

tal health, and has brought about not only new prospects in the treatment of mental cases but also an expansion of the relationship of psychology and psychiatry to the community generally. The old conception of a mental hospital as an asylum, regarded only as a place of detention and isolation, must be destroyed and a new conception, which regards mental mal-adjustment as a disease to be combated by curative measures, must take its place. To this end, a comprehensive proposal has been submitted by the Inspector-General of Mental Hospitals, Dr. E. J. T. Thompson, for the progressive improvement of the services of mental hygiene for adults and children, and for those of subnormal intelligence.

The proposals for the establishment of out-patient clinics and psychiatric wards in general hospitals have been submitted by the Inspector-General of Mental Hospitals, as it is hoped that it will be possible to take the first step in that direction within a reasonable time. Again I must emphasise that we must give serious consideration to health questions in this State. The Government is fully aware of the position. The leeway and lag have been considerable and will require many years to overtake. No pains will be spared to attain that end. All we ask is the constructive criticism of members and the co-operation of the people generally. Provided we get the co-operation and support we desire, I am satisfied that the existing position can be greatly improved.

The position regarding nurses is serious, but the Commissioner of Public Health is doing everything possible in co-operation with the Nurses' Registration Board, and I believe that if we can train all the girls that will be available under the conditions and amenities now offered, only three or four years, or perhaps a little more, will be required to pick up most of the leeway. I have received quite a number of inquiries from girls wishing to train, and I believe that the people are satisfied that the Government is making every effort to overcome the shortage, which was due, not to any fault of the Government, but in some instances to the fault of the profession itself. However, there is a full realisation of the position, and the profession is willing to co-operate. The nurses have their organisation, and I believe they are ready to assist to meet requirements and put nursing on such a basis that the trouble arising from the

shortage will be a thing of the past. I consider that health is our greatest responsibility and represents our greatest wealth. The motto of the Government is, "A strong mind and a strong body."

Mr. Watts: *Mens sana in corpore sano.*

Hon. N. Keenan: That word does not mean "strong."

The MINISTER FOR HEALTH: It may not mean strong, but it denotes that we want a healthy community and are out to get it. If we are able to realise the ideal of a strong mind in a strong body, what more can be desired? We are out to do our best in this direction and thus help the people of this huge State.

Progress reported.

House adjourned at 10.39 p.m.

Legislative Council.

Thursday, 31st October, 1946.

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

BILL—ELECTORAL ACT AMENDMENT (No. 2).

Introduced by Hon. R. M. Forrest and read a first time.

BILL—TRANSFER OF LAND ACT AMENDMENT (No. 2).

Read a third time and *passed*.

**BILL—FACTORIES AND SHOPS
ACT AMENDMENT (No. 2).**

Third Reading.

THE HONORARY MINISTER (Hon. E. H. Gray—West) [4.36]: I move—

That the Bill be now read a third time.

HON. E. H. H. HALL (Central) [4.37]: I would like an assurance from the Honorary Minister. I was not in the Chamber when he gave it previously, as I am informed he did. This matter needs the greatest publicity. Will country sellers of motor spirit undertake to keep one garage open on Sundays and holidays in order to sell petrol for emergency services? I would like that assurance.

THE HONORARY MINISTER (Hon. E. H. Gray—West—in reply) [4.38]: As I stated yesterday, the Bill provides for longer trading hours on certain days than were previously permitted. When Christmas Day falls on a Sunday, the stations will be open. I sought information and was given an undertaking that where there was more than one garage in a country town, the proprietors themselves would draw up a roster and post it in the garages, so that the people would know where to obtain emergency supplies. If there is but one garage in a country town, a person can obtain petrol supplies for emergency purposes.

Hon. C. F. Baxter: If the proprietor is inclined to supply it.

The HONORARY MINISTER: Naturally, the proprietor of a business is anxious to look after it. In point of fact, garage proprietors are anxious to serve people, and particularly to afford them every facility in an emergency. I do not think this is a point that members need worry about. The association and its members will do everything possible to organise emergency supplies, and I do not think any difficulty will be experienced by the public in having their requirements met.

Hon. E. H. H. Hall: I thank the Minister.

Question put and passed.

Bill read a third time and transmitted to the Assembly.

**BILL—PLANT DISEASES ACT
AMENDMENT.**

Second Reading.

Debate resumed from the previous day.

HON. W. J. MANN (South-West) [4.40]: Towards the end of last week I was asked by a prominent fruitgrower in the South-West to look over the Bill. He had an idea that the service to be rendered was such that it could not be profitably carried out and he wanted to know if the Government would shoulder any loss that might be shown on the year's operations, or whether a levy or some other charge would be imposed on the orchardists. I have looked through the Bill and I cannot find anything bearing on that point except that it does provide that an advance may be made towards the cost of the operations of the Act by the Fruitgrowing Industry Trust Fund Committee. My reading of the Bill is that if there should be any loss it will be that committee to which we can look for an advance to balance the ledger. I would like the Minister, if he can, to give us some information on the point. Other than that I have heard nothing against the Bill which, I think, is a good one. The growers, generally, are in favour of it.

THE HONORARY MINISTER (Hon. E. H. Gray—West—in reply) [4.42]: I cannot give any assurance on the point raised by Mr. Mann, but I have some knowledge of the necessity to keep out fruit fly. I imagine that if a poll is taken in any district and it is decided to compulsorily spray the trees, the resultant gain will far outweigh the cost. The charges have been carefully thought out, and they seem to me to be remarkably low.

Hon. W. J. Mann: That is the general impression, and that there will be a loss.

Hon. L. Craig: There is to be no complete spraying; not every tree is to be done.

The HONORARY MINISTER: No, but the benefit will so far outweigh any loss that I assume it will be possible to take measures very quickly to rectify the loss.

Question put and passed.

Bill read a second time.

In Committee.

Hon. E. H. H. Hall in the Chair; the Honorary Minister in charge of the Bill.

Clause 1—agreed to.

Clause 2—New Sections 12A-12D:

Hon. H. S. W. PARKER: Is there any special reason why, when a municipality or road board wants to ask the Minister to declare a fruit fly area, it is necessary to do it under seal instead of by means of the ordinary letter that one would be expected to be sent from a municipality or road board?

The HONORARY MINISTER: I think the usual practice is to send all correspondence from local authorities under seal, to make it official.

Hon. H. S. W. Parker: I have never seen it.

The HONORARY MINISTER: I do not know why it is there. I suppose it is a legal term to make the matter more effective.

Clause put and passed.

Clause 3, Title—agreed to.

Bill reported without amendment, and the report adopted.

BILL—TRAFFIC ACT AMENDMENT (No. 2).

Received from the Assembly and, on motion by the Chief Secretary, read a first time.

As to Second Reading.

The PRESIDENT: Who is in charge of this Bill?

The CHIEF SECRETARY: It is a private member's Bill.

The Honorary Minister: It was introduced in the Assembly by Mr. Hill.

The PRESIDENT: Perhaps Mr. E. H. H. Hall will sponsor this Bill for the time being.

Hon. E. H. H. HALL (Central) [4.48]: I move—

That the second reading of the Bill be made an order of the day for the next sitting of the House.

The PRESIDENT: Again I stress the necessity for members of another place, when introducing private Bills, to make ar-

rangements with some member of the Council to take charge of the Bills when they come here. This is about the fourth offence of this nature that has occurred this session.

Question put and passed.

BILL—TRAFFIC ACT AMENDMENT (No. 1).

Recommittal.

On motion by the Honorary Minister, Bill recommitted for the purpose of considering a new clause.

In Committee.

Hon. H. Seddon in the Chair; the Honorary Minister in charge of the Bill.

The HONORARY MINISTER: I move—

That a new clause be inserted as follows:—

(4) Section six of the principal Act is amended by the insertion after Subsection (6) thereof of a new subsection as follows:—

(7) The person to whom a passenger-vehicle or carrier's license is issued under this Part shall, within fourteen days of such issue, cause the vehicle to be plainly, conspicuously and permanently marked with the name and address of such person, and shall keep the vehicle so marked during the currency of the license.

When the Bill was dealt with in a previous Committee, I moved for the inclusion of a new clause for the insertion of two additional subsections in Section 6 of the principal Act. The amendment was defeated, but all the discussion dealt with one subsection, which restricted the driving of vehicles for hire to license-holders, and that which I now seek to have included in the Act was not dealt with. I am accepting the decision of the Committee regarding the other proposal, but I think members should consider the proposed new subsection that I have placed before them. A similar provision was found necessary in connection with the bread industry, and the legislation in that regard was amended along these lines some years ago. It is necessary to afford some protection against unscrupulous persons who may be in charge of vehicles licensed for the carriage of passengers or goods. Reputable firms do not hesitate to

have their names shown conspicuously on their motor vehicles and the same conditions should apply to vehicles licensed for hire. I think this is a reasonable request.

Hon. W. R. HALL: I support the new clause. For the protection of the public the name and address of any person in charge of a vehicle licensed for the conveyance of passengers or goods should be exhibited. Take the position regarding luggage that is entrusted to carriers plying for hire at railway stations. It is reasonable to expect that one should know the identity of the individual to whom one's goods are entrusted, and the proposal advanced by the Honorary Minister will afford that protection. With regard to buses that are driven by drivers who also act as conductors, under the Traffic Act the driver is required to secure a license as a conductor. That necessitates the individual being of good character. We know from the Press that on several occasions Police Court proceedings have been launched owing to the actions of an unsatisfactory type of driver, and the public is entitled to all the protection that we can provide. So long as the name and address of the person in charge of the vehicle is prominently displayed, not necessarily on the outside, that in itself will be some protection.

Hon. H. TUCKEY: I have had experience with motor vehicles extending over 30 years, and I have never before heard of anyone requiring the name and address of the licensed owner or driver to be placed on vehicles for hire.

The Honorary Minister: Names are always displayed on buses.

Hon. H. TUCKEY: There is something to be said for the proposal with regard to the luggage carters, but surely it should not be necessary to have names and addresses placed on taxis and buses.

Hon. H. S. W. Parker: The old "cabby" had to put his name up.

Hon. H. TUCKEY: Who will decide what is a conspicuous place? I think the provision is unnecessary with regard to buses in particular. Many of those vehicles are well cared for, and the owners would not like to have their names and addresses plastered over them. I think the majority of people would be opposed to this proposal, which I cannot support.

The HONORARY MINISTER: This provision would not be necessary, for instance, in connection with the Metro. buses, but it would apply to taxi cabs. Why should not the public be protected? There have been instances of people entering into a fake partnership and an accident has occurred. The person in charge of the vehicle had no financial backing at all and the victim was in a helpless position.

Hon. L. CRAIG: I should like to know what is meant by the new clause. Surely the identification mark will have to be arranged to the satisfaction of some authority. Is that mark to be on the inside or the outside of the vehicle? Is there anything to prevent a taxi driver putting his name on a small piece of paper and plastering it on the inside of his vehicle? Another man might desire to fix the notice on the inside of the door.

Hon. G. Bennetts: The traffic authorities would see to that.

Hon. L. CRAIG: We should determine what we mean by the proposal. No doubt it would have to be carried out by regulation.

Hon. W. R. HALL: This proposal will tend to make the driver responsible for his vehicle and prevent him from handing it over to anyone else in the course of a journey. Passengers are often annoyed by such a transfer. In a recent case a taxi was going to a particular place and, because a driver got tired, he handed over control to another person with the result that an accident occurred and someone was killed. People would feel more confident if they knew that a certain man was in charge of a vehicle and he alone. Certain taxi drivers already provide the necessary information, they being men who value their reputation. On aeroplanes the names of the pilot and hostess are posted up. All that would be necessary would be a small card placed over the front of the windscreen. I see nothing wrong with the proposal which would protect the public without causing hardship to anyone.

Hon. Sir HAL COLEBATCH: There is a great deal in the point raised by Mr. Craig. As the new clause stands there is a danger that it may lead to contentious cases having to be referred to the courts. The Honorary Minister should strike out the

words "plainly, conspicuously and permanently" and insert after the word "marked" the words "as may be prescribed." That alteration would mean that when the regulations were framed they would set out the manner in which the marking should be placed. There would then be uniformity and no contention in the courts.

The HONORARY MINISTER: I would like to add at the end of the new clause the words "as prescribed." I think that would cover the point raised by Sir Hal Colebatch.

The CHAIRMAN: I will now put the proposed new clause as amended by the addition of the words "as prescribed."

New clause, as amended, put and passed.

Bill again reported with a further amendment.

BILL—MILK.

In Committee.

Resumed from the previous day. Hon. H. Seddon in the Chair; the Chief Secretary in charge of the Bill.

Clause 11—Constitution of board (partly considered):

Hon. H. TUCKEY: I move an amendment—

That in line 4 of Subparagraph (1) of the proviso to paragraph (b) after the word "milk" the words "and are in no way engaged in the vending of milk retail" be inserted.

I wish to ensure that the producer-representatives are producers of milk and not retailers. I think it is the intention of the Government to give the producers representation on the board. The amendment would clarify the clause.

The CHIEF SECRETARY: I do not know that one could raise any strong objection to the amendment but I suggest it is inadvisable. The retailer is an essential party to the milk industry. Seeing that the producers are so keen on having representation on the board, one could understand that retailers also would like representation. There is already one dairyman-retailer on the board. If we have a dairyman who is also interested in retailing the commodity, what harm would there be in having him on the board? If he is the best man avail-

able from the dairyman's point of view, what is wrong with the idea?

Hon. H. Tuckey: The producers wish to be represented by producers and not by retailers.

The CHIEF SECRETARY: Is not a producer-retailer a producer?

Hon. H. Tuckey: He may have most interest in the retail side.

The CHIEF SECRETARY: If this individual is considered by the dairymen to be the best man to represent them should he not do so? What is wrong with that?

Hon. H. Tuckey: There is everything wrong with it.

The CHIEF SECRETARY: The Committee should not accept the amendment. I do not want it to be thought that the intention of the Bill is to provide that a dairyman-retailer shall be a member of the board, though it is possible that will be so.

Hon. L. CRAIG: It appears to me that there will be at least one producer-retailer appointed to the board. The Bill almost makes provision for that by stipulating that the State shall be divided into two areas. Presumably one will be the metropolitan area, which will probably be dominated by the producer-retailers, and the other will be outside the metropolitan area, where those concerned will be producers and not retailers. It looks as though, in practice, that is what will happen. If the producer-retailers dominate one area, as they will do, they will naturally elect one of their own men as their representative on the board, and I do not think there is much objection to that. Then the producers in the other area will elect as their representative one who is purely a producer and not a retailer.

Hon. G. FRASER: I oppose the amendment. I cannot see why we should limit the choice. It is not as if this is a Government appointment; it is a selection by the producers themselves; and if a man can command sufficient votes to enable him to be elected, he must be outstanding and should not be denied selection.

Hon. H. S. W. PARKER: The amendment is a little dangerous. There might be a big producer who sells only a small quantity of milk, and he would be debarred from being elected. He might sell retail just to a

few neighbours, and so would not be eligible for election. The amendment might occasion great hardship in some instances.

Hon. H. TUCKEY: The producers called a conference to deal with this matter, and I was requested to move this amendment.

Amendment put and negatived.

Hon. H. TUCKEY: I move an amendment—

That subparagraph (2) of the proviso to paragraph (b) be struck out.

This provides for the division of the dairy areas into two zones, one to be the metropolitan area and the other the outer or country area, each to have its own representative. The producers feel there should be one area only. At present there are 93 producers in the metropolitan area and 235 in the outer area, and it is thought that all the producers should vote for the representatives they desire. The view is taken that there may be only from 50 to 60 producers in the metropolitan area in course of time, and they will have the same representation as four or five times the number of producers in the country.

The CHIEF SECRETARY: I do not think we should interfere with the clause. The Bill provides that two areas shall be defined, and we think each area should have separate representation.

Hon. H. Tuckey: What is the reason for the two areas?

The CHIEF SECRETARY: The principle has been accepted in regard to consumer-representatives and there is no reason why the same principle should not be accepted with regard to producer-representatives. It seems to me that what is desired by this amendment is that there shall be majority representation of country interests. If what the hon. member says is correct, there is a larger number of producers outside the defined metropolitan area than within it, and if all the licensed dairymen under this Bill are to vote as suggested by him, one can rest assured that metropolitan dairymen will have no representation at all. That is the danger I see in the amendment, and I do not think we should support it.

Amendment put and negatived.

Hon. J. G. HISLOP: I move an amendment—

That a new paragraph be added as follows:—“(d) The Commissioner of Public Health and the Superintendent of Dairying shall be ex officio members of the board.”

This board will be called upon to deal not only with the economics of the milk supply of the metropolitan area but also with health standards. Members of the board will be required to work in close association with the Health Department and the Agricultural Department, and must call at times on both those departments for assistance, support and advice. I consider that no board of laymen can adequately deal with both those aspects of the milk problem. If this board is to deal with the problems that will arise, it must include individuals who can give advice to the lay members.

The link between the Milk Board and the Public Health Department in the past has not been strong, and it would be a considerable improvement if the Commissioner of Health were ex officio a member of the board, which would be still further strengthened if the Superintendent of Dairying, who must have a wealth of knowledge that would be of tremendous use to the board, were present at the sittings. The problems confronting a lay board would be simplified were there on that board officers to guide members in their thoughts as they went along. It has been suggested that a lay board could always seek advice where necessary, but such a board does not always know when it is necessary. It would not always be requisite that both officers should be present at the one time, but if the agenda paper of a meeting disclosed that matters of vital interest to either department were to be discussed, they could make it their business to attend with a view to seeing whether they could advise the board.

In Victoria, under the Milk and Dairy Supervision Act, 1943, there is a milk supply committee which is entirely different from the Milk Board. That committee has upon it technical officers, because the Milk Board is not called upon to deal with the technical problems that our board will be asked to consider. The committee consists of the Superintendent of Dairying, as chairman, the Chief Veterinary Inspector, the Director of the Veterinary Research Institute maintained by the University of Melbourne, and a person appointed by the Governor-in-

Council, who is a qualified legal practitioner, and an officer of the Department of Public Health. The committee deals with quality and health standards which our board has to cope with. Our board must deal with the economic side and also with the distribution of a clean, safe milk supply. Therefore I suggest we should have on the board technical officers from the departments concerned. The committee to which I have referred also includes one member of the Milk Board, one practical dairy farmer, one distributor of milk, and a person appointed as representing the consumers; so there are four lay members and four technical members.

Hon. L. Craig: That committee would deal with matters submitted by the board, I take it?

Hon. J. G. HISLOP: The committee has various duties which are set out in the Act. There is quite a number of them. It prepares different regulations for submission to the Minister; publishes reports, information and advice concerning the means to be adopted in connection with the carriage, delivery, keeping, storing, preservation, treatment and use of milk for consumption in the metropolis and the prevention of the deterioration or contamination thereof; and reports to the Minister upon matters affecting the supply of milk to the metropolis and upon any amendments which it thinks advisable in the law relating thereto and upon matters referred to it by the Minister.

It is notable also that in a book published by Arthur Guy Enock called, "This Milk Business," he visualises the future of the milk supply as being directed by a national milk control board on which he puts various people, including a president, a vice president, a representative from the Ministry of Food, the Ministry of Agriculture, the Ministry of Health, the Ministry of Labour, the Chancellor of the Exchequer, the Ministry of Transport, and a dairy technologist. It is impossible for a lay board to control the economic and the health aspects of the production and distribution of milk. That is why I desire to see the Commissioner of Public Health and the Superintendent of Dairying *ex officio* members of the board.

The CHIEF SECRETARY: I cannot accept the amendment. Dr. Hislop referred

to a proposal in England that deals with the milk supply for 47,000,000 people, which today is dealt with by hundreds of different authorities. I believe that proposal has something to do with the nationalisation of the milk supply in England, and, at all events, it is only a suggestion. I think I am right in saying that the milk supply committee, to which he referred, is purely an advisory body; almost a departmental committee. If members read carefully the provisions in the Victorian legislation, which Dr. Hislop referred to, they will find that the committee is charged with the responsibility of reporting to and advising the Minister. While I have not read that act, I feel that there is little in it that would place the committee mentioned in a category similar to that of this board.

If this amendment were agreed to it would mean that there would be seven members on the board instead of five, and I believe it is preferable to keep the number of members on such a board as low as possible. With five members on the board the producers are satisfied with their representation, but to increase the number of members to seven would disturb the balance, giving the producers two representatives as against five non-producer representatives, and I do not think that would meet with their approval. The two officers referred to by Dr. Hislop are highly paid departmental heads.

I believe the Commissioner of Public Health, who receives something like £1,500 per year, would object strongly if called upon to spend a few hours every day, for weeks or months, on the Milk Board, and that he would regret the appointment. Surely he has more important work to do, if all that Dr. Hislop has said in the past is correct, than acting merely as an *ex officio* member of this board. I think the Superintendent of Dairying is also more than fully occupied with his present duties. The board can have the benefit of the advice of those officers at any time, without their having to attend meetings whether there are health matters on the agenda or not. The duties of this board have aspects quite apart from economic or health matters. I refer to matters such as buildings, machinery and equipment. We could carry Dr. Hislop's argument further and say that other departmental officers should be on

the board, *ex officio*, in order to give advice on matters with which they normally deal. There has been no complaint from the producers as to the present constitution of the board. I hope the Committee will not agree to the amendment.

Hon. J. G. HISLOP: I thought the amendment would meet with unqualified approval. After listening to the Chief Secretary I think it has become a matter mainly of satisfactory representation for the producers, and I believe it is now even more imperative to put these men on the board. I thought the Bill was brought down to ensure a clean and safe milk supply for the people of the State, but it now seems that the most important thing is that the producers shall have satisfactory representation. That is an extraordinary position, which leaves the health aspect right out of it.

I am surprised, and I think the public would be greatly interested to learn what has been said. I think the Chief Secretary is wrong in saying the Commissioner of Public Health would object to being on the board. I cannot speak as to the Commissioner's views, but from his conversation with me and others I believe he would be delighted to be a member of the board and would feel that he really had a hand in something of great importance to the health of the community. I believe he would accept an appointment to the board.

Hon. G. FRASER: The Chief Secretary said that the Commissioner might regret being appointed to the board.

Hon. J. G. HISLOP: I think he would realise that it gave him an opportunity to help in the production, handling and distribution of a clean and safe milk supply for the community, and that the Committee would be wise to look on this measure as a Bill dealing with the health of the community in relation to milk. If we are to put both sides of the story into the Bill, surely the health side of it must be represented on the board. The position of having one Commissioner of Public Health for the whole State is ridiculous, but it has obtained for so long that people have become accustomed to it. Surely he must soon be given one or two assistants, in order to carry out the tasks allotted to him. From my association with the Health Department, I say it has

never been satisfied with the liaison between it and the Milk Board.

Hon. F. E. GIBSON: Whose fault was that?

Hon. J. G. HISLOP: I am not blaming anyone, but I say the liaison did not exist. I ask members to agree to the amendment.

Hon. C. F. BAXTER: I believe we all agree that the community should have the purest of milk, but I do not agree that that is the only question of importance. Dr. Hislop seems to think the producers should not be considered at all, but I believe they should have reasonable representation on a board of this nature. I think the representation suggested in the Bill is satisfactory, and that the producer-representatives would be as keen as anyone else to see that the milk supply was kept pure. I hope the Committee will not agree to the amendment, which would increase the number of members on the board to seven, leaving the producers with only two representatives.

Hon. J. G. HISLOP: I wish to correct Mr. Baxter's statement. At no time did I suggest that the health point of view was the only consideration under the Bill, but I think it is essential that the Bill should deal with both the production and health sides of the question. Is it not reasonable that the health, production, distribution and technical sides of the matter should be represented by equal numbers of members? I have never said that the producers should not have a fair share of the representation. Surely it is not thought the Commissioner of Public Health and the Superintendent of Dairying would do anything against the interests of the producers. I think they would protect the producers' interests almost better than would the producers' own representatives.

Hon. H. TUCKEY: I cannot agree with Dr. Hislop. To upset the constitution of the board as proposed would be wrong. If we increase the strength as suggested, there should be larger representation of the producers. The amendment would increase the board to seven, and that would have the effect of making the producers' representatives a very small minority.

Hon. W. J. MANN: I support Dr. Hislop. In the past the complaint has been one of lack of liaison between the Health Department and the board. I cannot believe

that the Superintendent of Dairying, by reason of his having a seat on the board, would be likely to do anything detrimental to the producers. The amendment would not upset the balance, but would improve the position for the producers.

The CHIEF SECRETARY: I am glad Dr. Hislop agreed that the Commissioner of Public Health would find it difficult to spare the time to play a proper part as a member of the board. We have been told that it is ridiculous to have one Commissioner of Health for the whole of this State and that the time is not far distant when one or more assistants will be required. Dr. Hislop would have him a member of the board which, during the first few months of its existence, will have a very onerous task to perform that will occupy a considerable amount of time daily. Dr. Hislop suggested that the Commissioner might attend only when something associated with health was under discussion. Therefore he would have the Commissioner accept no responsibility at all for other important matters with which the board will have to deal. Further, the Commissioner already has the power of veto. If he is not satisfied with some action taken by the board, he has power under the Health Act to over-ride the board.

Hon. J. G. Hislop: He has had those powers all along, but they will not work.

The CHIEF SECRETARY: I have heard Dr. Hislop refer to the Health Department's not doing its job. Apparently he has more faith in the present Commissioner than he had in previous Commissioners. If the present Commissioner is the man Dr. Hislop says he is, we can look forward to a different state of affairs. I am afraid that with a board of seven, the discussions would be interminable.

Hon. W. J. Mann: That might redound to the benefit of the people, too.

The CHIEF SECRETARY: The board will be entitled to obtain advice from the Commissioner of Public Health, the Superintendent of Dairying, or any other Government officer at any time. If the board requires technical or professional advice, that advice can be obtained from the most highly qualified men in the State. I think we shall make a mistake if we increase the strength of the board from five to seven.

Hon. J. G. HISLOP: It is easy to draw red herrings across the trail and magnify them until they look as big as elephants. The idea that the Commissioner of Public Health could not undertake this work might apply temporarily, but I understand he is proposing that he be given assistance at an early date. The board, in formulating its regulations, would have to call on the Commissioner to do a lot of work irrespective of whether he was a member of the board, because the board must take his advice on technical matters and must adhere to the standards of the Health Department. However, the Commissioner will have no say until the stage is reached when he deems it necessary to veto some action taken by the board. The use of the veto never made for progress. If the Commissioner were made a member of the board, I believe the lay members would thank me for the time I have spent in urging his inclusion, simply on account of the immense amount of knowledge they would gain from his presence. Undoubtedly he would educate the board and the whole of the people in the industry.

A board composed of laymen and approaching the Commissioner only when necessary would learn little as compared with what would be possible if the Commissioner were sitting at its deliberations. Our duty is to ensure that the health side of the industry is improved. The public has a right to expect that the milk supply shall be clean and safe. A board consisting entirely of laymen will not meet with the approval of the public as would a board on which the Commissioner of Health had a right to sit. To say that the Commissioner would attend only when health matters were at stake is merely playing with words. Whether he sat out all the meetings would depend upon the urgency of the matters being discussed, but that could be left to his good judgment. When it is said that I appreciate the present Commissioner more than his predecessors, that is in part, if not in whole, true. I had an equal respect for Dr. Park, and had he still been filling the office, I would have been fighting to get him appointed to the board. Both he and Dr. Cook are very capable officers. To restrict the present Commissioner to his office merely to give advice when asked, would be wrong. Let us give him an opportunity to sit on the board and make his knowledge available.

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

Ayes	8
Noes	14

Majority against	6
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AYES.

Hon. L. B. Bolton	Hon. W. J. Mann
Hon. Sir Hal Colebatch	Hon. H. S. W. Parker
Hon. J. A. Dimmitt	Hon. F. R. Welsh
Hon. J. G. Hislop	Hon. E. H. Hall
	(Teller.)

NOES.

Hon. G. Bennetts	Hon. W. R. Hall
Hon. L. Craig	Hon. W. H. Kitson
Hon. J. M. Drew	Hon. G. W. Miles
Hon. R. M. Forrest.	Hon. C. H. Simpson
Hon. G. Fraser	Hon. H. Tuckey
Hon. F. E. Gibson	Hon. C. B. Wood
Hon. E. H. Gray	Hon. C. F. Baxter
	(Teller.)

Amendment thus negatived.

Clause, as previously amended, put and passed.

Clauses 12 to 23—agreed to.

Clause 24—Officers of the board:

Hon. J. G. HISLOP: I move an amendment—

That in lines 1 and 2 of Subclause (1) the words "subject in each case to the approval of the Minister" be struck out.

Surely the board can appoint and pay its own officers. Is the Minister going to say what officers shall be employed by the board to carry out the work which the board thinks necessary?

The CHIEF SECRETARY: I do not oppose the amendment. As a matter of fact, the words proposed to be struck out are redundant.

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

Clause 25—agreed to.

Clause 26—Powers and functions of the board:

Hon. J. G. HISLOP: I move an amendment—

That in line 1 of paragraph (O) the words "Subject to the approval of the Minister" be struck out.

The CHIEF SECRETARY: I raise no objection to the amendment.

Amendment put and passed.

Hon. J. G. HISLOP: I move an amendment—

That paragraph (P) be struck out.

I cannot see the necessity for this paragraph. It would give the Minister what I consider to be unnecessary power.

Hon. H. S. W. Parker: It means nothing.

Hon. J. G. HISLOP: Why leave it in the Bill?

The CHIEF SECRETARY: I think it does mean something. We cannot expect to include in the Bill every conceivable point that may arise as the result of the operation of the Act. The Minister may desire that the board should give consideration to some aspects not specifically covered by the Bill. Surely we should not be afraid to say so.

Hon. H. S. W. Parker: You do not say that.

The CHIEF SECRETARY: Yes, we do.

Hon. H. S. W. Parker: The Bill says "Any other matter which in the opinion of the Minister is incidental to any of the matters aforesaid." It is immaterial whether the words are included or not.

The CHIEF SECRETARY: I prefer to have them included.

Hon. J. G. HISLOP: If the words have no meaning, then let them remain. I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

Clause, as previously amended, put and passed.

Clause 27—Limitations of powers of board in taking proceedings:

Hon. J. G. HISLOP: This clause gives the board powers which it is quite unnecessary to confer upon it. The board has responsible duties to perform. It may issue licenses and revoke them and also institute prosecutions for failure to comply with regulations. No Minister should have the power to prohibit a prosecution or to nullify acts done by the board in good faith on evidence placed before it.

The CHIEF SECRETARY: The argument put forward is what we have heard on two or three occasions during the Committee stage. The board is given wide powers and great authority; but it may so happen that at some time or other the board may intend or desire to take some proceeding that does not meet with the approval of the Government, and it is

through the Minister that the board can be advised of that fact. The same conditions have prevailed for a period of 12 years without any untoward interference by the Minister; but he should have the power or the authority to intervene if he thinks it desirable. The question is whether or not we shall have ministerial control. I hope the Committee will pass the clause.

Hon. H. S. W. PARKER: It is not a question of ministerial control. What we should have is parliamentary control. If the board does not function as the Government of the day thinks fit, then the Government can bring in a Bill to alter the Act. The clause is farcical.

The Chief Secretary: That is ridiculous.

Hon. H. S. W. PARKER: It is ridiculous. I entirely agree.

Hon. G. B. WOOD: I hope the Committee will vote against the clause. I cannot see why the Minister wants this power, as the board will have three members appointed by the Governor. Surely that is sufficient protection.

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

Ayes	..	..	..	8
Noes	..	..	..	14
<hr/>				
Majority against	..	..	..	6

AYES.

Hon. G. Bonnetts
Hon. J. M. Drew
Hon. G. Fraser
Hon. F. E. Gibson

Hon. E. H. Gray
Hon. W. R. Hall
Hon. W. H. Kitson
Hon. G. W. Miles
(Teller.)

NOES.

Hon. C. F. Baxter
Hon. L. B. Bolton
Hon. Sir Hal Colebatch
Hon. L. Craig
Hon. J. A. Dimmitt
Hon. R. M. Forrest
Hon. E. H. H. Hall

Hon. J. G. Hislop
Hon. H. S. W. Parker
Hon. C. H. Simpson
Hon. H. Tuckey
Hon. F. R. Welsh
Hon. G. B. Wood
Hon. W. J. Mann
(Teller.)

Clause thus negatived.

Progress reported.

BILL—MARKETING OF BARLEY (No. 2).

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to amend-

ments Nos. 3, 6 and 7 made by the Council, and had disagreed to Nos. 1, 2, 4, 5, 8, and 9.

House adjourned at 6.19 p.m.

Legislative Assembly.

Thursday, 31st October, 1946.

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

QUESTIONS.

RAILWAYS.

(a) *As to Locomotives Imported from England.*

Mr. SEWARD asked the Minister for Railways:

1, Are any difficulties or delays—

(a) mechanical,

(b) industrial,

likely to arise in the assembling of the railway engines recently arrived from England that may prevent or delay their entry into service by Christmas?

2, If so, what are the difficulties?

The MINISTER replied:

1, (a) No. (b) Yes.

2, Industrial difficulty with boilermakers has arisen from a "black" ban imposed by the Metal Trades Council of Trades Unions.