Legislative Council

Tuesday, 20th October, 1953.

CONTENTS.

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

AUDITOR GENERAL'S REPORT.

Section "A", 1953.

The PRESIDENT: I have received from the Auditor General a copy of Section "A" of his report on the Treasurer's statement of the Public Accounts for the financial year ended the 30th June, 1953. It will be laid on the Table of the House.

BILL—WHEAT MARKETING.

Standing Orders Suspension.

THE CHIEF SECRETARY (Hon. G. Fraser—West): I move, without notice—

> That so much of the Standing Orders be suspended as is necessary to enable the Bill to pass through all stages at the one sitting.

I do not like doing this sort of thing because I can see a lot of objections to rushed legislation. If I think back, I can almost hear myself making some complaints along those lines, and I would not consent to this type of action if there were any other way out of the difficulty. However, I understand that it is necessary for this legislation to be dealt with in both Houses this evening so that a reply can be sent to Canberra tomorrow. I understand there is some link with a conference being held in Madrid today, and therefore it is necessary for a decision to be arrived at by each State in Australia so that Canberra can be advised tomorrow. In those circumstances, I have no option but to move the motion.

HON. SIR CHARLES LATHAM (Central): Before the motion is put, may I ask the Minister whether he will supply us with a copy of the Bill when it is introduced in another place, because it would seem that the measure is an important one, both from the Government and the State point of view. I may be less intelligent than other members, but I find great difficulty in being able to listen to a speech made by the Minister and at the same time to understand the Bill with a view to continuing the debate. If the Minister will supply us with a copy of the legislation which is to be introduced in another place, we shall at least have a foundation on which to base our remarks. I have no objection to the motion, but I do think the House should have an intelligent idea of the legislation before it. If the Minister cannot supply us with a copy of the Bill, then perhaps he could allow us half an hour or so before proceeding with the second reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West)—in reply: I also would like to have an intelligent vote from the House on this matter, and because of that I have made arrangements to have ten or 12 copies of the Bill made available to members in this Chamber as soon as it is introduced in another place.

Question put.

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

Question thus passed.

QUESTION.

ROYAL VISIT.

As to Transport of Northern Children.

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

(1) In view of his reply to my question on the Royal visit, that it was hardly likely to be found practicable to evolve a plan for bringing the children of the northern areas to Perth, will he inform the House what the position will be if all the local authorities in northern areas decide to make arrangements for the children of their districts to visit Perth during the visit? This could quite easily happen.

(2) Would it not be better, under these circumstances, to have a co-ordinated plan?

The CHIEF SECRETARY replied:

(1) and (2) It is the desire of the Government to help school children to see Her Majesty the Queen and His Royal Highness the Duke of Edinburgh, and special transport facilities will be provided to enable people from as far afield as possible to go to those centres included in the Royal itinerary.

The Government, however, cannot accept responsibility for the accommodation of children where they would need to be away from home overnight, but will give every encouragement to local authorities or other organisations prepared to do so.

BILLS (2)—THIRD READING.

1, Industries Assistance Act Amendment (Continuance).

2, Industrial Development (Kwinana Area) Act Amendment.

Passed.

BILL—GOVERNMENT EMPLOYEES (PROMOTIONS APPEAL BOARD) ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [4.45] in moving the second reading said: This Bill seeks to amend the principal Act in two directions only. The first amendment applies to that section of the Act that deals with appeals against promotions. The Act provides that any unsuccessful applicant for promotion may appeal to the Promotions Appeal Board against the appointment, provided that the annual salary of the position is not more than a certain figure.

It is also provided that no grounds for appeal may apply where an unsuccessful applicant is not a member of a union which is a party to the award or industrial agreement which regulates the terms and conditions of the vacant position. This latter restriction has been found to be unfair to certain members of the Tramway Employees Union.

Tramway Department drivers and conductors are on the wages staff and thus belong to the Tramway Employees' Union. Ticket inspectors of the department are salaried men and are members of the Tramway Officers' Union. Naturally appointments to the inspectorial staff are made from the ranks of the drivers and conductors. However, in view of the restriction in the Act that I have explained, an unsuccessful driver or conductor would have no right of appeal. I understand this anomaly exists in no other union, and the Bill proposes to rectify it by giving the Governor power to override the restriction. The Tramway Officers' Union is quite agreeable to the amendment.

The other amendment deals with the definition of the word "efficiency." Section 14 of the parent Act states that appeals may be lodged on the grounds of superior efficiency or equal efficiency and seniority to the person recommended for the vacant position. A considerable amount of discontent has been expressed throughout a section of Government employment because of the fact that for certain reasons a person who is sometimes appointed temporarily to fill a vacancy holds the temporary appointment for possibly some months before the position is filled.

In such cases the temporary occupant of the position has gained so much knowledge of its duties that this experience is regarded as contributing towards superior efficiency compared with that of more senior applicants. Government employees regard this as unfair and have asked that such temporary experience be not assessed as "efficiency". The Bill proposes therefore that, in appointments and in appeals, service in an acting capacity shall not be regarded as contributing towards efficiency. I move—

That the Bill be now read a second time.

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

BILL—ADOPTION OF CHILDREN ACT AMENDMENT (No. 1).

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [4.48] in moving the second reading said: The proposal in the Bill is to grant power to the Supreme Court to approve of the adoption of a child, provided that either the child or the adopter are domiciled in Western Australia. The necessity for this amendment has been brought about by the recent refusal of the Chief Justice to approve of an adoption on the ground that the child was of foreign domicile, that is, it was not born of a father having a Western Australian domicile, or if the father was dead, of a mother having a Western Australian domicile. The word "domicile", of course, denotes a person's permanent residence.

It is a fact that, in the past, judges in this State have granted adoptions, irrespective of the domicile of the child. However, in view of the action of the Chief Justice it is considered the position should be clarified. In each of the other Australian States, except Queensland, a child may be adopted, irrespective of the domicile of the child or that of its natural parents or the adopting parents. Queensland provides only that the applicant for the adoption must be resident and domiciled in Queensland or be a British subject.

In England the law is that both the applicant and the infant must reside in England, and that the infant shall have

been in the continuous care and possession of the applicant for at least three months prior to the date of the adoption order. The Bill follows the English law closely, the only exception being that either the applicant or the child must be domiciled in the State. This amendment has been carefully considered and approved by both the Law Society and the legal officers of the Crown Law Department.

I would like to point out that the Bill will in no way interfere with the discretion allowed a judge to refuse or grant an adoption order. The judge will at all times be the sole arbiter as to whether an adoption is desirable or not. Members will see that this is merely to clear up a point. Some judges have been granting adoption, and the Chief Justice has been taking exception to it because it is not covered by the Act. This Bill is to rectify that position. It does not take away the discretion of a judge to order the adoption of a child, or otherwise. I move—

That the Bill be now read a second time.

On motion by Hon. A. F. Griffith, debate adjourned.

KALGOORLIE AND BOULDER RACING CLUBS ACT AMENDMENT (PRIVATE).

Second Reading.

HON. E. M. HEENAN (North-East) [4.50] in moving the second reading said: This is a private Bill to give effect to the amalgamation of the Kalgoorlie Racing Club and the Boulder Racing Club in a new club formed for the purpose of the amalgamation, styled the Kalgoorlie-Boulder Racing Club, and to vest the assets of the first-mentioned club in the new club and to confer on the new club power to acquire by purchase or otherwise and to hold and otherwise deal with real and personal property for the purposes of the club and for other purposes.

Those two clubs have carried on racing on the Eastern Goldfields as separate entities since their respective inceptions in the early days of the Goldfields. They operated under an Act known as the Kalgoorlie and Boulder Racing Clubs Act, which was passed in 1904 and which this Bill seeks to amend. During recent years the expenses entailed in maintaining the two clubs have greatly increased, and from time to time efforts have been made to bring about an amalgamation with a view to enabling racing on the Goldfields to be conducted with greater efficiency and economy. For a period this move met with a degree of opposition because it was realised that it would involve the closing down of one of the clubs, in all probability the Boulder Racing Club, where there was a course which had become famous all over Australia and which had been the scene of stirring and romantic turf episodes linked with the early days of the Goldfields.

However, all concerned were eventually brought to a realisation that the time had arrived when the two clubs should merge and so, in March of this year, the respective committees finally agreed upon the move for amalgamation. The decision of the two committees was subsequently ratified by general meetings of members of each club. Consequently this Bill is now presented to the House in order to give effect to the unanimous wishes of the two clubs.

The Bill is a short one, providing for the amalgamation of the two clubs, and there is a provision that the new body be known as the Kalgoorlie-Boulder Racing Club. The assets of the existing clubs are to be transferred to the new club, those assets in the main being the two racecourses held under long-term lease from the Crown. The members of the old clubs will have their interests protected in that they will automatically become members of the new club without paying an entrance fee.

There are one or two technical but minor provisions in the measure relating to the powers of raising money and improvements to bring the new club more into line with the Act governing racing in Perth. This is a measure which should meet with the approval of the House, and I move—

That the Bill be now read a second time.

HON. R. J. BOYLEN (South-East) [4.58]: I have pleasure in supporting the second reading. This measure has been brought forward, as have other measures in the last few years, probably owing to the effects of the recent war. But for the war, the Boulder Racing Club would doubtless have been functioning at the present time. During the war years the Royal Australian Air Force took over the Boulder racecourse and compensated the club to the extent of £17,000. That sum, however, was not sufficient to restore the course to its previous condition.

Owing to the heavy expenses confronting the two clubs, it was decided by general meetings of the members of both clubs to amalgamate and form a club to be known as the Kalgoorlie-Boulder Racing Club. For many months there was opposition to the proposed amalgamation, committeemen of the Boulder Club being reluctant to join in the move. However, better counsels prevailed subsequently and the two clubs have amalgamated.

I have some figures to indicate the revenue that has been made available to the Government by these two clubs since their inception. The entertainments tax came into operation in 1917

under which heading an amount of £38,949 14s. 1d. has been contributed; by way of totalisator and stamp duty, instituted in 1905, the contribution has been £186,901 7s. 1d., and by way of the betting tax instituted this year the contribution has been £2,879 18s. 4d., a total of £228,730 19s. 6d. Those figures convey an idea of the patronage accorded to horseracing by people on the goldfields.

A statement of the contributions to the Government from the 6th April, 1953, to the 10th October, 1953, shows the following:—Totalisator tax, £1,327 13s. 10d.; stamp duty, £39 1s. 2d.; betting tax, £2,879 18s. 4d.; entertainments tax, £1,503 2s. 2d.; group tax (employees), £139 0s. 7d.; and payroll tax, £84 3s. 4d., a total of £5,972 19s. 5d. Those figures also show the substantial contributions to revenue made by patrons of horseracing on the Goldfields.

HON. G. BENNETTS (South-East) [5.0]: The Goldfields at the present time cannot support two racing clubs and I think that this amalgamation is a step in the right direction. It is with regret that we see the closure of the Boulder racecourse, because in the early days both the Kalgoorlie and the Boulder racing clubs were recognised as the equal of any in Australia. I saw the first Boulder Cup run and the last, and most of those in the intervening period. I wish the amalgamated club every success, because I know it will continue to provide great pleasure, not only for local residents, but for the many visitors from the coast who go to Kalgoorlie for the round each year. I hope we will see many members of this House present at the round in the future, and I can assure them that if they do attend, they will see good racing and have an excellent holiday. I support the measure.

HON. J. M. A. CUNNINGHAM (South-East) [5.2]: In years gone by both these clubs provided grounds on which the people of the Goldfields were able to spend many hours of pleasure and amusement. Both clubs always allowed their grounds to remain open to the public for picnics and so on, and the fact that we are now to lose one of them is to be regretted; but unfortunately, the burden of upkeep and costs became such that for a while it was feared that legitimate racing on the Goldfields would become a thing of the past. The committees of the two clubs got together, however, and eventually decided that if they were permitted to amalgamate they could save racing on the Goldfields and maintain the Kalgoorlie course, which is still one of the beauty spots of that area.

As most members know, the Boulder course suffered badly at the hands of the services during the war. It was taken over by the air force and, when it was eventually handed back, was much the worse for wear, although from a financial point of view, perhaps the club did not lose much. At all events, most of the buildings and fixtures that were on the course have now been demolished and soon there will be little left of what was once a beauty spot. I believe that the present move will be to the benefit of the Goldfields, and goodness knows we require benefits in that area now.

In the last few months there has been a decided change in the position of the amalgamated racing club. Even those of us who are not particularly interested in racing believe that this move is for the good, and that anything that can be done by Parliament and the Government to make possible the maintenance of legitimate racing on the Goldfields should have our support. I trust that members will pass the measure. I support 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—HOSPITALS ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [5.7] in moving the second reading said: The Bill seeks to amend the principal Act in two directions. The first amendment proposes to give the Government the authority to guarantee loans raised by boards of public hospitals, and the second amendment is designed to remove a doubt that has arisen in regard to the payment of hospital fees on behalf of seamen.

Dealing with the first amendment, the Government's ability to make loan funds available for work on the Royal Perth Hospital is limited, at present, to a sum of £250,000 a year. As members know, the second section, or west wing, of the hospital, is now under construction. Members are aware also of the inadequacy of our hospital accommodation, and for this reason it is essential that the Royal Perth Hospital be completed as soon as possible.

The Government has been advised that work on the hospital cannot function economically or expeditiously at the rate of £250,000 a year. This sum restricts the number of men who can be employed on the venture, with the result that a balanced building team is not available. It is considered that if £400,000 a year were available—that is, an extra annual amount of £150,000—work could be maintained with economy and despatch.

The board of the hospital can obtain a loan of £300,000 payable over two years, provided it is guaranteed by the Government. As there is no statutory provision

for a guarantee of this type, such authority is sought by the Bill. I feel sure that members will agree that this is a meritorious proposal. It will permit of the work on the Royal Perth Hospital being continued on what is considered to be the most economical and expeditious basis, and it will also allow the Government, if it thinks fit, to guarantee loans raised by other public hospitals that are in need.

The second amendment seeks to remove doubt that has arisen concerning a matter which since 1906 was thought to be quite clear. The Commonwealth measures dealing with shipping and crews of ships—that is, the Merchant Shipping Act and the Navigation Act—and also the Western Australian Marine Act are all most explicit that the cost of all medical and hospital expense connected with the treatment of seamen "shall be defrayed by the owner of the ship without deduction from the seamen's wages."

Since 1906 these accounts have been submitted to the shipping companies and have been paid without protest. However, recently the solicitors representing the companies drew attention to the fact that a company's liability would be met if the cost of the medical and hospital treatment was paid to the seamen concerned. The position then would be that the hospitals would have to obtain payment from the seamen. It can be quite safely visualised that there might be considerable difficulty in securing payment from some of the seamen.

On the 29th April, 1953, the solicitors wrote to the Fremantle Hospital in these words—

> We further notify you that hereafter shipping companies will discharge their obligations under the Navigation Act and the Merchant Shipping Act by making payment direct to seamen landed ashore through illness.

The absurdity of such a move is apparent, and the Bill, therefore, seeks to rectify the matter by ensuring that the shipowners and their agents must pay the cost of treatment to the board of the hospital concerned.

The majority of seamen patients are treated at the Fremantle Hospital. Last year there were 164 cases. Of these 25 per cent. were Australians, 41 per cent. were of other British nationalities, and 34 per cent. were non-British. About 20 of the patients were Asiatics, whose practice of hygiene is totally dissimilar to that of white patients. The care of these seamen imposed a considerable extra strain on the endurance and tolerance of the hospital staff. Within the past two years the peculiar sanitary habits of some of these Asiatics has involved the hospital in extra expenditure of, approximately, £1,000.

I might mention, too, that all seamen are excluded from payment under the Commonwealth Hospital Benefits Act which specifies that—

> (1) Non-residents of Australia; and
>
> (2) Persons whose hospital expenses are, by law, a charge against any other person or organisation are not entitled to benefit.

It is for those reasons that the Bill is submitted to the House. I hope members will give it the consideration it deserves and I think they will agree it is well worthy of support. I move—

> That the Bill be now read a second time.

On motion by Hon. J. G. Hislop, debate adjourned.

BILL—WESTERN AUSTRALIAN GOVERNMENT TRAMWAYS AND FERRIES ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [5.15] in moving the second reading said: There are only two amendments proposed by the Bill. The parent Act provides that any action against the Crown with regard to the Tramway Department must be taken against the general manager, and such action must be commenced within six months of the cause of the action. This limitation of period was designed to give the department a reasonable opportunity to investigate the reasons for any claim.

Some astute members of the legal profession, however, have endeavoured to defeat this limitation by, after six months have elapsed, taking action against the driver of the tramway vehicle. Action of this nature would be in regard to accidents, etc. Where such action has been successful, the Tramway Department has felt itself bound to bear the responsibility of the driver's expenses and fines, if any. The intention of the Act has, therefore, been defeated by persons who failed to exercise their legal right to claim against the general manager within the statutory period of six months. The Bill seeks to provide that no action can be taken after six months against the Crown, the Minister, the general manager, or a person acting under their authority or direction.

The second amendment has been recommended by the officers of the Crown Law Department, who report that, at present, the Tramway Department could be liable for the loss or damage of any article carried by a passenger. As no charge is made by the department for the carriage of such articles it is considered inequitable that the department should be liable in the event of loss or damage. Injury to a passenger is in an entirely different category, as the department receives a fee for carrying the passenger and is therefore responsible for his safety. I move—

> That the Bill be now read a second time.

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

BILL—BEE INDUSTRY COMPENSATION.

Second Reading.

Order of the Day read for the resumption from the 15th October of the debate on the second reading.

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.

Clauses 1 and 2—agreed to.

Progress reported.

BILL—PIG INDUSTRY COMPENSATION ACT AMENDMENT.

Second Reading.

Debate resumed from the 15th October.

HON. A. L. LOTON (South) [5.20]: As the Minister has explained, the purpose of the Bill is to enable pig breeders to make a claim for compensation within 90 days instead of 21 days as provided in the Act. I have an amendment on the notice paper, but I do not intend to move it because, after consideration, I believe that 90 days will be sufficient to enable a producer to make his application. Moreover, such application must be accompanied by a declaration which has to receive the approval of the Minister before payment is made.

I understand that the disease of paratyphoid is particularly difficult to diagnose in its early stages. A breeder may have a number of pigs and one may be affected by the disease without the breeder noticing it. Eventually the pig may die. Later, another one may die from the disease and when the owner calls in a veterinary surgeon who diagnoses it as para-typhoid, such diagnosis may be sent to Perth for confirmation and by that time 21 days, as now provided, may have elapsed. As a result, he would be unable to claim compensation.

The Minister for the North-West has supplied me with some figures with regard to the pig compensation fund. The amount standing to the credit of this fund as at the 30th September, 1953, was £34,078. The amounts paid out in the last two years were £3,488 to the 30th June, 1952, and £3,490 for the year ended the 30th June, 1953.

Hon. Sir Charles Latham. Did the Minister supply you with the figures relating to the amount collected??

Hon. A. L. LOTON: Yes. It can be seen from those figures that there was a difference of only £2 between the amounts paid out in 1952 and 1953. Therefore, the claims for compensation are becoming static. The amounts collected in the last two years vary a little, which is understandable when it is considered that the price for choppers is approximately £30 to £50 and that baconers are bringing up to £28. For the year ended the 30th June, 1952, the amount collected was £8,006, and £9,334 was collected for the year ended the 30th June, 1953. Members will realise, therefore, that the fund at present is very buoyant, and I hope it continues to be so because there is no foretelling when there may be an outbreak of disease among pigs and many of them may die. I do not think the pig breeders have any complaint about the present levy. The bacon curers have no compunction about having a diseased animal destroyed because they know they can draw from the compensation fund to offset the cost of the animal. If the fund were not so buoyant I am sure the prices at the markets would be affected considerably. I support the Bill.

Question put and passed.

Bill read a second time.

In Committee.

Hon. W. R. Hall in the Chair, the Chief Secretary (for the Minister for the North-West) in charge of the Bill.

Clause 1—Short title and citation:

Hon. A. L. LOTON: Mr. Chairman, I would draw your attention to line 3 of Subclause (2) and ask whether, in your opinion, there should not be a comma after the figures "1942."

The CHAIRMAN: No commas appear in either line 3 or 4.

Hon. A. L. LOTON: Do not you think that there should be a comma after "1942"? In my opinion, Subclause (2) should read, "In this Act the Pig Industry Compensation Act, 1942," and so on. I think "1942" should immediately follow the word "Act" in line 2 of Subclause (2). In other words, the figures "1942" should be raised a line so that they immediately follow the word "Act."

The CHAIRMAN: The Crown Law Department has carried out the drafting and I do not feel disposed to alter it unless I consult the officers of that department. I do not think that any alteration is necessary.

Hon. A. L. LOTON: I draw your attention to lines 1 and 2 of Subclause (1) which read as follows:—

> This Act may be cited as the Pig Industry Compensation Act, 1953.

Yet lines 1 and 2 of Subclause (2) read, "Pig Industry Compensation Act," with the figures "1942" dropped down to the next line. It does not make sense to me.

Hon. J. G. HISLOP: For your guidance, Mr. Chairman, I would direct your attention to the Bill to amend the Matrimonial Causes and Personal Status Code. By analogy with the phraseology of the similar clause in that Bill, I think you will find that the date "1942" in this Bill should appear in the previous line.

The CHAIRMAN: We will consult the Crown Law Department, and, if necessary, the position will be rectified when the Bill is reprinted.

Hon. A. L. Loton: Is that procedure correct, or should we report progress?

The CHAIRMAN: There seems to be a typographical error.

Hon. A. L. LOTON: If there is an error, I doubt whether we can pass the Bill. I would sooner have progress reported and the correction made here.

Hon. H. S. W. Parker: The Standing Orders provide for it.

Hon. A. L. LOTON: I would ask the Chief Secretary to report progress.

The CHIEF SECRETARY: The hon. member has asked so nicely that I cannot refuse.

Progress reported.

BILL—VERMIN ACT AMENDMENT.

Second Reading.

Debate resumed from the 15th October.

HON. N. E. BAXTER (Central) [5.32]: I intend to support the Bill. Clause 2 provides that the commissioner may be paid such salary from the moneys of the vermin fund of the district as the Agriculture Protection Board may determine from time to time. It is only right and fair that the local vermin fund should provide the salary. Clause 3 contains the provision that assistance shall be given to people in the buffer areas, mostly on pastoral holdings. This is to be done by replacing the method of rating on the acreage method by one on the basis of the unimproved capital value. That will be a big help to the people concerned.

The clause also provides for the levying of a rate in excess of the declared rate in order to provide sufficient funds to defray the cost of vermin destruction. This is actually left to the discretion of the Minister. I think that, on the average, Ministers would use a fair amount of caution in allowing any extra rate to be struck, and I do not consider we have a great deal to fear from this part of the clause. The other portions of the Bill are fairly plain and straightforward, and I give my support to the measure.

THE MINISTER FOR THE NORTH-WEST (Hon. H. C. Strickland—North—in reply) [5.34]: I am very pleased with the reception that this small Bill has received, and there is no need for me to stress any further the purpose of its introduction.

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—CRIMINAL CODE AMENDMENT.

Second Reading.

Debate resumed from the 15th October.

HON. H. S. W. PARKER (Suburban) [5.37]: The purpose of the Bill is to correct various misprints and anomalies. Only one serious alteration of the law is made. At present, for certain sex offences, a judge is bound to order a flogging. Judges do not like doing that. On one occasion a man was convicted a second time, and under the code the judge had to order a flogging. When doing so, he stated that he would request the authorities not to carry out that part of the sentence. It is proposed by this Bill to alter the word "shall" to "may" so that the ordering of a flogging will not be obligatory. I support the second reading.

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.

Clauses 1 to 12—agreed to.

Clause 13—Section 25 Jury Act, 1898-1937, repealed:

Hon. Sir CHARLES LATHAM: I have a very strong objection to this class of legislation. The Bill deals with the Criminal Code, but this clause proposes to repeal Section 25 of the Jury Act. If the Crown Law Department wants to remove the provision dealt with, the proper way is to introduce a Bill to amend the Jury Act. This practice of amending one Act in a Bill dealing with another Act was carried out in the past on different occasions but has not been the custom for a long time. A person knowing little about the law, and consulting the list of Acts on the statute book would not know that the Jury Act had been amended, because he would not consult the Criminal Code Amendment Act to see whether such action had been taken. Such an amendment might even be missed by lawyers.

In years gone by, it was ruled in another place that this is an improper method of dealing with legislation, but evidently the fact has escaped the notice of another place on this occasion. I propose to vote against this clause, and I ask the Chief Secretary to submit to the Minister for Justice that he should achieve his purpose by introducing a Bill to amend the Jury Act.

The CHIEF SECRETARY: I hope that the Committee will not vote against the clause, because I have grave doubts whether we would be able to introduce similar legislation this session. The provision dealt with is inter-related with the Criminal Code. That is why the amendment is made in this Bill. I would ask the hon. member to withdraw his opposi-

tion and let the clause go through. Then we will send his remarks to the Crown Law Department, and ask that if it has offended, it will not do so again. The matter is not so vital that this legislation should be held up because of it.

Hon. A. F. Griffith: Why does the Minister think there would not be time to introduce the legislation?

The CHIEF SECRETARY: The matter will be defeated this session if the provision is taken out of this Bill. There is also the possibility that we would have the alteration in one Act and not in the other.

Hon. Sir CHARLES LATHAM: I do not intend to accept that from the Minister. I have carefully read the clauses we have passed, and this has nothing to do with them. The Minister's excuse may be plausible to him, but it is wrong. There is nothing to prevent anyone from introducing a Bill to delete this section. If I agreed to this, I would be setting aside all the experience I have had in Parliament. I shall, if necessary, call for a division to protect myself. This is an important amendment, dealing with people who have to serve on juries. The section ought not to be deleted by means of the Criminal Code.

Hon. L. Craig: Is it not covered by the Bill at all?

Hon. Sir CHARLES LATHAM: There is no relation to it. Many indictable offences are tried by juries, but others are tried by a judge. A principle is involved here, and it should not be passed over lightly. Section 25 has been in the Jury Act for years—at least since 1928.

Hon. H. S. W. Parker: It has been there since 1898.

The CHIEF SECRETARY: I am surprised at the attitude of the hon. member. He is not very consistent, because I remember that last year the Government of which he was a member introduced a Bill which dealt with two Acts.

Hon. Sir Charles Latham: Which Bill was it?

The CHIEF SECRETARY: The Prices Control Act and the Profiteering Prevention Act were mentioned in the same Bill.

Hon. Sir Charles Latham: That may be, but it was not introduced by me.

The CHIEF SECRETARY: I did not say it was, but I did not hear any complaint from the hon. member. He was just as responsible then as he is now.

Hon. Sir Charles Latham: No, I was not.

The CHIEF SECRETARY: Yes. The hon. member was a member of this Chamber; the position was worse because he was a member of Cabinet.

Hon. Sir Charles Latham: Do you suggest I should have resigned on account of it?

The CHIEF SECRETARY: No, I suggest that if the hon. member's attitude is right now, it should have been adopted then. I might agree to a large extent with what the hon. member is saying, but I point out that it has been suggested that it is the same in both Acts, and that we will amend one Act and not the other. The note I have is that it is proposed to delete from the Jury Act a section dealing with juries which is in conflict with a similar section in the Code. So, by our passing the Bill, the section will be taken out of the Jury Act and there will be no conflict between the two Acts.

Hon. Sir Charles Latham: Surely the correct thing would be to take the conflicting section out of the Criminal Code.

The CHIEF SECRETARY: No. This concerns the separation of juries on indictable offences. As the section in the Code is later in time than, and preferable to, the section in the Jury Act, it has been decided to repeal the relevant section in the Jury Act. There is nothing very harmful about that. I will possibly agree that it is preferable to introduce separate Bills but, unless we pass the clause as it is, we shall for at least 12 months have one thing in the Criminal Code and another in the Jury Act.

Hon. H. K. WATSON: Juries are inextricably connected with criminal cases, but we have the Criminal Code and the Jury Act. The argument is incontestable that when we amend the Jury Act we should do so by a Bill to amend the Jury Act and not by a Bill to amend the Criminal Code. I do not agree with the Chief Secretary that if the clause is deleted we will not be able to deal with it for another 12 months. Members know that tomorrow we will have a Jury Act Amendment Bill before us, and I shall be surprised if we cannot include this amendment in it. Therefore, I suggest that, both on principle and as a matter of practical politics, no good purpose can be served by not agreeing with the view expressed by Sir Charles Latham.

Hon. E. M. HEENAN: Sections 625 to 651 of the Criminal Code deal with juries as they apply to offences coming within the jurisdiction of the Criminal Code. We also have the Jury Act so that, in addition to juries which deal with criminal trials, there are juries which deal with civil cases, inquests and so on. I do not think that Section 25 of the Jury Act is altogether right.

Hon. H. S. W. Parker: What does the Criminal Code say?

Hon. E. M. HEENAN: A proviso to Section 630 provides that the court may, in its discretion, permit the jury to separate before considering their verdict, which is preferable. The Criminal Code provides that they are not to separate unless the court gives permission, whereas the Jury Act states that they can separate unless the court tells them not to.

Hon. A. F. Griffith: If you amend Section 25 of the Jury Act, there will be no right whatever to separate.

Hon. E. M. HEENAN: There is an affinity between the two Acts, as they both deal with criminal practice and trials. I do not see anything wrong with deleting this section.

Hon. Sir Charles Latham: I do not object to its deletion, but I do not want it deleted by a Bill other than a Jury Act Amendment Bill.

Hon. E. M. HEENAN: Let us suppose that this clause is introduced under an amendment to the Jury Act. Could I not turn round and say, "Why should not that be done by an amendment to the Criminal Code because there are 25 sections in that code relating to juries?"

Hon. Sir Charles Latham: They are not identical. You are reading a portion of a section from the Criminal Code.

Hon. E. M. HEENAN: The hon. member suggests that this should be provided by an amendment to the Jury Act. I gather that that is the sum total of his objection.

Hon. Sir Charles Latham: That is so.

Hon. E. M. HEENAN: Then could not I turn round and say, "No, the right place to do it is in an amendment to the Criminal Code?"

Hon. H. K. Watson: Then it would be logical to amend the Bees Act by an amendment to the Bushfires Act.

Hon. E. M. HEENAN: The Criminal Code and the Jury Act are usually read together. This argument seems much ado about nothing.

Hon. Sir Charles Latham: It is the principle.

Hon. L. Craig: How would anyone reading the Jury Act know that it had been amended?

Hon. E. M. HEENAN: These two statutes are inter-related and people would soon know that there had been an amendment to the Jury Act.

Hon. L. Craig: Does everybody read the Jury Act when reading the Criminal Code?

Hon. H. S. W. Parker: Does anyone read either?

Hon. E. M. HEENAN: I do not think the arguments against this clause are sufficient for us to throw it out.

Hon. H. S. W. PARKER: I agree with Sir Charles Latham that it is a bad principle to amend two different statutes by one Bill. However, in this case it is not as bad as at first appears, because the Bill is to amend the Criminal Code and the Jury Act. I propose to vote for the clause because I do not see how the Jury Act can be amended this session if we vote against this provision; but I agree with Sir Charles Latham in his contention. I am sorry that we passed the short Title and it might be worth recommitting the Bill to alter Clause 1 and make it read "Criminal Code Amendment Act and Jury Act Amendment Act."

The CHIEF SECRETARY: Last year the Prices Control Amendment and Continuance Bill was introduced and that measure aimed at amending and continuing the operations of the Prices Control Act and repealing the Profiteering Prevention Act.

Hon. H. S. W. Parker: What is the short Title of that measure?

The CHIEF SECRETARY: The Prices Control Amendment and Continuance Act. Mr. Parker raised a good point, because the Title of the Bill under discussion covers the Criminal Code and the Jury Act. However, among those who voted for the Prices Control Amendment and Continuance Bill I noticed the name of Sir Charles Latham. I, too, do not like the practice of dealing with two Bills under the one amendment, but the saving grace in this case is the Title.

Hon. Sir Charles Latham: You are talking about the vote on the second reading.

The CHIEF SECRETARY: Yes. But the hon. member voted for the clause to repeal the Profiteering Prevention Act, because it was agreed to on the voices.

Hon. Sir Charles Latham: I may not have been there.

The CHIEF SECRETARY: I shall be glad to hear the hon. member's explanation.

Hon. Sir CHARLES LATHAM: I voted for the second reading of that measure and I voted for the second reading of this Bill. But I felt it my responsibility to point out what I considered was wrong, and if members vote for this clause they must accept the responsibility for it. Over the years members have always been against the principle of amending four or five measures by the introduction of one Bill.

In reply to Mr. Heenan, if he turns to the Criminal Code, he will find that Section 639 refers to a number of matters, and I cannot follow his reasoning at all. The hon. member said that I was quibbling, but I do not see how he can say that when all I am doing is to complain about a bad practice. Suppose we amended the Firearms and Guns Act by an amendment to the Vermin Act. Would the hon. member agree to it? I think it is something that we should discourage, and over the years Parliament has always agreed with the views I have expressed.

Hon. E. M. Heenan: I think you will agree that those two conflicting provisions should be cleared up.

Hon. Sir CHARLES LATHAM: They have never yet conflicted.

Hon. E. M. Heenan: That is not a good argument.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. L. A. LOGAN: If this section is struck out of the Jury Act, what provisions are made for an indictable offence? There is provision in the Criminal Code and if this section is removed from the Jury Act there will be nothing comparable with the Criminal Code, and that seems to be wrong. I think we should correct the Jury Act to make it read like the Criminal Code. I bitterly opposed last year an action by the Government I supported which dealt with two Acts in one Bill. Accordingly I must do the same on this occasion.

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

Ayes	11
Noes	16
Majority against	5

Ayes.

Hon. C. W. D. Barker	Hon. C. H. Henning
Hon. G. Bennetts	Hon. F. R. H. Lavery
Hon. E. M. Davies	Hon. H. S. W. Parker
Hon. G. Fraser	Hon. H. C. Strickland
Hon. Sir Frank Gibson	Hon. R. J. Boylen
Hon. E. M. Heenan	*(Teller.)*

Noes.

Hon. N. E. Baxter	Hon. L. A. Logan
Hon. L. Craig	Hon. A. L. Loton
Hon. L. C. Diver	Hon. J. Murray
Hon. A. F. Griffith	Hon. H. L. Roche
Hon. H. Hearn	Hon. C. H. Simpson
Hon. J. G. Hislop	Hon. J. McI. Thomson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. Sir Chas. Latham	Hon. J. Cunningham
	(Teller.)

Clause thus negatived.

Clauses 14 to 23—agreed to.

Clause 24—Section 735 amended:

Hon. Sir CHARLES LATHAM: I suppose by this it is intended to refer the matter to the Minister for Native Affairs instead of to the Crown Law Department. I do not think there is much wrong with the clause and I just wanted to have a look at it.

Clause put and passed.

Clauses 25 to 27—agreed to.

Title:

The CHIEF SECRETARY: I move an amendment—

That all the words after the word "Code" be struck out.

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

Bill reported with an amendment and an amendment to the Title.

BILL—NOXIOUS WEEDS ACT AMENDMENT.

Second Reading.

Order of the Day read for the resumption from the 15th October of the debate on the second reading.

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—LOCAL COURTS ACT AMENDMENT.

Second Reading.

Debate resumed from the 15th October.

HON. H. S. W. PARKER (Suburban) [7.44]: The purpose of the Bill is to extend the jurisdiction of the Local Court. In view of the altered position obtaining, and the Local Court giving a speedier remedy than the Supreme Court, I see nothing wrong with the Bill.

HON. H. K. WATSON (Metropolitan) [7.45]: I support the second reading of the Bill which, as the Chief Secretary explained, is designed to increase the jurisdiction of the local court for the recovery of premises where the tenancy has expired or for non-payment of rent. At present, where the amount involved is more than £100, it is necessary to take action in the Supreme Court. The proposal in the Bill is to increase the amount to £500. I am in accord with the principle of the Bill, but we might consider whether there is need for any measure at all on the questions involved. If there is a need, I suggest that the amount should be made considerably higher than £500.

Whereas up to 1939 the position was that the recovery of premises was provided for by the Local Courts Act and the Landlord and Tenant Act, the position since then, with one exception to which I shall refer presently, has been that the whole question of recovery of premises, whether on account of the expiration of the term, or for non-payment of rent or for any other reason, has been in the exclusive jurisdiction of the local court by reason of the Rents Restriction Act of 1939 and, since 1951, the Rents and Tenancies Emergency Provisions Act.

The only exception since 1951 has been the tenancies which, by reason of the 1951 Act, were excluded from the provisions of that statute; that is to say, any tenancy created since the 1st January, 1951. Thus today the position in fact and in law is that whether the rental is £5 or £500 a week, the jurisdiction in respect of that property in so far as the recovery of premises is concerned is a matter for the local court.

Hon. N. E. Baxter: What about hotels?

Hon. H. K. WATSON: They are not covered because they are exempted from the Rents and Tenancies Emergency Provisions Act. The recovery of 90 per cent. of existing properties in this State, whether carrying a rent of £5 or £500 a week, is essentially a matter for the local court,

and inasmuch as that court has had all the experience since 1939, we might well refrain from limiting the jurisdiction to £500 for such cases as do not come under the Rents and Tenancies Emergency Provisions Act. I therefore suggest for the consideration of the Minister that when the Bill is in Committee, we might bring the cases that do come under this Act into line with most other properties in the State and increase the amount to £1,500 a year.

As the Chief Secretary explained, Supreme Court actions for the recovery of premises are cumbersome and costly, and I see no reason at all why, in respect of virtually any premises, the facilities of the local court should not be availed of. After all no intricate question of law is involved; the question is whether a tenancy has expired or whether the rent is in arrears, and a Supreme Court judge is not required to determine those matters. Under the Rents and Tenancies Emergency Provisions Act, the local court has power not only to order repossession, but also to grant damages of an unlimited amount. If we extend still further the provisions of the Act, we shall be doing no more than bringing it into line with the provisions of the Rents and Tenancies Emergency Provisions Act which the local court has administered during the last 13 or 14 years.

On motion by Hon. E. M. Heenan, debate adjourned.

BILL—BANK HOLIDAYS ACT AMENDMENT.

Second Reading.

Debate resumed from the 15th October.

HON. C. H. SIMPSON (Midland) [7.51]: I have taken the opportunity to examine the Bill, which contains a very small, but necessary amendment. Section 5 of the principal Act has a provision that was passed in 1894 and this it is proposed to amend. The section reads—

> The Governor may from time to time, as he may think fit, by proclamation, appoint a special day to be observed as a bank holiday, either throughout Western Australia or in any part thereof, or in any city, town or district therein; and any day so appointed shall be kept as a close holiday in all banks within the locality mentioned in such proclamation and shall, as regards bills of exchange and promissory notes payable in such locality, be deemed to be a bank holiday for the purposes of this Act.

That enables the Governor to proclaim a day, but the purpose of the amendment is to confer power to change the day if circumstances make the adoption of that course necessary. The Act does not appear to confer that power, and if it is required—and I understand it has been required from time to time—this measure will confer it on the Governor. I support the second reading.

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—MINE WORKERS' RELIEF ACT AMENDMENT.

Second Reading.

Debate resumed from the 15th October.

HON. C. H. SIMPSON (Midland) [7.55]: This, too, is a very small Bill, the object of which is to bring under the provisions of the Act employees of State Batteries throughout Western Australia. This matter was discussed with me when I was Minister for Mines and the workers seemed to consider it to be necessary. The Mines Department had no objection to it. No doubt the matter would have been brought forward in the same manner as it is being presented to us now had a change of Government not occurred. Therefore, having regard to my knowledge of the circumstances, I have no hesitation in supporting the second reading.

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—ASSOCIATIONS INCORPORATION ACT AMENDMENT.

Second Reading.

HON. L. CRAIG (South-West) [7.58]: I have studied this small Bill carefully and find no objection to it. The proposal is that small bodies wishing to incorporate may do so at less expense and with easier procedure than is required under the existing Act. If persons wish to form an association and incorporate the body, the cost at present can amount to £30 or £40. This Bill will reduce the cost and, instead of the Master of the Supreme Court being the registering officer, this work will be done by the Registrar of Companies.

Consequently, an applicant will go to the Companies Office, and that will make the procedure easier. Provision is made for advertising the intention to incorporate in the ordinary way by advertising in a newspaper circulating throughout the State and approved by the registrar. It is also provided that no body may be granted incorporation that has a name similar to any other body or company, or whose name is likely to mislead the public. I support the second reading.

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—COMPANIES ACT AMENDMENT (No. 2).

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [8.0] in moving the second reading said: Members are aware that the Companies Act is one of the biggest pieces of legislation on the statute book, consisting, as it does, of over 400 sections and 13 schedules. Since it was passed in 1943, the Act has required amendment on several occasions, mainly to rectify anomalies and other difficulties that have been brought to notice from administration and experience of the measure. The amendments sought by the Bill are of this nature.

The intention of the first amendment is to provide, in the case of an association registered as a company under Section 29 of the Act, that the association may be exempted by the Minister from compliance with such of the provisions of the Act and for such period as the Minister agrees to. It is considered that a strict enforcement of the Act in cases of associations registered as companies is unnecessary and unduly onerous. The amendment has been recommended by the Registrar of Companies, who points out that a number of the requirements insisted on by the Act are not convenient and are not appropriate for associations such as clubs. Strict enforcement of these provisions would bring the law into contempt, and the Registrar considers that in the case of associations some discretion should be allowed.

The second amendment provides for the printing of any prospectus in legible and satisfactory type. The Registrar of Companies has reported that some prospectuses have been issued with the special statutory information printed in type that could hardly be read with the naked eye.

The purpose of the next amendment is to provide that a company auditor shall receive notice of all general meetings of the company, and be given the right to address the meeting in certain circumstances. The articles of many companies do not allow notices of meeting to be given to the respective auditors, though under Section 139 (3) of the parent Act the auditors are entitled to be present at all general meetings at which audited accounts are presented. This amendment is based on a similar provision in the English Companies Act which was adopted following the recommendation of a special committee.

The amendment contained in Clause 5 of the Bill seeks to tighten the provision relating to those persons who may be qualified for appointment, or to act as liquidators of companies. The Act provides that no person may be the liquidator if he is a director, officer or employee of the company, or if he is the partner of or is employed by one of these persons. It has been found that people have qualified as liquidators by resigning from whichever of these positions they held. This is not considered advisable, and the Bill seeks to debar a person from acting as a liquidator if, for two years prior to the commencement of the winding-up of the company, he has held any of the positions I have mentioned. This will assist to preserve the principle of independence of liquidators, which is considered to be most desirable.

The next amendment seeks to afford an additional measure of protection to local creditors of an insolvent company. In the liquidation of a company, the priority for payment of debts is somewhat similar to that prescribed under the Bankruptcy Act. However, some mining companies formed in this State, and operating in this State, have been financed by way of loan by companies domiciled elsewhere, which are also the principal shareholders in the local companies. Assistance from the foreign company by way of loan ceases should the local company meet difficulties and have to wind up its affairs.

In the winding up, the foreign company —as a loan creditor—ranks equally with the other unsecured creditors, but, on account of the difference in the amounts for which they prove, the foreign company receives the bulk of the remaining assets of the mining company. As this practice operates unfairly against Western Australian creditors of the mining company, it is proposed to place a foreign company which holds more than three-quarters of the issued capital of the mining company in relatively the same position as the creditor wife of a bankrupt.

As members probably know, the wife of a bankrupt, who is also a creditor in the bankruptcy, has her claim deferred until the claims of the other creditors have been satisfied. A foreign company having a controlling interest in a mining company is well aware of the proximity of liquidation. The proposed amendment is favoured by the Under Secretary for Mines, as it would afford greater protection to persons and companies giving credit to mining companies.

A necessary amendment has been inserted to regularise action that has been taken for some time by the Registrar of Companies. Section 290 of the Act provides that a liquidator shall pay to the Registrar of Companies any unclaimed money which he has had in his hands for six months. Few liquidations are completed within a period of six months. Therefore, if the provisions of the Act

were strictly observed, in almost every liquidation the Registrar's office would have to receive and disburse the moneys passing through the hands of the liquidator.

To overcome this difficulty, the Registrar has in many cases exercised his discretion and extended the time for payment. The Auditor General has drawn attention to this as an irregularity, and has suggested that the Act be amended to overcome the difficulty. The amendment deals with Section 347 of the Act, which requires foreign companies operating in this State to keep a local register of shareholders. The Act requires that the distinguishing numbers of shares held be shown in the local register. This has caused difficulty as England and some foreign countries do not require companies incorporated in such countries to number their shares. In such cases the Bill permits of numbers not being included in the register.

Another amendment seeks to prevent an investment company from holding shares in or debentures of any company which is not required to give publicity to its accounts. At present the Act prevents an investment company from investing in shares or debentures of any other investment company; and it is considered also undesirable that an investment company should invest funds in companies, such as proprietary or private companies, which do not have to file their accounts with the Registrar of Companies or some other person.

There are one or two other minor amendments which, if necessary, can be explained later. As I have said, the Bill is mainly to rectify anomalies and other matters which experience and administration of the Act have revealed, and I trust, therefore, that members will grant it an early passage. I move—

That the Bill be now read a second time.

On motion by Hon. L. Craig, debate adjourned.

Sitting suspended from 8.10 to 10 p.m.

BILL—WHEAT MARKETING.

First Reading.

Received from the Assembly and read a first time.

Second Reading.

THE MINISTER FOR THE NORTH-WEST (Hon. H. C. Strickland—North) [10.2] in moving the second reading said: This legislation is necessary so that the Commonwealth Government can be a signatory to the International Wheat Agreement, and similar legislation has been introduced in all States. It is expected that that legislation will be passed in each of the States by today.

Numerous meetings have been held to discuss the handling of the coming harvest, and when agreement could not be reached, all States—except Western Australia, which was the only one in a position to handle its own harvest, by virtue of its Wheat Marketing Act, 1947—agreed that, without orderly marketing, conditions would be chaotic. On the 28th March last, the Agricultural Council agreed that orderly marketing should continue, that this should be by way of the stabilisation scheme, and that any such proposal should be submitted to the growers for decision by compulsory voting.

Up to the present, however, through the lack of agreement between the States and the Commonwealth, no ballot has been held. All States agreed on stabilisation but there was a difference of opinion on the home consumption price. A reserve plan for the marketing of the next crop, in the event of stabilisation being defeated by the growers at a ballot, was also considered. Failure of the Victorian Government to agree with other States prevented this from being put into effect, as it is essential that there should be unanimity on prices between States. After further discussions, the Federal Minister met the Wheat Growers' Federation and it was agreed that the home consumption price including stockfeed should be 14s. per bushel. This price was accepted by the Governments of Western Australia, South Australia and New South Wales and supported by the Farmers' Union of Western Australia.

Up to this stage, the Government of Victoria had insisted that the Commonwealth should provide a subsidy, but the Commonwealth made it quite clear that it would not be continuing the subsidy. Following Victoria's stand and Queensland's opposition, the three remaining major wheatgrowing States agreed to enter into agreement with the Commonwealth and introduce legislation that would enable the Commonwealth to sign the International Wheat Agreement. This action brought matters to a head and the remaining States came into line.

The Commonwealth has already passed legislation amending its Wheat Stabilisation Act, and this Bill proposes to give effect in this State to that legislation, and will come into effect as soon as the Commonwealth Act is proclaimed. The stabilisation features are deleted from the parent Act and the title is amended. The Bill sets out how the return per bushel to growers will be calculated. The board will ascertain each season the net proceeds of all wheat delivered in Australia. From this net figure it will deduct 3d. per bushel in relation to all wheat certified as having been grown in Western Australia and exported. This is a recognition by the Commonwealth of the geographical advantage enjoyed by Western Australia in

relation to shorter freight haulage in connection with export markets. After making any necessary allowances the remainder is divided between all wheatgrowers of Australia to ascertain each person's entitlement. This figure will represent the amount per bushel to be paid to each grower in Australia. However, because of the 3d. premium per bushel on Western Australian exports, it is necessary to add for our growers their entitlement from this source.

It is anticipated that from 28,000,000 bushels exported, growers in this State will receive an additional £350,000. Therefore it is necessary to divide the total Western Australian deliveries, which are anticipated to be 32,000,000 bushels, into the £350,000, to obtain the amount each grower will receive. This works out to approximately 2.64d. per bushel. The estimated figures for calculating this 2.64d. per bushel are as follows:—

The net Australian proceeds for export are 80,000,000 bushels at 17s. 6d., giving £70,000,000; and for home consumption, 60,000.000 bushels at 14s., giving £42.000,000. The total wheat, 140,000,000 bushels for a return of £112,000,000. Deduct the export premium of 3d. a bushel on the Western Australian quota of 28,000,000 bushels, £350,000, giving a balance of £111,650,000. Divide the total wheat delivered, that is the 140,000,000 bushels, into the net proceeds, after allowing for 3d. premium—that is £111,650,000 —which gives a pool price for each grower of 15s. 11.4d. per bushel. For Western Australian growers add each grower's share of the premium, which is derived by dividing 32,000,000 bushels, the Western Australian estimated crop, into the premium of £350,000 and the result is 2.64d. Therefore, the Western Australian growers will receive a pool share of 15s. 11.4d. and an export premium of 2.64d., making a total of 16s. 2.04d. per bushel.

It is not possible to keep a record of whose wheat was exported and whose wheat was sold for human consumption, so the whole of the State's wheatgrowers will participate in the premium of £350,000 obtained from exporting 28,000,000 bushels, despite the fact that it is expected that 4,000,000 bushels will be consumed on the home market. Growers here will then receive 2.64d. per bushel more than growers in the rest of Australia. The price received by growers for wheat which is used for home consumption will be 14s. per bushel, or the International Wheat Agreement price, whichever is the lower. The minimum price of the International Wheat Agreement is $1.55 or about 13s. 10d. (Australian). Provision is made so that the price for local sales could not fall below the cost of production which is ascertained each year.

A special loading on the price to be paid for home consumption wheat is provided to pay for freight to Tasmania. The Bill stipulates that this loading will not be more than 2d. per bushel. However, the intention is to load the 14s. which will be received for home consumption sales by 1½d. per bushel. Power is contained in the Bill for the Federal Minister to raise or lower this amount as considered necessary. The proceeds derived from the 1½d. loading will be kept in a separate account and will not form portion of the wheat pool that is to be paid to growers.

Tasmania is in a difficult geographical position when compared with mainland States; and this contribution by all Australian consumers, including Tasmania, will enable home consumption wheat to be sold at a uniform price in all States. If any money remains in the account to cover freight to Tasmania after the board has disposed of the last season's wheat covered by this Act, it can be applied to the benefit of the wheat industry after consultation by the Commonwealth Minister with the Minister of each State.

The present cost of production that farmers are receiving for home consumption wheat is 11s. 11d. which was calculated last November. This means that there will be an increase of 2s. 2½d. on the price of home consumption wheat, of which farmers will receive 2s. 1d. while 1½d. will be kept in a separate account for Tasmanian freight. It is expected, however, that when the new cost of production figure is announced next month it will be approximately 12s. 6d. per bushel.

Assuming the new cost of production figure to be 12s. 6d., the increase on the present price of wheat for human consumption would be 1s. 7½d. For each 1s. increase in the price of wheat for human consumption it is estimated that the cost of living would be increased as follows:—

Bread	2.7d.
Flour (plain)	1.6d.
Flour (s. r.)	.8d.
Total	5.1d.

Therefore the 2s. increase could mean an increase of 10s. 2d., and the 1s. 6d. approximately 7½d.

For stockfeed wheat the farmer at present receives 16s. 1d. but of this figure the Commonwealth has been paying a subsidy of 2s. 2d. Therefore, to the industry, the price of stockfeed wheat has been 13s. 11d. The new price of 14s. 1½d. will have little effect on the cost of living but if the increase were 1s. it would be as follows:—

Eggs	0.57d.
Bacon	0.95d.
Pork	0.19d.
Total	1.71d.

On a new cost of production figure of 12s. 6d., plus 2s. which has been paid by the industry for stockfeed wheat, the price would be 4½d. higher than the proposed flat rate of 14s. 1½d. for human consumption and stockfeed wheat. Provision is made so that the State board will have two grower representatives on the Australian Wheat Board instead of one as at present.

All wheat harvested after the 30th September, 1953, and delivered or consigned to a person, is deemed to have been delivered to the Australian Wheat Board in pursuance of the parent Act as amended by this Bill. However, a further provision is contained in the Bill so that the board can meet any existing commitments prior to the operation of the new International Wheat Agreement price on the 1st December, 1953. The International Wheat Agreement year does not commence until the 1st December, 1953, and the board required this protection until the 30th November.

Wheat not affected by the international agreement, but sold locally for human consumption, will be at the new price of 14s. 1½d. per bushel. The State board under the parent Act is an agency board of the Australian Wheat Board. That name is changed by this Bill and it will in future be known as the West Australian Wheat Board.

Under the parent Act wheat has been acquired by the Australian Wheat Board, but this Bill gives the State board power to acquire wheat. Its dealings with the Australian Wheat Board remain unaltered. Provision is made for a ballot of growers to be held not later than the 30th June, 1956, to ascertain whether they desire the marketing of wheat to be continued in accordance with this Act.

The history of wheat stabilisation is well known to members. The first Bill was introduced in 1946; and although it did not become operative, because the Commonwealth carried on with the marketing of wheat, the time did arrive when it appeared, only recently, that the whole setup might fall to the ground. Western Australia is fortunate in having on the statute book an Act which could have been put into operation to enable the State to handle its own wheat. In addition, of course, it had Co-operative Bulk Handling Ltd. to assist it. It would therefore seem that the State was well equipped to look after its own wheat affairs should the Commonwealth organisation have broken down. Nevertheless, it seems to be more satisfactory for the State to become a partner in the Australian Wheat Agreement, with all States participating, and the object of the Bill is to bring that about. With a great deal of pleasure, I move—

That the Bill be now read a second time.

HON. H. L. ROCHE (South) [10.17]: Naturally, I support the second reading of the Bill, which is designed to protect the marketing of wheat grown in this State. I particularly support the principle which ensures that the export producer will receive a home consumption price for such of his product as is consumed in Australia. As I have said in this House previously, the future of our primary industries in this State will be determined by the manner in which our export producers are supported by an Australian price for their product used in Australia.

It has been mentioned that a State pool would provide all that was desired for the handling of the Western Australian crop in this year and future years. It seems to me that under present world conditions we would be left in a hopeless position. The wheat stabilisation scheme has certainly cost the Australian wheatgrower millions of pounds. At the moment, with the world marketing position as it is, we would be in an extremely difficult position, if not an impossible one, with a State measure providing for the handling of 30,000,000 bushels of wheat, or more.

For a start, without the ratification of the International Wheat Agreement and the participation of this State in the market something like 49,000,000 bushels of wheat earmarked under that agreement for Australia would not be available. Therefore, if the sure sale of their proportion of that wheat had been denied the producers in this State, it would have made their position very difficult indeed. If this had occurred, it would have been the surest way to bring about a position whereby certain other Australian States would not have supported legislation similar to that before us.

I do not think any members will take marked exception to the Bill. There is one point I would like to raise in respect of the surcharge which I understand is to be imposed on flourmillers of Western Australia, either through this legislation or the authority that it provides for. As I understand the position, flourmillers here have, over the years, enjoyed freight to the islands and Singapore 10s. cheaper than that paid by flourmillers in the Eastern States. I am given to understand that that 10s. rebate or reduction in freight dates from the time when the motor vessel "Kangaroo" was operating on the North-West coast and to the islands. The other companies accepted the position thus created, and it has existed ever since. That advantage enabled flourmillers in Western Australia to develop a considerable market in the islands and Singapore.

If that advantage is to be taken from the Western Australian millers by the surcharge, which is really to compensate the millers throughout Australia, and the advantage is thus spread amongst flourmillers of the Eastern States, it seems

to me that the shipping companies that are giving our millers that allowance will really be subsidising the flourmillers throughout Australia to the extent of 10s. per ton. The query naturally arises: How long will the shipping companies be prepared to continue in the role of Daddy Christmas to the Eastern States flourmillers, and will they not increase the freights by the 10s. that they allowed to Western Australian millers? The position has become obscure, because, at a recent meeting of the Federal body of the flourmillers, two delegates from Western Australia either agreed to forgo this allowance, or to the imposition of a surcharge.

Hon. C. W. D. Barker: That was against the instructions they were given before they went.

Hon. H. L. ROCHE: Thanks! I was going to tell the House that myself. I understand that those two gentlemen, for good and sufficient reasons from their point of view, and possibly from the point of view of the industry—there has been talk of other implications and good reasons for their action—agreed to forgo the advantage Western Australian millers have had. But when they came back to Western Australia, the local flourmillers repudiated their action; so the whole thing seems to be in a state of flux, and what the exact position is I am not able to say.

I trust the Minister will convey to the Minister responsible for this legislation some idea of the matter that is exercising my mind; because, if there is a reduction in the amount of flour exported from Western Australia, it apears to me that automatically there must be a reduction in the amount of bran and pollard produced; and if that takes place, the shortage that is already apparent in some areas will become more acute. I think we should be prepared to protect ourselves against that, if possible. What I am not clear about is what the other implications are that frightened or bluffed the two Western Australian delegates to the Eastern States conference into agreeing to this extra loading on Western Australian millers.

Hon. F. R. H. Lavery: It would not have been the Victorian Chamber of Commerce, would it?

Hon. H. L. ROCHE: I would not think so.

Hon. C. W. D. Barker: It was the Eastern States millers that bluffed them.

Hon. H. L. ROCHE: If the hon. members who interjected have the answer, it will save the Minister a lot or trouble. I have not the answer, and I trust the Minister will be able to bring the matter before the Minister responsible for the Bill. I support the second reading.

HON. SIR CHARLES LATHAM (Central) [10.26]: I support the second reading. I think that the Minister, as far as it was possible, has given us an outline of the intentions of the Bill. It was made necessary because the international agreement ceases to exist at the end of this year, and it was thought advisable, in order that there should be some organised marketing, that an agreement should be entered into—as it will be if this legislation is passed—for a period of three years.

Western Australia has always made a considerable contribution by way of providing cheap wheat for our own people throughout Australia. For a long time we have supplied the local markets with wheat at a lesser price than could be obtained overseas. Now there is to be a slight increase. The Minister has given us the figures and has explained all about it, and I do not propose to repeat what he has already said. There have been many conferences on this matter, and to settle it has not been easy. Members will know that there was great difficulty in getting Victoria and Queensland to see eye to eye with the other three States producing wheat for sale. and it is only at the last minute that arrangements have been finalised.

The intention was that the home consumption price should be 15s., but Victoria insisted upon the cost of production. Eventually, a compromise was reached by fixing the price at 14s. I am rather surprised that we are now to pay the freight to Tasmania on the wheat that will be imported into that State from the mainland. It was paid previously, but subsequently the States refused to be parties to the arrangement, and the Commonwealth paid. Now we are loading the wheat in Australia with a charge of 1½d. per bushel. That is fixed only temporarily, and it may be less, or it may be more, because there is no fixed price in the Federal Act that has been passed.

I suppose we can be generous sometimes. Tasmania, while it produces very little wheat satisfactory for bread-making, does produce a considerable amount that is exported to Victoria for biscuit-making. That is most extraordinary, and I am wondering whether there will be a balancing up in that respect, though I do not suppose there will be. At any rate, we have now to make a contribution of 1½d. per bushel by way of freight on wheat exported to Tasmania. Those who represented the wheatgrowers of this State were, I understand, led to believe that we were to get 3d. per bushel for all wheat produced in Australia and not just for the exportable amount that has now been fixed in the Bill. They feel that they have been let down in that respect. From the information we have had from the Eastern States, there must have been some misunderstanding. Nevertheless, about £350,000 will be distributed, so that they will be much better off than they would have been under the old arrangement.

Hon. L. C. Diver: These figures have been worked out on the full amount of 3d.

Hon. Sir CHARLES LATHAM: Yes. Previously we entered into the International Wheat Agreement for the supply of considerably more wheat than is fixed by the new arrangement. I understand that the quantity we are bound to find is about 48,000,000 bushels a year, and then the open market is available to us. During the last two years the best markets have been the free markets. Whether that position will continue is uncertain. From the reports appearing in the Press from time to time we find that a considerable surplus is being held in Canada and America, and they may unload it on the market. The market in the Old Country is very slow at the moment because of the stocks that are held. Taking everything at its face value, I believe this agreement is as good as we can hope to arrange for. It is disappointing to find that the wheatgrowers will not get a very large subsidy in the amount of 3d. It is not their fault, because they put up a good case and attempted, in the most harmonious manner, to work in with the Eastern States.

I regret this haste and rush of legislation. We were informed on Friday that the Bill had to be passed tonight in order that the Federal Minister would be able to cable that the final draft of the International Wheat Agreement could be signed. We do not get good legislation under these conditions. The Bill was introduced a little while ago in another place and passed, and I hope there will be no regrets. We will be bound by it for three years. If the price of wheat falls, we shall be in a happy position with some of our exportable wheat. The rest will have to go on to the free market. If the price rises, we will be all right; and if it comes down, we shall have the wheat agreement price. The minimum price, I think, is 13s. 10d.

I think there is no option but for the House to support the Bill. No matter how much we talk we can make no alteration to it; because, if we do, Western Australia will have to start all over again and do its own marketing. This State has the best set-up for the marketing of its wheat. I do not think there is any other arrangement in Australia that can equal it. At the same time there would probably be some difficulty in financing wheat at such short notice. The finance to be met under the present arrangement will be considerably more than if Western Australia set out on its own. I hope the Bill will serve the purpose desired, and I trust there will be no heartburnings at the end of three years. Personally I believe in free trade as far as possible. The war brought these controls and organised marketing into existence. Sometimes we suffer by low prices, and sometimes we benefit by high prices on a free market, but I do not like controls no matter what they are. We know we shall get somewhere if we are allowed to determine, in our own way, the marketing of our own products. I support the second reading.

HON. C. W. D. BARKER (North) [10.35]: The Government deserves every congratulation for the way it has handled a difficult situation and secured a satisfactory agreement. I was interested and pleased to hear Mr. Roche mention the position of the flourmillers, particularly since they have lost the advantage of 10s. per ton for the export of flour to Malaya and the Far East. This is very serious. We now have to compete with the other States, but we do not enjoy the advantage of the 10s. per ton.

Hon. Sir Charles Latham: We have a better shipping service.

Hon. C. W. D. BARKER: It appears that the two delegates from Western Australia disobeyed the orders they were given by accepting the agreement, which does away with the advantage we enjoyed. Now that we have to compete with the Eastern States we shall get fewer orders, and the less flour we mill the less offal we shall get in the form of bran and pollard. This means that the pig and poultry farmers will suffer and ultimately the workers will suffer. Bacon, and poultry farmers' products are almost beyond the reach of the worker today, and what the position will be if pollard and bran become much scarcer I do not know.

Hon. Sir Charles Latham: They will have to live on good beefsteak and mutton chops.

Hon. C. W. D. BARKER: Mr. Roche asked the Minister to look into the position and give a satisfactory explanation of it, and I am with him whole-heartedly. The position of the flourmillers is unsatisfactory. We should never have lost the advantage we held for so many years. If it is possible to overcome the disability, the Government should do something about it. I support the Bill.

HON. A. R. JONES (Midland) [10.37]: It is perfectly obvious that at this stage we can do no more and no better than the legislation permits, but at the same time I feel that the wheatgrowers of Western Australia have, to some extent, been made the scapegoat of the industry. We have learned through this legislation that the people in Tasmania are being protected inasmuch as a certain amount will be paid by all consumers of wheat in Australia to meet the freight charges to that small island. It is very nice to think that this good feeling towards one another exists, but it does not seem to apply to Western Australia at all. I am disappointed with regard to the 3d. which we believed was to be paid on all wheat delivered by farmers in Western Australia. I am of

opinion that the people who represented us at conference in the Eastern States also believed that that was the position. Now that the Bill is before us we find that again we have been made the scapegoat. For many years—in fact, for all the years when wheat was reasonably profitable to the farmer—we in Western Australia supported the industries in the Eastern States, and the people who consumed wheat, to the extent of many millions of pounds.

I feel sure that if we had had the opportunity of appealing to our farmers and holding a ballot on the whole position, we would not be faced with this legislation tonight. However, as it was not possible to do that, we have to take notice of the representatives of the farmers' own organisation, who have indicated that this legislation is needed, and that it will put the industry in a sound position, so far as orderly marketing goes, for the next three years. I am pleased that the Bill does provide that a ballot shall be taken, because I feel that at the end of the three years we shall have had the opportunity to organise meetings throughout the country and so find what the farmers really want—although with six years gone and another three years going now, the opportunity for the producer to reap the full benefit of his labours in the past, is greatly reduced.

One other point I would like to make is that in some circles, particularly on the side of Labour, a great amount has been said about the farmer selling his wheat for home consumption at the cost of production. I have never heard anything so ridiculous, because no one else is asked to sell his labour for the cost of production. The only thing we ever get from the Labour side is an appeal to the Arbitration Court by various unions to increase the price for labour. Yet they will howl wholeheartedly that the farmer should sell his produce and labour for the cost of production. We do not find any manufacturer coming to us and saying, "Here is a plough, drill, or tractor for the cost of production." Of course, it is just not economical to do it.

If we did supply wheat at the cost of production, some people would say, "That is all right." But what would become of the industry in a few years? It would degenerate, no wheat would be produced in Australia, and the whole economy with respect to wheat would collapse. I appeal to those people who have had the temerity in the past to suggest that we produce wheat for home consumption at the cost of production, and sell to the stockfeeders at the cost of production, to think about what they propose, because, if they enforce that sort of thing, we shall not have a wheat industry at all.

Hon. H. K. Watson: It was not a question of enforcing it. Was it not an integral part of the scheme? At that time the market price of wheat was below the cost of production.

Hon. A. R. JONES: It was below; but it has been pointed out in another place tonight that whilst farmers did enjoy for a period of years a benefit from the community, to the extent of about £16,000,000, they have since then been willing to supply wheat for home consumption at the cost of production, or a figure close to it, the time has arrived when £250,000,000 has been paid back for the benefit of about £16,000,000. So now we feel that we have well and truly repaid that concession and it is time the people of this country woke up to the fact that unless there is an incentive in the wheat industry, there just will not be a wheat industry. The cost of production is rising all the time. Last year wheat was sold to the public at 11s. 11d.—near enough to 12s.—and today it is 14s. The cost of production has gone up a further step in the meantime, although it has not quite reached that amount. With the existing rail freights it is doubtful whether it has not gone up by 2s., and I do not think we are receiving any benefit at all.

Hon. Sir Charles Latham: The cost of production has gone up by another 1s. 6d.

Hon. A. R. JONES: While we can do nothing but pass the Bill, I think it is up to those representing the producers in this industry to raise the points I have stressed. We do not want members of this or another place, or the general public, to believe that we are wholly satisfied, because we are definitely not. I support the second reading of the Bill.

HON. L. C. DIVER (Central) [10.46]: I support the second reading of the measure and, in doing so, I want to say how sorry I am that more members are not in their seats to listen to this debate. I realise that a number of members are of the opinion that it does not matter what we say, because the legislation will be passed. That is not the point, because we are dealing with a product that in the next three years will return to Western Australia £70,000,000 or £80,000,000. When we were discussing the Kwinana Oil Refinery, where £40,000,000 was involved, and the Broken Hill Pty. Ltd. steel mill, where £4,000,000 was involved, all members were in their seats listening to the debates. As so much money is now at stake, and it will affect Western Australia to such a considerable extent, I think members should be prepared to sit here all night, because this is something that warrants our full attention.

Hon. C. W. D. Barker: Hear, hear!

Hon. L. C. DIVER: The International Wheat Agreement must be ratified within a few hours, and it is unfortunate that we are called upon to discuss this matter within minutes of the deadline. It demonstrates to the world at large that wheat is still the great political football which can be kicked around. I claim that the

Federal Minister for Commerce and Agriculture, Mr. McEwen, is largely responsible for this state of affairs. Had he exercised the powers that he undoubtedly has, he could have recommended to the Federal Government that the International Wheat Agreement be ratified, and he could have conveyed his desires to the exporting States which were willing to become partners in underwriting the export quota. They in turn could have met the Minister and months ago set a pattern, so that the International Wheat Agreement could have been underwritten by those exporting States.

Had that happened, Victoria would have been seeking to come into the scheme instead of making a political issue of it right up to the last minute. Some people say that the Federal Minister for Commerce and Agriculture did not have the power required because of the Constitution. But I would remind them that the Colombo Plan, a plan for giving aid to South-East Asia, did not have to be ratified by any of the States, and the Federal Minister had full authority. He entered into an agreement with other signatories to make contributions to the South-East Asian countries which required economic assistance. Surely the great wheat industry of Australia is of far more importance to the welfare of Australians than the South-East Asian pact!

I agree with that pact; I do not want members to misunderstand me. But I am speaking of the powers of the Federal Minister for Commerce and Agriculture; and I think he could have wielded the club and signed the agreement, because he cannot afford to let it slip. He, as well as every student of wheat marketing, knows that if we fail to sign the international agreement we lose our regular customers—those to the north of us who purchase our wheat. Those countries would be forced, under the terms of the agreement, to get their requirements from Canada and America and other signatories to the agreement who were honouring the undertaking. If we failed to sign, it would leave us with a quota of wheat for Great Britain of perhaps 20,000,000 or 25,000,000 bushels. The difference between that figure and the amount we could sell under the International Wheat Agreement would be surplus, and would be a drag upon the market. That, in turn, would affect the whole economy of Australia. So I claim that the Federal Minister for Commerce and Agriculture did have the necessary powers.

The President of the Wheat Section of the Farmers' Union of Western Australia, and his co-delegate have been representing Western Australia in the debates and conferences that have taken place in regard to wheat stabilisation. They have had a most difficult task, and their brains have been matched against the brains of keen business men in New South Wales and Victoria, two of the biggest consuming States. Without an orderly marketing plan those States would have lost some of the money that they have been used to receiving from Western Australia. The wheatgrowers of Western Australia, under the old scheme, have been generous contributors to the wheatgrowers of the other States. Without an orderly marketing scheme for the whole of Australia the wheatgrowers of the other States would not have been beneficiaries, and that is why they fought so determinedly to see that Western Australia was included in the present scheme.

In the final stages of the debate, New South Wales and South Australia conceded certain points to Western Australia, and that is why we received the 3d. a bushel. They knew perfectly well that the biggest percentage of our wheat was exported—28,000,000 bushels for export and only 4,000,000 bushels for home consumption. We are the greatest exporting State and South Australia is the next. Mr. Maisey and Mr. McDougall, who represented Western Australia, had a terrific battle in ironing out the scheme, but even then a confidence trick was put over them, because the 4,000,000 bushels that will be consumed in Western Australia will not be affected by this 3d. a bushel premium. When those men left the conference table they were under the impression that we would get 3d. a bushel for that wheat, but that will not be the case under this legislation.

A precedent has been created by the concession to Tasmania. As has already been pointed out, Tasmania will export her low quality biscuit-making wheat to the mainland; and in turn, she will get wheat of good milling quality, and the price to the consumers of Australia will be loaded by 1½d. a bushel so that the freight can be paid. But it may not stop there. What right have we to deprive the outports of the mainland from the payment of freight once this precedent is established? Tasmania will get cheap flour, so why should not Darwin or any of the gulf ports get cheap freight rates too?

Hon. Sir Charles Latham: Why should we pay it for overseas buyers?

Hon. L. C. DIVER: This is creating a highly dangerous precedent and I think it should have been fought tooth and nail. How the Federal authorities agreed to it is beyond my comprehension. This is something that will snowball. Mention has been made of a figure of 16s. a bushel paid to farmers for their wheat. Some people say, "My word, the wheat farmer is well off! He gets 16s. a bushel for his wheat." But we have to consider the port price for wheat. Out of that 16s. the farmer has to pay the freight and all handling charges, including the charges of Co-operative Bulk Handling Ltd. Also,

approximately 2s. can be written off, because that is the cost per bushel for the farmer to get his wheat to the siding.

Hon. C. W. D. Barker: It costs 2s. a bushel to get it to the siding?

Hon. L. C. DIVER: From the farmer's waggon to the seaboard would cost 2s. a bushel.

Hon. Sir Charles Latham: You said "siding." You meant "port."

Hon. L. C. DIVER: I am speaking in reverse; I should have said from siding to port.

Hon. L. A. Logan: The farmer would receive 14s. after paying freight.

Hon. L. C. DIVER: That is so. A number of people in the larger towns are suffering under a misapprehension, because they do not realise that it costs such a large sum of money to market a bushel of wheat.

Hon. C. W. D. Barker: What do you think is a fair price for wheat?

Hon. L. C. DIVER: The hon. member has been telling us about it all evening and I will leave it for him to work out.

Hon. C. W. D. Barker: It is a fair question.

Hon. L. C. DIVER: I belong to a union and it is not a question of what I think; it is for the majority to decide what they consider is a reasonable price and the actual costs which determine that price. Consequently I do not wish to answer that question because I might be putting my fellow unionists in an awkward position.

Hon. N. E. Baxter: I should say it would the best possible price they could get.

Hon. L. C. DIVER: With those few remarks I wish to support the Bill.

HON. L. A. LOGAN (Midland) [11.0]: I do not desire to say too much about this Bill, but I want to ask the Minister who is in charge of it for some information concerning the 3d. on the export of wheat from Western Australia. In common with most members, I do not like the idea of a Bill of such importance to Australia being brought down at this hour of the night, and at such short notice. It is very seldom that we get an opportunity to debate wheat in this House, and when we do we are gagged by time. It is a serious matter, particularly with a subject that means so much to Australia as a whole, and it is rather a shame that the debate on the Bill should be curtailed.

During the debate, the Commonwealth Minister for Commerce and Agriculture has been criticised for action he has taken. One of the criticisms was that he should not have agreed to the International Wheat Agreement in the first place. I do not know whether that is well founded; but, from my observations, the wheatgrowers of Australia asked the Federal Minister to review the International Wheat Agreement and, being their Minister, he had no option but to abide by their decision.

He has also been criticised by Mr. Diver for not having forced the issue; the hon. member said the Minister had the game in his hands, and the power to do it. He also mentioned the Colombo plan. This wheat plan has got to be legislated for by the States. I do not remember any legislation coming through this House to ratify the Colombo plan, as it concerned the Commonwealth; so I do not see how that applies. The Minister had the power to put it to the Commonwealth; but this is a different matter entirely, and I cannot see where he had the power to force the issue.

Hon. L. C. Diver: There is none so blind as he who will not see.

Hon. L. A. LOGAN: That may be so, but I cannot see it. If it were necessary for this Parliament to ratify the Colombo plan I would say, "Yes, the hon. member had something." But I cannot see it. I might say that in spite of the criticism levelled at the Commonwealth Minister, he has been fairly quiet on this issue, because he has endeavoured to keep wheat away from politics. He is one of the few Federal Ministers who has done that, and the more often it is done, the better off we will be. Wheat has always been a political football, not only in Australia but throughout the world. I would defy anybody to pick up a newspaper or a journal and tell me what the exact position is. From day to day we get a different opinion. That applies to the individual grower of wheat in our own State.

It has been said that if a ballot had been taken, the growers of Western Australia would have voted for a State pool. I would not be so emphatic as to say that, because I know a lot of growers who would have voted for the continuation of stabilisation. I have no doubt that a number would have voted for the State pool. But quite a lot of them wanted to go on with this Commonwealth orderly marketing plan. There are a number who would have voted for stabilisation only because they did not know the true story of wheat, and no newspaper has given it to them.

Today we have the United Nations Food Organisation saying that it wants more food produced or there will be a famine. On the other hand we have America reducing her acreage of wheat by 20 per cent. Those two factors do not balance. One is right and the other wrong. We have Great Britain going out of the International Wheat Agreement because all the bins at her ports are full of wheat and she does not know what to do with it. She has put herself in that position because she wants to bargain and

buy wheat cheaper than at the international agreement price. So what is the true position about wheat today?

It might be said that we should have gone on to the State pool, but I am one of those who do not believe in just living from day to day. I think we have got to grow wheat in this State, and that wheat will play a large part in the economy of Western Australia in years to come. Many of us, our sons, and their sons, will be growing wheat in this country, so we have to think of the future as well as of the present. If we were to put our 30,000,000 bushels on to the world market, and it is such an insignificant amount, I hate to think where we would be in 10 years' time, particularly if we had given up orderly marketing and had gone out on our own. I think it is up to us to look to the future.

I would like to ask the Minister, concerning the 3d. a bushel to the Western Australian growers, what the following means:—

> (b) deducting from the amount so ascertained an amount calculated at the rate of 3d. for each bushel of so much of the wheat for that season grown in the State of Western Australia as the board certifies to the Minister administering the Commonwealth Act to have become available for export to places outside Australia.

Does that mean wheat exported as flour or wheat exported as wheat?

The Minister for the North-West: I am not clear, but I presume that it means wheat as wheat.

Hon. L. A. LOGAN: The reason I asked that question about the Western Australian flourmillers losing 10s. freight is that if the 3d. a bushel were paid on the wheat exported as flour as well as on the wheat exported as wheat, and the millers themselves were to retain the 10s. freight rate, then we would be receiving that freight rate advantage twice; firstly to the wheatgrower and secondly to the flourmiller. I have been trying to work this out since it has arisen. I tried to find out where we are losing that freight advantage and this is where we are apparently losing it.

Just what the representatives of the flourmillers thought of this when it was pointed out to them I do not know. It seems to me, however, that it may have been a pretty shrewd move on the part of somebody in the Eastern States; and if that is so, I am not too sure whether this 2s. 6d. on the wheat produced in Western Australia is going to be to our great advantage. I want the wheatgrower to get his fair cut, but I do believe that we have to look at other industries in this State as well. I know that the flourmilling industry is not quite as good as it might be, and I also know that the costs of producing eggs and dairy products are at the very limit; and if those people are forced to buy substitutes, although they may not cost quite as much, it will mean less production than their production costs can overcome.

Especially is this so in industries where they are forced to feed on scientific lines; production is bound to fall. I refer, of course, to the dairy industry and the poultry industry the produce of both of which industries has an export price lower than a home consumption price. Getting back to flour, I would like to say for the benefit of Mr. Barker that flour is definitely one of the commodities in connection with which Australia is costing itself out of existence in the export market. Holland can buy wheat from Canada, make it into flour, and put it on the market at £8 10s. a ton cheaper than we can.

Hon. L. C. Diver: What quality?

Hon. L. A. LOGAN: First-grade quality. The reason for that is that the people in Holland receive a basic wage of £7 10s. a week and work 48 hours a week. Our millers are working 40 hours a week and get £12 10s. That is the reason why we are losing our markets today. It is not only because of the fact that the 10s. freight advantage has been taken away.

Hon. C. W. D. Barker: We had a good market in Malaya.

Hon. L. A. LOGAN: We will lose that, too. These countries are producing and selling cheaper than we are. So how can Australia carry on with export markets when she is costing herself out of the export market? I have taken that figure because I understand it is correct. I have mentioned the case of flour because I wanted to give an example. We must face up to the fact that something has to be done. The mill I have in my area in Geraldton is vitally concerned and I can see that it will not be very long—because 95 per cent. of its production goes to Sumatra and Indonesia—if those mills lose that market, before it will close down, and once again the outports and the outback will lose their manufacturing identities, and the markets that remain will be left to the city mills. That is not my idea of decentralisation.

I mention these matters because I do not want members to think I am concerned only with wheat. In this House I believe we have a particular job to do for the whole of Australia and, as I say, I want everybody to be treated right. I know that in the past the wheatgrower has subsidised the rest of Australia quite a bit, and the people of Australia should appreciate that fact.

Hon. A. R. Jones: You do not want him to do that always?

Hon. L. A. LOGAN: Of course not! I can recall the day when it was the other way round; and that is why most of the

wheatgrowers, when they had the opportunity, voted for stabilisation despite the fact that they were advised by some very good advisers—and I was one of them—that for the first five years it would be to their advantage to keep out of the Commonwealth Pool. I told them that I was not prepared to say what would happen after that but mentioned that from a long-range point of view they might be better off under the Commonwealth set-up. I still believe that we would be better off under a Commonwealth marketing scheme, but the next three years will determine just what the position is going to be in Australia in regard to the marketing of wheat.

I could wish that the Bill had been brought down earlier so that members would have had an opportunity to review it closely without having too many red herrings drawn across the trail. I have been through the measure clause by clause and have traced the amendments through the Act and have come to the conclusion that there is not much wrong with the Bill. I have no wish to delay its passage and shall support the second reading.

THE MINISTER FOR THE NORTH-WEST (Hon. H. C. Strickland—North—in reply) [11.16]: Only two points have been raised by members who, in the main, have endorsed the provisions and intention of the Bill to provide for the orderly marketing of wheat. As to the position of the flourmillers, this is going to be a rather serious matter for the State. The Minister for Agriculture is greatly concerned about the effect on the millers and exporters of flour, and I can give members an assurance that he will investigate the problem and do what is possible to clear up the position so that we shall not lose our export market.

What steps will be taken I am not in a position to say, but it would be a very serious matter indeed for the State if our export trade in flour with the islands were lost. A large quantity is involved, and its export has a big influence on the shipping service available to carry other products to the islands. All the export trade we can procure makes for the benefit of the State, and the Government will do everything possible to assist in the expansion of our exports.

Regarding the 3d. per bushel subsidy, as it has been termed, I am not fully conversant with the position as is the Minister for Agriculture, but I understand that there has been considerable disappointment amongst wheatgrowers at the discovery that the 3d. a bushel applies to export wheat only. Apparently there has been some misconception at conferences where this aspect was discussed, but I cannot give an explanation further than to say that my understanding of the Bill is that the 3d. applies to all export wheat but not to flour.

Another point raised had reference to the cost of production. This was calculated last year to be 11s. 11d., but it is expected to rise to 12s. 6d. Precisely what costs are included in that figure I cannot say, but I think I am right in believing that some allowance would be made for labour. The farmers on this occasion are not being asked to supply wheat for home consumption at the cost of production. Provision is made for an increase of 2s. 1d., which will bring the price for local consumption to 14s. 1d., so that even if the cost of production proves to be 12s. 6d., the price for home consumption will be greater. Members have covered the ground thoroughly and most of the speakers, being farmers, have been able to impart much more information on wheat than I would be able to give them. I am pleased at the reception accorded the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Bill read a third time and *passed*.

House adjourned at 11.26 p.m.