L. A. LOGAN: Why the necessity to have these stipulations in the Bill? The other portion, dealing with desiccated coconut, drugs or food, which denies the right of a storekeeper to any compensation, is entirely wrong. A storekeeper purchases commodities in good faith; and if, for some reason or other, the health authority takes control of a commodity and condemns and destroys it, the storekeeper will have no redress. I would like the Chief Secretary to inform me to whom a storekeeper can apply for redress; because, as far as I can see, if this measure is passed, he will be liable for all losses. Surely, if a commodity is destroyed by the health authority, the storekeeper should not be the only person responsible, unless negligence can be proved.

The Chief Secretary: The Government should not pay it.

Hon. L. A. LOGAN: The Chief Secretary has not told us who should be responsible, although the Bill states that the individual shall be. That is not fair.

The Chief Secretary: You have no imagination.

Hon. L. A. LOGAN: The individual concerned will suffer the total loss, and that is too much of an imposition to place upon him. Those are the only two features of the Bill to which I object, and I shall certainly vote against them at the Committee stage.

HON. J. G. HISLOP (Metropolitan) [6.5]: Some of the provisions in this Bill are well overdue and some will bear considerable discussion. Even though this looks like a Committee measure, I think it wise to make some comments at this stage. In the first part, the Bill seeks to give authority to a local health inspector to alter or order the provision of sanitary services within a local authority's area where it is deemed necessary in order to save the whole of the local authority having to meet and make an order. I take it that is the meaning of the first clause in the Bill, and it has a lot to recommend it; but I do not think it goes far enough. I think there are important aspects of this matter which could quite well be brought into the Bill.

First, I am not at all certain that putting all this additional work on to the health inspector of a local authority is wise; because, if that inspector lives within the local authority's district, and acts for that local authority alone, he has a most unenviable task to say to certain people in that local authority's district, "You must do so-and-so in regard to your sanitary or other services." Where an inspector is employed by contiguous local authorities, and exercises his right under the Act in more areas than one, he is in a better position. But I have been in areas where the local authorities have told me quite frankly that they could not expect their

local inspector to issue orders for certain purposes, particularly against members of the local road board, or even members of the municipal council.

Hon. G. Bennetts: They are doing it in Kalgoorlie.

Hon. J. G. HISLOP: I went into an area that is in the electorate of the hon. member and I saw some appalling conditions.

Hon. F. R. H. Lavery: Yes; I saw them with you.

Hon. J. G. HISLOP: I made some inquiries at the local authority office, and found that the place that deserved most—

The Chief Secretary: Censure.

Hon. J. G. HISLOP: Yes; I will take that. The place that deserved the most censure proved to be the house in which the local inspector had been forced to live for some time. What chance had that local health inspector of doing anything about it?

I went to another country town recently and had a look at the backyards of hotels. I walked through the backyards of the premises along the main street, and was absolutely horrified. As a result, I had a talk with the mayor of the town; and he said, "Under existing conditions, how can you expect anything to be done?" If we are to make this sort of thing taboo, we might give consideration to an alteration of the plan; and divide the State into health zones; and appoint to each health zone an inspector—or more as may be necessary—actually employed by the central department under the commissioner, and loaned to local authorities in the district in which he is serving.

Years ago, I went to another area in the State, where I was told that a local health inspector had come prepared to issue an order against a member of the local council. He was told that if he issued it, that would be the end of his job.

Hon. E. M. Davies: It would have to be by consent of the Commissioner of Public Health before he could be dismissed.

Hon. J. G. HISLOP: But how difficult it would be for the local health inspector—once this point had been raised—to do anything more in that district.

Hon. G. Bennetts: Was that in my electorate, too?

Hon. J. G. HISLOP: No.

The Minister for the North-West: A lot of them do a dual job.

Hon. J. G. HISLOP: Yes. I think we might well give consideration—I know it cannot be done under this Bill—to dividing the State into health zones; then we could look at this matter from a proper point of view.

The next part of the Bill deals with sanitary services. One thing that has always amazed me has been the primitive provisions that are permitted for circuses, which come annually to this city and set up their camps on the Esplanade. "Primitive" is not even the word; they are pre-primitive. There cannot be any sanitation, because the Esplanade is only a few inches above the water table. They erect flimsy wooden structures that are knocked down as soon as the circus moves. Yet they must provide sanitary services for the circus staff and the public who might visit their performances. It is shameful to allow this sort of thing to continue, and I take it that is within the boundary of the City of Perth. Can the city health inspector tell the City Council that it must do something about this problem? Personally, I think the City Council should erect a proper block if it intends to allow circuses to use the Esplanade as a permanent site.

Talking about sanitary services, is it not possible to do something about these services on railway stations? Recently I travelled to Geraldton; and on the way, we pulled up twice for meals. I do not think I have seen anything quite so bad as the sanitary services at one station; and I would suggest that there is a good deal to be done in this matter, especially regarding the provision and care of sanitary services—the care is probably just as important as their establishment. Once they are put in, no one seems to take any care of them. I realise that the travelling public is to blame, and they make some of these places a complete shambles. But I think the people in charge of the stations or restaurants alongside should be compelled to see that these services are in a sanitary condition.

The Minister for the North-West: You do not have to look far in the city to find similar conditions.

Hon. J. G. HISLOP: I know that. Our attitude in regard to sanitary services is not what one would expect to find in a civilised community; and I am glad to see that some step is being taken; but I do not think it goes far enough. We want more policing of this aspect if we are to look upon it as a health measure. The provision in the Bill really does not meet our present needs.

Coming to the question of rubbish removal, I can see what the position is; and I think the clause is justified, despite the complaints made by the two previous speakers. We cannot allow people to go on moving lots of rubbish from their homes and just dumping it, willy-nilly, on the local grounds, or anywhere that is supposed to be a local dump.

Hon. L. A. Logan: They are allowed to do that now.

Hon. J. G. HISLOP: This clause is probably a tightening up of the present provisions. But I would like to see it tightened up in a different direction. I would like to see the local authority, or whoever it might be, compelled to take all rubbish.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. J. G. HISLOP: If I remember rightly, I had just said that I thought the provisions of this clause could go a little further; and I suggested that the local authority, whilst it is empowered to inflict penalties against a householder who does not do certain things, might also be told to remove all the rubbish. I think it was only last year that the Perth City Council offered to give a free clearance of any rubbish that a householder had which would enable people to clean up their backyards and put them in order.

If we made a survey of all the backyards in the State, I think we would be amazed at the collection of waste material that is lying around many houses. I often wonder why we erect fences around our residences because they result in yards being rather disorderly. If no fences were provided, I think a householder would tend to keep his yard in a more orderly and tidy fashion. I would like the Minister to have a look at this clause and to ascertain whether, at least once a year, the local authority could grant a householder the right to have rubbish removed from his premises, even at a small cost.

Quite often a householder is handicapped in regard to the disposal of his rubbish because many articles, such as old shower baths, etc., cannot be placed in a rubbish bin; and as a result, they accumulate in his backyard. I think a local authority might be asked to arrange for one or two visits a year in order to dispose of a certain amount of rubbish from the premises of householders and fix a certain charge.

The Chief Secretary: A number of local authorities have already done that in the last year or two, I think.

Hon. J. G. HISLOP: I think it might be made a general rule. It would make a big difference to the yards and the surroundings of many of our houses. I do not think it would be hard to accomplish. To achieve that objective it would not be difficult to add a further clause, to provide for a charge to be made by a local authority for that additional service. I ask the Chief Secretary to have a look at that proposition and ascertain if it is possible to put it into effect.

I have no great quarrel with Clause 6, which seeks the right to make regulations, and so on, to cover the conduct of roadside hamburger bars and eating houses that have become a feature of our everyday

life. I am wondering whether the wording of the clause is satisfactory. The proposed new paragraph reads as follows:—

Regulating and prohibiting the establishment or carrying on of any food stall or other premises used for the sale of meals but which are not eating houses.

I am wondering whether the words "carrying on" are sufficient to cover the conduct of such businesses, and whether their activities could be covered in a much wider sense. I would like to see regulations made as to the keeping of supplies in those caravans: for example, the storing of meat in refrigerators, or in ventilated cupboards, which are free from flies and contamination, etc. I do not know whether a regulation already exists, because I have not had time to study the Act thoroughly. However, inquiries could be made to ascertain whether we have sufficient authority to ensure that all the activities of a roadside eating house are covered.

When I was in the United States of America some six years ago, I discussed this question with the Commissioner of Public Health in Chicago. I noticed that in that city, and in New York, this type of eating house had been conducting its operations right alongside motor garages and in wayside places, and practically the only cases of typhoid that had been notified in Chicago a couple of years before had come from this type of eating house, which was generally associated with a garage. Regulations cannot be too strict to cover the handling of food by eating houses that cater for road traffic. It would be of great benefit if we were assured by the Chief Secretary that all these features were fully covered in this clause. I doubt whether the words "carrying on" are sufficient to cover what I have in mind.

Recently I was interested to learn of a move in Perth to have an eating house associated with a garage. I was going to make a very definite protest against it. In the United States it was found that although the staffs of eating houses were separate from the garage requirements, there was always a time when a shortage of staff occurred; and then an attendant in the garage would be called upon to assist in the handling of the food in the adjoining eating house. It was felt that by that manner the spread of disease, under unfavourable conditions, was made possible. In dealing with this question of roadside eating houses that point might be taken into consideration in a Bill of this nature.

In regard to Clause 7, which is to provide for the position of exits from picture theatres, dance halls, etc., and to prohibit the parking of cars outside the exit doors, there is only one point I would like to make. It seems ridiculous to me that the area set aside for the parking of cars outside picture theatres is governed entirely by

the entrance to a picture theatre itself. If that parking site is provided to avoid the danger of fire, and to leave a clear exit for people rushing out through the entrance during the time of a temporary disaster—which has occurred in other parts of the world—surely the limiting of the parking area to the size of the street frontage of the theatre entrance is not the correct method of approach.

Take a place like the Mayfair theatre in Hay-st. It has about 10 ft. of prohibited area for parking, but the Metro theatre in William-st. must have about 100 ft. or more of parking space. If it is designed as a protective measure of health—

The Chief Secretary: It is not dealing with the frontage; it is dealing with the exits that lead to side lanes.

Hon. J. G. HISLOP: There are no side lanes leading to some of the theatres.

The Chief Secretary: Some have them.

Hon. J. G. HISLOP: It seems to me that in some of these establishments there is either too much or too little space; but there does not seem to be any regulation which sets down the area of parking space which should be allotted to these theatres, if this is a provision for the protection of the public.

The only really contentious part of the Bill is that portion dealing with drugs or food which are dangerous and injurious to health. This harks back to the old problem of the diseased coconut. Personally, I am of the opinion that this Bill should not deal with that problem. I do not think it should be covered by a State measure. However, if it is a problem for the State, let us introduce a measure to deal with it. If dangerous or injurious foods are to be introduced to Australia, surely that is a question that would come under the jurisdiction of the Commonwealth. We have always to remember that when we dealt with the confiscation of diseased coconut, the action was taken in the public interest. That saved us from one of the most acute forms of typhoid fever that we have known here for a number of years.

Hon. Sir Charles Latham: We cannot expect the storekeeper to carry the loss.

Hon. J. G. HISLOP: I do not think it is even a State affair. If dangerous drugs or foods are to be brought into the State, the matter should be covered by Commonwealth legislation. Then the people might be prepared to share the burden of the cost involved; or, if necessary, put it on to the bigger man who has introduced this dangerous drug or food into the country without taking proper precautions.

The Chief Secretary: We have to protect the State if the Commonwealth fails.

Hon. J. G. HISLOP: The State, after all is said and done, is the people. If someone were clever enough to rapidly discover the source of the typhoid or disease, I would be quite prepared to pay my share of the cost to get rid of the stuff that carries it. I doubt whether we are justified in placing the burden on the storekeeper to meet the bill to destroy these injurious foods. All we are trying to do as a State is to evade the cost of confiscation of dangerous foods or drugs. When it is a question of something being imported into Australia, I do not like the principle. It has already got past the Commonwealth authorities; and I think we might approach the Commonwealth Government, and ask it to bring in a measure of its own to cover the situation.

I am not at all certain that I am happy with the axiom "the King can do no wrong" when it applies to the Commissioner of Public Health. The clause I am referring to reads—

A person shall not be entitled to any compensation by reason of anything done, or the destruction of or damage to or loss of value of any food or drugs as the result of any action taken in accordance with an order issued by the Commissioner under subsection (2) of this section or as a result of any action taken by the Commissioner under subsection (3) of this section.

That does not say whether the commissioner is right or wrong. If afterwards the commissioner were found to have made an error in this matter—

Hon. L. A. Logan: There is no right of appeal.

Hon. J. G. HISLOP: No. Whilst we have been giving consideration to a measure to allow an individual the right of appeal against the Crown, we find that in this Bill we are placing more power in the commissioner's hands without an individual having the right of appeal against his action.

I would like the Chief Secretary to have a look at the wording of Clause 11. In my opinion, the whole of it could be redrafted. This is the clause that deals with the erection, purchase and maintenance of premises for the establishment of maternal and infant health centres. In my view, the preamble to proposed new Section 324A. should read something like this—

The Commissioner may enter into an agreement with a local authority in respect to all or any of the following matters in relation to maternal and infant health centres:—

Paragraph (b) relates to the provision of nursing and other staff, but they have no direct relationship except through paragraph (a). Paragraph (b) is not sub-

servient to (a). It is in the preamble, and something more is needed in the preamble. The paragraph means the provision of nursing staff for these centres. It might be as well to reword that clause so that paragraphs (a) to (e) correspond to the subject matter of the clause. It does not matter so much in the case of paragraphs (c), (d), and (e), because maternal and infant health centres are mentioned. I consider that the clause is badly drafted.

An attempt has been made in Clause 12 to follow the wishes of the National Infant Health Council to obtain more definite information regarding the early deaths of children within their first month of life. In my opinion two sets of circumstances are referred to. I have not had the opportunity in the time since this Bill was introduced of finding out exactly what is required. I would like to draw attention to paragraph (b) which provides that a midwife shall, in the prescribed form, notify the Commissioner of the attendance. She will have to do this in the absence of a medical practitioner. But then the following paragraph seeks to cover the death of an infant within 28 days of its birth.

Here are two separate sets of circumstances. It is possible that the medical practitioner bringing a child into the world will be in attendance on that child if it dies within 28 days of its birth; it is also possible that he may not be in attendance. A great number of obstetric cases are carried out by specialists who look after the child only for a certain period. If the child became ill, the specialist would call in some other practitioner to take care of the child, such as a specialist pediatrician; or the child would be sent to the Children's Hospital for treatment.

Does the clause mean that the medical practitioner in attendance when the child dies shall notify the commissioner in the prescribed form within 48 hours of all the details of only the death and illness of that child; or must he describe the whole obstetric history of the mother before the birth of the child? I think the clause seeks information on the latter aspect. This cannot be obtained if the medical practitioner attending the child is not available.

Hon. Sir Charles Latham: If the prescribed form is available we can see what is required.

Hon. J. G. HISLOP: What information do paragraphs (b) and (c) seek? If the child dies within 28 days, then the most important information required by persons undertaking research, would be during the obstetric period of pregnancy.

The Chief Secretary: I think they are two clearly defined aspects.

Hon. J. G. HISLOP: If a child dies within 28 days of its birth, the whole obstetric history, as well as the history of

its illness, is required; otherwise research into this subject is of little use. This interests me very greatly, because it is contemplated that sooner or later the appointment of a director of maternity research will be made under the Queen Elizabeth Fund.

The Chief Secretary: Paragraph (a) would be subject to paragraph (b).

Hon. J. G. HISLOP: Not necessarily.

The Chief Secretary: According to paragraph (b) it is.

Hon. J. G. HISLOP: The birth will be notified purely as a normal birth.

Hon. Sir Charles Latham: It depends on what the prescribed form says. We should see it.

Hon. J. G. HISLOP: It is probably not prescribed yet. If it has been prescribed, it should be in the schedule. We should know more about this. I would ask the Chief Secretary to look at the Bill again to see if more information can be given to us. Even a rough draft of the prescribed form would satisfy me at the moment. We fiddled with this matter when amendments to the Health Act were introduced three or four years ago, dealing with the notification of stillborn cases. The whole thing has been a complete washout. We cannot achieve anything by this Bill, because the provisions do not seek to give the real basis for research.

Research into the early death of children is very desirable because in Western Australia every year about 700 children die within their first year of life. Any attempt made to save those lives would be worth while. Quite a considerable proportion occur during the first month of life. If we can assist this research by framing this paragraph more clearly, then I shall be very happy. Otherwise I have no intention of supporting it.

On motion by Hon. Sir Charles Latham, debate adjourned.

BILL—POTATO GROWING INDUSTRY TRUST FUND ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. C. H. HENNING (South-West) [7.53]: In introducing this Bill last night, the Minister stated that it had a dual objective. The first related to the qualifications of those entitled to vote under the Potato Growing Industry Trust Fund Act, and for the filling of any extraordinary vacancy on the board. I believe that the amendments are necessary.

Dealing with the qualifications to vote, we must divide the potato growers into two classes. Firstly, there are those who

grow potatoes on their own property; in other words, they are the established landholders who possess all the facilities for planting potatoes; for digging; and, if necessary, for storage. Secondly, there are the itinerant growers. In most cases, they are New Australians, who rent their plots of land from others and grow potatoes thereon. Over the years a great number of the growers have migrated from Southern Europe and they made their first start in this country in the potato industry. Some have been successful and some have not. There is a fund set up under the 1947 Act, and I consider that only those growers who have become naturalised should be eligible to vote.

The Bill contains a provision to this effect. It states that the applicant must be qualified to vote as an elector of the Legislative Assembly. In view of the apathy of some people to vote, it would be quite easy for a great many of the growers to be influenced by others of their own nationalities. Many growers started a long time ago, but still have very little knowledge of our language, and still less of local conditions. They could therefore be easily led astray.

It is also stated in the Bill that the growers concerned must have been engaged in production during the last preceding 12 months. That amendment is fair, because some growers may enter this industry and leave it. There is no reason why they should be entitled to vote.

Another provision deals with the elective member of the committee. Under the present method that position is filled by the elective member still in office. Clause 4 seeks to delete the words "by the elective member remaining in office" and substitute the words "executive of the body known as the Potato Growers' Association of Western Australia" That is also fair and reasonable. After all, the executive is mainly responsible for administration of the trust fund and the association for the general policy of the potato growers throughout the State. The Minister commended this Bill to the House. It has been commended by the Potato Growers' Association and I support the second reading.

HON. L. A. LOGAN (Midland) [7.57]: I am not very happy about the provisions of this Bill, and I would like some information. The interpretation of commercial producer makes it incumbent on those eligible to vote to be on the roll of the Legislative Assembly; this denies the right of many growers to have a say concerning the handling of their produce which they grow. Apparently this is a move to encourage New Australians to become naturalised; and to encourage growers who have been in Australia for a considerable time also to become naturalised.

Under this measure, 50 per cent. of the potato growers in Western Australia can be denied the right to be on the roll, and the right to have a say in the handling of their products. I do not consider that we are entitled to adopt such a provision. There are other methods of encouraging New Australians to become naturalised without compelling them under this Bill. Whether this Bill is commended by the Potato Growers' Association or not does not necessarily make it right as it seems that common British justice is being denied some of the growers. I understand that the association desires this legislation but if the Bill is passed in its present form, it could deprive 50 per cent. of the potato growers of a vote. It is in that direction that I seek more information.

THE MINISTER FOR THE NORTH-WEST (Hon. H. C. Strickland—North—in reply) [8.0]: The interpretation of "commercial producer" has been in the Marketing of Potatoes Act since 1946. There is no intention on the part of the Government to compel foreigners to become naturalised by means of legislation of this sort, which is a trust fund Bill. The reason why the provision was inserted in the original Act apparently was to prevent unnaturalised foreigners engaged in potato growing from taking control of the industry. As has been pointed out by Mr. Henning, many of those men have been in the country growing potatoes for years without any intention of becoming naturalised. However, I repeat that there is no intention of compelling them to become naturalised.

The intention is that a grower who will be voting for a member of the board will be an intelligent voter and will at least have a stake in the country. That is the only reason for the provision, which is considered to be a good one by the association and also by the Minister for Lands in the previous Government, who knows a good deal about primary production. That is the only explanation I can offer, but I think it is a sound and reasonable one, and I cannot see why any objection should be taken to it. As I explained when moving the second reading, the intention is to make the provision in this Bill and in the Marketing of Potatoes Act the same, because some growers were debarred from voting as they were not growing potatoes in the period from the 1st March onwards. This will give them the right to vote at any time.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—FACTORIES AND SHOPS ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. N. E. BAXTER (Central) [8.6]: On glancing at the Bill, I thought it was a simple measure, but there is more behind it than meets the eye. Prior to the 1st January, 1940, where the maximum number of employees was three, the charge was 2s. 6d. and in that year it was raised to 3s., which was not a large increase. This Bill, however, proposes to increase the charge to 10s. or four times as much as it was in 1940. Where the number of persons employed does not exceed seven, it is proposed to increase the charge from 5s. in 1940 to £1; where 15 persons are employed, from 10s. to £2; where 30 persons are employed, from £1 1s. to £3 10s. and for each person in excess of 30 from £2 10s. in 1940 to £3 10s. plus 2s. 6d. for each additional person up to a maximum of £15.

In the financial year 1952-1953, the revenue received by the department under the 1940 scale was £4,825 and a rough estimation of the increases proposed under this Bill represents another £7,300 a year, making a total of £12,062. The public accounts show that the salaries paid to employees of the department in 1952-53 amounted to £20,575., or with incidentals, etc., a total expenditure for the year of £23,901.

My objection to legislation of this type is that it is mainly for the benefit of the employees. Very little benefit is derived by the business people who conduct factories and shops. It will be seen that the employers have to pay practically one-half of the administration costs of the department from which they derive no benefit. We have heard a good deal about the increase in prices; and small though these charges may appear to be individually, they have a cumulative effect and lead to further increases in prices. This is one of the many charges imposed on industry. Let me give an instance. During the past couple of years every factory and shop under the Act has been required to install fire extinguishers according to the size of the premises.

Hon. G. Bennetts: That is done by the employers to protect themselves.

Hon. H. Hearn: For doing so, a rebate is allowed on the insurance.

Hon. N. E. BAXTER: It is a small rebate, and many years are needed to recoup the outlay. In the business I was in, close on £80 had to be expended to provide fire extinguishers. However, that is one of the little crosses that business has to bear. Year after year we are confronted with legislation imposing increased costs not only on secondary industries, but

also on primary industries; and charges of this nature must increase the price of commodities to the consumer.

I should like to delve a little further into the Factories Department. The staff employed in 1952-53 numbered 21, of whom 15 were inspectors on salary ranges of £909 for a third-class inspector, £949 for a second-class inspector and £989 for the first-class inspector, approximately from £17 10s. to £19 per week. This is not a job that calls for a particularly good education in the employees, not like a University education. It is a job that any commonsense person with an eighth standard education could carry out. Those salaries are not justified, especially when we look at the classification for the Department of Agriculture and find two biochemists holding the B.Sc. (Agric.) degree—men of University standing who have had to study for years to attain their positions—receiving the same amount of salary as a first-class inspector, namely, £989.

Hon. R. J. Boylen: Health inspectors have to pass examinations.

Hon. N. E. BAXTER: These are not health inspectors.

Hon. R. J. Boylen: A number of them are.

Hon. N. E. BAXTER: If the hon. member checked up, he would find that they are not health inspectors. If they are qualified health inspectors, they have to obtain authority from the Health Department to carry out that type of work. Under the reclassification that took effect from the beginning of this year, the salary ranges are from £1,365 for chief inspector, which is approximately £26 5s. a week; £1,140 for the assistant chief inspector, equal to £22 a week; £1,040 for the senior inspector; £1,015 for first grade inspectors; £995 for other inspectors; and £733 for an inspectress. The same two biochemists were raised, under the reclassification, to £1,015 and £1,065 per year respectively.

Hon. R. J. Boylen: What is wrong with that?

Hon. N. E. BAXTER: Everything. Surely two men who have studied for years to obtain their degrees in agricultural science should receive a better salary than men who may have come from positions as clerks and who require for this work no education beyond the eighth standard!

Hon. J. D. Teahan: On a point of order, Mr. President, what have these salaries to do with the Bill?

The PRESIDENT: The hon. member may proceed, but must connect his remarks with the Bill.

Hon. N. E. BAXTER: I beg to differ from Mr. Teahan. The fact is that the costs of the department have everything

to do with the Bill, seeing that I am dealing with the fees paid to maintain the department. Those are the points I wish to make. Year after year we receive for consideration measures of this type; and I have stressed the same point before in relation to increased costs, small and all as they may be.

I take strong exception to this sort of thing and will voice my objection in this House whenever necessary. It is up to the public to bear the cost of something which is mainly in the public interest. If the Act were solely in the interests of business in general I would say that business and trade should bear the cost; but this is a cost which should be paid for out of public revenue.

Hon. R. J. Boylen: Of course the cost will be passed on to the public.

Hon. N. E. Baxter: I repeat that it should not be paid for by only one section of the community. I will therefore vote against the second reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West—in reply) [8.16]: At one period of my life I saw a play called "Much Ado About Nothing," and that is the title that could be given to some of the debate we have heard on this measure. If ever I heard an endeavour made in this House to make a mountain out of a molehill, I heard it tonight—

Hon. H. K. Watson: There have been occasions when you have not done too badly yourself.

THE CHIEF SECRETARY: In the past perhaps, but not now. In the course of his speech, Mr. Baxter not only touched on the matters with which the Bill deals but also spoke against the reclassification of the public service and set himself up as an arbitrator. He said that these officers are receiving too much money. Without any evidence at all on the question, he criticised the salaries that these officers are being paid, notwithstanding the fact that their rates of pay have been awarded them by an arbitrator or after an investigation by experts.

Those salaries have been decided on after a reclassification by a special board which always goes very fully into the question with which it is dealing. The hon. member has not the faintest idea of what matters are taken into consideration on such occasions; yet he criticises, and tries to link his criticism up as being in order and—with all due respect to you, Mr. President—relating to the Bill.

Hon. J. McI. Thomson: Only as a matter of comparison!

THE CHIEF SECRETARY: Comparisons are always odious, and particularly in this instance. The Bill seeks merely to alter the Second Schedule of the Act.

Hon. L. A. Logan: Yes, to increase revenue. Mr. Baxter tried to point out an alternative.

The CHIEF SECRETARY: All right, if the hon. member has reached the stage when he will say that we can decrease costs by decreasing wages. But he would not be game to advocate that in his electorate; and that is the only way in which it could be done, according to the hon. member's suggestion. He says that we should not pay these men the wages which an expert tribunal has decided upon for them. If he advocated that in his electorate, he would receive a hostile reception. What is sought by the Bill is an increase from 3s. to 10s.—

Hon. N. E. Baxter: An increase of 300 per cent.

The CHIEF SECRETARY: When was the 3s. fixed?

Hon. N. E. Baxter: In 1948.

The CHIEF SECRETARY: Six years ago! On many occasions, particularly when dealing with rents and tenancies, the hon. member stated that increases of 125 per cent., or even 300 per cent., were all right; but when it comes to payment for service being rendered to the public by the Government of the State, he says the increase is not justified, and talks about the increased cost to the public. The whole cost—not the increase—to a person with 30 employees would be only £3 10s. The case put forward by the hon. member was so stupid that I feel I should not waste time answering it.

Hon. N. E. Baxter: Then why not sit down?

The CHIEF SECRETARY: It amounts to only £3 10s. in a factory with 30 employees. We hear on all sides of the inefficiency and costliness of Government departments; yet when a measure is brought down in relation to costs so that this department may come near paying its way, this is what we have to put up with.

Hon. N. E. Baxter: You have already raised their salaries by £200 per year.

The CHIEF SECRETARY: The income from this department at present is approximately £5,000 per annum, but the cost to the State and the public is £26,000 per annum.

Hon. N. E. Baxter: I gave you those figures.

The CHIEF SECRETARY: When we want to bring the figures somewhere near the balancing point, we must put up with all the abuse the hon. member likes to heap on us.

Hon. N. E. Baxter: But why make business and industry pay for it?

The CHIEF SECRETARY: We are simply trying to balance the budget of this department. Latterly the hon. member has come forward as a great critic of all the legislation brought down in this Chamber. It is time he came down to earth and judged cases on their merits, and gave away the prejudices he has exhibited lately. We welcome fair criticism of what we put forward, but have not been getting that from the hon. member.

Question put and passed.

Bill read a second time.

In Committee.

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

Clause 1—agreed to.

Clause 2—Second Schedule amended:

Hon. H. HEARN: I move an amendment—

That all words and figures after the word "for" in line 24, page 2, down to and including the figure "6" in line 26 be struck out and the following inserted in lieu:—"every additional ten persons employed £1."

During the debate on the second reading I outlined my reason for this amendment which I think will be in the interests of the department and of industry also. I hope the Committee will accept the amendment.

Hon. N. E. BAXTER: I support the amendment because, if agreed to, it will make the work of the factories inspector much easier, as he will simply have to enter the premises and check the number of employees on the wages book in order to compute the figure.

The CHIEF SECRETARY: I agree with Mr. Baxter on this occasion and do not oppose the amendment.

Hon. J. G. HISLOP: For my own information, Mr. Chairman, is this amendment in order, as it proposes to strike out a word and replace the same word?

The CHAIRMAN: I will accept the amendment as moved.

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

Title—agreed to.

Bill reported with an amendment.

BILL—CRIMINAL CODE AMENDMENT.

Second Reading.

Debate resumed from the 26th August.

HON. E. M. HEENAN (North-East) [8.30]: This is a comparatively short Bill, which proposes to amend the Criminal

Code. The Code has not been consolidated for nearly 40 years; and in introducing the Bill, the Minister mentioned that it was the Government's intention to have an early consolidation of the Act. The proposals in the measure are more or less in the nature of tidying up the Act preliminary to its being reprinted. The Minister explained the exact nature of the clauses in the Bill, and it is therefore unnecessary for me to go into details. I content myself by saying that one of the proposals is to extend the definition of "stealing" in a manner which has been shown to be necessary for the public good. A similar amendment relates to the forms of property which can be regarded as being stolen.

An interesting amendment concerns the section which deals with false statements in connection with the registration of births. As the Code now stands, such cases must go for trial before a judge and jury. If the present Bill is carried and becomes law, certain cases which can be regarded as minor ones, or those which deal with less serious offences than the ordinary case, can be dealt with summarily. It will be purely a matter for the discretion of the magistrate, and I think it is a wise amendment. There are a few other provisions contained in the Bill; but they are mainly of a technical nature, and apply principles which have already been accepted in most other States of the Commonwealth and in England. The intention of the Government to have the Criminal Code reprinted is commendable, and will be appreciated by all concerned. I support the second reading of the Bill.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—WAR SERVICE LAND SETTLEMENT SCHEME.

Second Reading.

Debate resumed from the 14th September.

HON. C. H. HENNING (South-West) [8.36]: I have looked through this Bill carefully, and I have also looked through the file laid on the Table by the Minister. Generally speaking, the details of the events leading up to the Bill are extremely difficult to follow. I believe the only way in which we can approach this measure is to forget, or endeavour to forget, much of what has happened in the past; to forget as much as possible, or entirely so if possible, the political angle which has at various times been engendered; to forget the criticism and all the events that led up to the report of the select committee;

and to forget the position in which some of those on the select committee placed themselves by endorsing that report, thus finding themselves in the entirely different circumstances, and the difficult circumstances, in which they are today.

But we must remember to ask one question; and that is, that as the Commonwealth provides the finance, to what extent are we to allow it to call the tune? The early intention of the soldier settlement scheme was, I believe, to settle soldiers on either partially or fully developed holdings. It soon became evident, however, that there were not sufficient of these holdings to go round. Accordingly, large estates were bought, subdivided and improved. It is from this that we have the main contentious portion of this Bill; I refer to the averaging clauses.

We also find that we are affected by the Magennis case in New South Wales; and many soldiers are now on farms in conditions which are different to those they anticipated when they were first settled, or when they applied to be placed on farms. They believe—and I think correctly so—that averaging will result in their being saddled with a lot of the waste cost as a result of inefficiency in administration in past days.

As the Minister said, this Bill was before the House last year. We inserted an amendment, which was agreed to. It then went to another place which inserted an amendment that I believe the Minister called consequential. By no stretch of imagination can I call that amendment consequential, because it altered the entire text and meaning of the amendment which we agreed to.

Hon. L. A. Logan: Virtually, it was a direct negative.

Hon. C. H. HENNING: The result was that we disagreed with the amendment; it went to a conference; and the conference was abortive. This year, the amendment was placed in the Bill; and we now have it before us as it was amended in Committee. Not only do we find the amendment we put in last year; but we also find that the Bill is as it finally came back last year after being amended. That, I believe, is the only contentious portion of this measure. The amendment we inserted last year and that which has been placed in the Bill this year states—

Provided that, subject to Section 5—

We objected to those four words, "subject to Section 5"—

—nothing contained in this Act or in any regulations made pursuant to authority granted by this Act shall in any way alter, prejudice or affect or permit the alteration of the terms or conditions of any perpetual lease heretofore granted or the terms or conditions

upon which the Minister has heretofore approved of the granting of any perpetual lease or has otherwise agreed to grant leasehold rights to any applicant within the meaning of the repealed Acts or render any such applicant liable to pay rental or purchase money for land and/or non-structural improvements in excess of that rental or purchase money which he would have been liable to pay if this Act or any such regulation had not been passed or made.

The original idea of this amendment of ours last year was to prevent retrospectivity in regard to leases already granted. But when the further amendment "subject to Section 5" goes in, it goes in with an entirely different meaning, because the main portion of Section 5 is "to comply with conditions, if any, so determined." I will deal with the conditions very shortly. The Bill also provides that—

Where the Minister so accepts on behalf of the State financial assistance from those appropriations upon conditions determined under the Commonwealth Act by the Minister mentioned in that Act, the Minister so accepting on behalf of the State shall cause the conditions to be laid before each House of Parliament within six sitting days of the House next following his receipt of the conditions.

Last year we were provided with a copy of these conditions; and as the Minister stated that this Bill is the same as the one which was introduced on that occasion, I presume that the conditions now are exactly the same as those given to us at that time. We object to them.

I have the file in front of me. Whether it is complete or not I do not know; but it seems rather remarkable to me that, following the objections raised previously, and the loss of the Bill last year, it contains no correspondence with the Federal Minister, dealing with the Bill or with this particular section to which definite objection was voiced.

Hon. A. F. Griffith: That is too much to expect.

Hon. C. H. HENNING: I have been trying to leave out any political angle at present, and deal with the matter as it is without undue criticism.

The Minister for the North-West: That would be too much to expect.

Hon. C. H. HENNING: I have perused the file. A man with a legal mind might be able to understand it; but for me it was extremely difficult. I have put in much of this day trying to get somewhere in connection with it. In certain respects, it appears that we have been committed to some considerable period. There is here a letter

from the Minister, Mr. Kent Hughes, in Canberra. The letter is dated the 6th November, 1952, and reads as follows:—

The States Grants (War Service Land Settlement) Act, No. 21 of 1952, provides that moneys appropriated for financial assistance to the States in connection with war service land settlement are payable to the States in such amounts and subject to such conditions as the Minister determines.

I recently forwarded you a memorandum of the conditions which you had indicated were acceptable to you and which I had approved. Whereas the original Commonwealth-State agreement invalidated by the judgment in the Magennis case, only made provision for perpetual leasehold tenure, these conditions allow of the freeholding of farms by settlers on conditions to be agreed upon by the Commonwealth and State.

The procedure for leasehold valuation was outlined in a statement which I forwarded you under cover of my letter of 5th September, 1952. I suggest we should now agree on the method of determining the option price for the purchase of the freehold of farms allotted under the scheme so that settlers can be advised of the amount they are required to pay for the fee simple.

I mentioned a few minutes ago that I had the greatest difficulty in trying to follow this file. I want to read a letter from Mr. Walsh, the Assistant Parliamentary Draftsman and Chief Conveyancer, written to the Solicitor General in reference to the war service land settlement regulations. Mr. Walsh writes—

I have perused numerous files in connection with War Service Land Settlement. When you handed me some of the files you explained that the matter was "most complicated and involved." It appears that you spoke euphemistically.

That from a man who is learned in the law shows what sort of a muddle these files, and the general administration of war service land settlement, had evidently got into. There are one or two very interesting points in this memorandum, so I will read the whole of it. It continues—

I enclose herewith a draft of my views which I propose to forward to the War Service Land Settlement Department. Before doing so, as the matter is of some moment, and certain to be contentious politically and otherwise in the future I would appreciate your concurrence or otherwise in my minute, because I think that before any opinion on the present legal position emanates from this department you should concur in it.

Since both yourself and the Crown Solicitor have advised previously on matters in connection with War Service Land Settlement I would suggest, if you agree, that the Crown Solicitor's advice be sought also.

I make the above request because in the past the War Service Land Settlement Department which has an onerous and responsible job in administering the scheme, has for some years now been hampered in its administration by the uncertainty of the legal position. Therefore I think at this juncture that the War Service Land Settlement Department, if it is possible, should receive an opinion which is that of us all, so that the position can as far as possible be clarified and the necessary remedial measures be sought and carried into effect on the basis of the agreed present legal position.

It appears that everybody in authority realises that things are not as they should be, and one is endeavouring more or less to pull the other's chestnuts out of the fire. Evidently one department has been going its way according to its interpretation of an Act, and without verifying its position by reference to competent legal people. Nobody wants to see that state of affairs continue. Apparently something has resulted which possibly can put the administration on a far better footing. But at whose expense?

There is a form of acceptance of an allotted farm. This is the most remarkable agreement I have ever read. I do not think that anybody in this Chamber would think of signing it. I will read it—

I..... of..... do hereby agree to accept allotment of Farm No. A..... in accordance with the conditions under which the Commonwealth of Australia is providing financial assistance to the State of Western Australia in connection with War Service Land Settlement purposes, and I agree to complete a form of application for a perpetual lease and to sign any such other documents whatsoever as the Board may require of me when such form of application or other documents are prescribed by legislation to be enacted by the Parliament of Western Australia in connection with War Service Land Settlement and in conformity with the aforementioned conditions then prevailing or any regulations made under such legislation.

Hon. L. C. Diver: Dynamite!

Hon. C. H. HENNING: I do not think anybody—not even the Minister—will consider that is a fair and reasonable form to ask anybody to sign. A man is asked to

sign everything he has got without knowing for a moment what he is going to get. It could depend purely and simply on the whim of those conducting war service land settlement by regulation or by Act of Parliament.

I have heard that there are some 80 applicants for leases awaiting valuation; and this is the final minute of the 7th July last. It deals with the opinion of the Solicitor General on folios 693-694. They are not here, but this is the memorandum—

The opinion of the Solicitor General on folios 693-694—in which he came to the conclusion that pending the passing of amending legislation no further holdings should be allotted in view of the complicated and uncertain legal position at present—was most disconcerting and indicates the necessity of passing the 1954 Act.

After further discussion with Mr. Good, it was agreed that—to overcome the immediate difficulties—allotments could be made, provided the farmer accepted the property in accordance with conditions under which the Commonwealth is now providing the financial assistance to the State for development purposes. This form of acceptance is being used now, but still does not give the department the right to issue a lease in connection with any of these farms. The present method of making allotments is extremely cumbersome.

You may desire to use this in your second reading speech on the W.S.L.S. Bill.

That is signed by G. K. Baron Hay, chairman of the Land Settlement Board.

Hon. L. A. Logan: Was that agreement drawn up by the Commonwealth or the State?

Hon. C. H. HENNING: I am not prepared to say. There is no indication where it comes from. It is a form of acceptance, and is addressed to "The Chairman, Land Settlement Board, Perth."

Hon. A. F. Griffith: Has it a form number?

Hon. C. H. HENNING: No. It is folio 700.

Hon. L. A. Logan: I would like to know who the author was.

Hon. C. H. HENNING: It is not signed. But it is typed, and this is a duplicate copy. In considering this Bill, we have to ask what the effect would be if we refused to ratify the conditions made by the Commonwealth. I am not prepared to say. When he replies to the debate, I would like the Minister to tell us what the Commonwealth would do; and not

read a letter written some time ago, or quote something which has appeared in the paper. Has any effort been made to make this measure more reasonable, particularly the form of application for release?

The retrospective portion of the Bill is the controversial part. The other day, I met a man who has a dairy farm. I asked him how he had got on about his valuation; and he told me he had received one some time ago, but that the place had been revalued. I asked him whether he was satisfied, and he said, "I would have preferred to get it at a lower price; but I am satisfied because I do know where I stand, provided they do not make another valuation."

I do not want to go into the details of the method of valuation. It is laid down in the statement of conditions, and the apportioning of the costs is set out. The passage reads—

The value of a holding when developed shall be that part of the total cost apportioned to it under subclause (3) of this clause on which a settler possessing no capital could meet the commitments (excluding principal repayments under any agreement between the State and the settler for the purchase of land) from the net proceeds of the developed holding (based on conservative estimates of yields for products at prices conservative to those ruling for those products as at the time of valuation) and obtain a reasonable living.

That is an excellent assortment of words, but it really is not a formula. Then we come to the other very important part—

The State shall pay to the Commonwealth in respect of each project an amount equal to two-fifths of the excess of the total cost of the land and of the planned works of the project as set out in this clause over the sum of the valuations determined in accordance with the last preceding subclause of the holdings derived from the project.

There appears to be a large amount of opinion that the State is unwilling to accept its responsibility as far as the two-fifths is concerned. My own idea of the Bill is that it must pass the second reading, although it may be necessary to move certain amendments in Committee. To what extent we should go, or what the effect would be if the Bill were defeated, I do not know; but I hope that the Minister can provide more information about what the Federal Government will do.

The Minister for the North-West: It is clearly stated in the letter.

Hon. C. H. HENNING: Will the Minister be able to get later information, that is not on the file, but is possibly on another file?

The Minister for the North-West: What information?

Hon. C. H. HENNING: I stated in the first place that it was extremely difficult to follow the Bill and the file. I support the second reading.

HON. H. L. ROCHE (South) [9.2]: I think we must support the second reading of the Bill because other things, beyond the one very contentious clause, are involved. I do think, however, that because of the way war service land settlement has developed, and has been administered, anyone who has had anything to do with it will have nothing to be proud of. It seems wrong that at this stage, men, who have already had a provisional agreement, which they have accepted and which at the time was quite in accordance with the views and desires of the controlling authority, should be faced with the necessity of completing a form such as the one which was read by Mr. Henning; and, worse still, should be faced with the retrospective application of certain of the indebtedness provisions. It is not right that men who were settled before or during 1952 should now have their agreements, which they thought they had with the Government, repudiated.

The Minister for the North-West: Did you not say they were provisional agreements?

Hon. H. L. ROCHE: They have their letters of allotment or provisional leases—not agreements. In these letters of allotment or provisional leases, the men were given a definite figure of their indebtedness. Now they are finding that the figure is being raised by anything from £3,000 to £5,000. To my mind this, coming through Government channels, is, to say the least, unmoral.

The Minister for the North-West: Where would these settlers be?

Hon. H. L. ROCHE: I think they are scattered pretty well over the State. There are certainly some in my area. This is not, as I see it, a matter of party politics. There is no particular party on whom we can pin the whole responsibility. War service land settlement is the responsibility of the Federal Government; and that Government having accepted land settlement as one method of rehabilitation, must see that the men are rehabilitated.

I think there is an agreement now which the Commonwealth has; but a study of the file last year gave no indication that

some of the provisions of that agreement originated in Canberra. Rather, the impression left with me from a study of the file was that certain of the proposals emanated from Western Australia, and were agreed to by the Federal authorities. Whether that is so or not, the fact remains that now an attempt is being made through this legislation to enforce the agreement, and this will be a gross repudiation of the undertaking given to the men who were settled in or before 1952. Some of the returned soldiers who were settled as far back as 1947 or 1948 were given a final lease. As a result of threatened legal action by some of them, they have been enabled to have their indebtedness adjusted by the department on an entirely different basis to that which it is now proposed to inflict on the men who have been settled subsequently.

The Bill is exactly the same as the one which was before us last year, except for the reference to the mineral rights of the railway company and the proviso that has been added to Clause 6. Apparently in another House the Minister has accepted the proviso we inserted last year, and then by way of amendment has added the four words to which Mr. Henning referred and which this House refused to include last year. I am hopeful that when we get into Committee we will maintain our attitude on the matter, because, to my mind, those men who have honestly and openly accepted their obligation to the State under the War Service Land Settlement Scheme, are entitled to have the State honour its obligation. Those are the men who were settled in or before 1952, and they already had a provisional lease with their indebtedness stated in it. I support the second reading.

On motion by Hon. N. E. Baxter, debate adjourned.

ADJOURNMENT—SPECIAL.

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

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

Question put and passed.

House adjourned at 9.10 p.m.

Legislative Assembly

Wednesday, 15th September, 1954.

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

PERSONAL EXPLANATION.

Minister for Railways and Leederville Trolley-bus Accident.

The MINISTER FOR RAILWAYS: With your permission, Mr. Speaker, I should like to make a statement to the House. Members will recall that about a fortnight ago the adjournment of the House was moved for the purpose of discussing an accident that occurred to a trolley-bus at the corner of Cambridge and Oxford-sts. Because of the trolley-bus boom fouling the low tension main leading into houses, considerable damage was done to electrical apparatus in the homes of people in that area.

When speaking to the motion I undertook to request the manager of the Tramway Department to ascertain whether some safety device could be provided to prevent an occurrence of this nature taking