

we see advertisements setting out that such-and-such a dairy has tested T.B.-free herds. That is what we want.

Mr. DONEY: The Minister's fancy has carried him into the realm of implications and he has drawn deductions that are not justified. He cannot read into the amendment something that is not there. If he says it is implied that because a board will assume certain responsibilities they must include the matter of compensation, then the Minister should also read into it the implication that he should provide that compensation. It would be the height of absurdity to imagine that the responsibility for compensation could be read into the amendment as resting upon a local governing authority.

The Minister for Agriculture: It would have to, if the local governing body had the responsibility of destroying animals.

Mr. DONEY: I do not know that the term "delegate" is the right word to use, but the meaning is quite clear. Whether it is clear or not, the Minister has no right to draw from the amendment the implication that the responsibility for compensation should be shouldered by a body that cannot by any stretch of the imagination be regarded as responsible for it.

Amendment put and negatived.

Clause put and passed.

Clause 10—agreed to.

Progress reported.

*House adjourned at 10.28 p.m.*

## Legislative Assembly.

*Thursday, 29th August, 1946.*

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

## QUESTIONS.

### TRAMS AND TROLLEY-BUSES.

*As to Plans for Conversion and Routes.*

Mr. KELLY asked the Minister for Railways:

1, Is it the Government's intention to continue with the use of trams in the city and suburbs, or is it proposed gradually to eliminate the present system, as equipment becomes available, and instal the trolley-bus as the more up-to-date method of transport?

2, Has consideration been given to the elimination of trams, or other forms of organised transport along Hay and Murray streets, from Pier to Milligan Streets, as a means of relieving traffic congestion?

3, If so, what was the considered opinion of traffic experts?

4, What ultimate routes were under consideration?

The MINISTER replied:

1, It is the intention gradually to substitute trolley buses or other modern forms of transport for trams as the trams reach the stage where replacement is necessary.

2, No.

3, Answered by No. 2.

4, Transport requirements for the metropolitan area for the following 10 years were dealt with by the Commissioner of Railways in his report of 28th April, 1939, which was made available to the public. The intervention of the war, which prevented any development, and the Government's proposals for the control of transport services, necessitate a revision of the recommendations contained therein.

### ELECTRICITY SUPPLIES.

*As to South Fremantle and Collie Power Houses.*

Mr. DONEY asked the Minister for Works:

1, What stage has been arrived at in the construction of the electric power house at Fremantle?

2, On what grounds, if any, does he claim that the Fremantle project is of greater urgency than the comparable project to be based upon Collie?

3, Near what date is it anticipated that constructional work will commence at Collie?

The MINISTER replied:

1, The site has been levelled and the foundations are ahead of schedule. The contractors for the main building are awaiting arrival of steel supplies.

2, Both projects are regarded as urgent.

3, The surveys for the main transmission lines from Collie are now in progress. The specifications for additional generating plant for the Collie Power Station are nearing completion and it is anticipated that tenders will be called shortly.

### **BILL—INCREASE OF RENT (WAR RESTRICTIONS) ACT AMENDMENT.**

Introduced by the Minister for Labour and read a first time.

### **LEAVE OF ABSENCE.**

On motion by Mr. Doney, leave of absence for two weeks granted to Mr. Berry (Irwin-Moore) on the ground of ill-health.

### **BILL—STATE TRANSPORT CO-ORDINATION ACT AMENDMENT.**

Read a third time and transmitted to the Council.

### **BILL—ELECTORAL (WAR TIME) ACT AMENDMENT.**

*Third Reading.*

**THE MINISTER FOR JUSTICE** (Hon. E. Nulsen—Kanowna) [4.36]: I move—

That the Bill be now read a third time.

Question put.

Mr. SPEAKER: I have counted the House, and declare that the third reading has been carried by an absolute majority.

Question thus passed.

Bill read a third time and transmitted to the Council.

### **BILL—MARKETING OF BARLEY** (No. 2).

*Second Reading.*

**THE MINISTER FOR AGRICULTURE** (Hon. J. T. Tonkin—North-East Fremantle) [4.37] in moving the second reading said: This Bill is precisely the same as the No. 1 measure that was introduced under a dif-

ferent Title. Because the Title of the No. 1 Bill was not in accordance with the Order of Leave, it became necessary to have the original Bill discharged from the notice paper and to give fresh notice. I indicated that this would have to be done when dealing with another Bill in respect of which a similar difficulty had arisen. I do not propose to traverse the ground I covered the other night when introducing the No. 1 Bill because what I said on that occasion applies absolutely to this measure. The only difference is in the Title. The information I gave the House is available in "Hansard" if members desire to make reference to it. Shortly, the Bill is for the purpose of setting up in this State a barley board for the control of the production and marketing of barley. At present there is a Barley Board in existence, operating under National Security Regulations. That board was established under a special provision made by the Commonwealth.

The producers of barley requested that steps be taken to set up a board to continue the control of the production and marketing of barley when the National Security Regulations no longer applied to the existing board. The maltsters, who some time ago expressed opposition to the establishment of a barley board in this State, did not repeat their opposition when I advised them of this proposal. I sought their opinion, and they expressed their attitude as being in favour of the setting up of a board for a period of one year. The Bill, however, does not propose that the board shall be established for one year only. It goes beyond that, because we believe that if it is necessary to have a marketing board we should not limit its operations to one year. The circumstances requiring its establishment would not alter so much in that time as to make it no longer necessary after a period of 12 months. The production of barley will be controlled on the quantity produced and not on the acreage. Licenses will be issued for a certain quantity of barley to be produced and delivered to the board: but any producer will be able to grow as much barley as he desires.

Mr. Mann: For stock feed?

**THE MINISTER FOR AGRICULTURE:** Yes, but not for sale as grain. He will only be permitted to deliver for sale the quantity of barley for which his license is issued. Tho

Barley Board, as at present, will arrange for the sale of the barley. Pools will be organised for various grades and different types, and the proceeds of the pools paid to the producers.

Mr. Mann: Have you any idea of the price?

**THE MINISTER FOR AGRICULTURE:** The Bill does not intend that there shall be a guaranteed price, but it can be taken that the price will be about the same as that which is being obtained at present. The producers in the industry realise that control of production is necessary in order to give stability to the scheme. If producers were permitted to grow unlimited quantities no sound marketing scheme would be possible.

Mr. Mann: That will not happen today.

**THE MINISTER FOR AGRICULTURE:** No, but it could happen and probably would later on if there were no control over the industry. The purpose of the Bill is to make it possible for a marketing board to take the place of the existing board in order to control the industry. The producers who have asked for this Bill recognise that a restriction on production is a concomitant to any such scheme and they are prepared to accept it. I do not consider it necessary or desirable that I should occupy the time of the House in covering the same ground as was covered by me the other evening. I repeat that the reason for the re-introduction of the measure is because of a defect in the Title of the previous measure. That defect has now been remedied and this Bill is the same as that which was introduced to the House under another name. I commend it to members and move—

That the Bill be now read a second time.

On motion by Mr. Mann, debate adjourned.

## **BILL—TRAFFIC ACT AMENDMENT.**

### *Second Reading.*

**THE MINISTER FOR WORKS** (Hon. A. R. G. Hawke—Northam) [4.45] in moving the second reading said: This amending Bill contains provisions which are considered by the Government to be very important. As time passes, there is increasing evidence of the need for stricter control of traffic and also of the need to provide a greater measure of safety as far as it is possible to do

so. Some of the provisions of the Bill aim at improving the administration of the parent Act; other provisions are calculated to establish a greater measure of convenience and help to motor vehicle owners and motor vehicle users generally. The remainder might be said to aim at ensuring greater road safety for motorists and pedestrians by providing severer penalties than those existing at present for certain types of offences.

The Bill proposes to insert in the parent Act a definition of the term "taxi-car," as the Bill contains other provisions for some measure of control over the movement of motor vehicles of this description. Accordingly, a taxi-car is defined as being "a motor vehicle plying for hire or reward and licensed to carry not more than seven passengers at any one time." Taxi-cars will be confined to the district in which they are licensed, with certain reservations. Under the existing law it is possible for a taxi-car to be licensed in one district and, at the wish or discretion of the owner, to be used in some other district.

If the appropriate provision in this Bill becomes law, a taxi-car will be restricted very largely to the district within which it is licensed. It will, however, be able to travel into and through other licensed districts provided that it is, in the process, carrying out a run for which it has been specifically hired in the district in which it is licensed. A taxi-car will also be able to travel out of its own district on casual journeys or for other journeys, provided that the other licensing authority concerned issues permission to the owner to do so.

The Bill contains a provision for the promulgation of regulations to limit the number of hours to be worked continuously by, and to prescribe the working conditions of, drivers and conductors employed on passenger-carrying vehicles where the passengers are carried for hire or reward. This provision is designed to establish a greater measure of safety not only for those employed on such vehicles but also for the passengers carried in them from time to time.

Mr. Watts: Cannot they get awards now in regard to that?

**THE MINISTER FOR WORKS:** This will not cut across any Arbitration Court award, nor is it intended that it should do so. These regulations will be developed very

much along the lines of regulations drawn up and issued under similar provisions in the Transport Board Act. The aim of the regulations will be mainly to limit the number of hours which employees on these vehicles shall be allowed to work continuously.

Hon. J. C. Willcock: Or the proprietary drivers.

The MINISTER FOR WORKS: Yes. The regulations no doubt will cover those people in addition to employees. For instance, in connection with some of these vehicles there is an owner-driver. The owner himself is the driver; and it has been found in very many cases that where the owner is also the driver he drives the vehicle continuously for a spread of hours that is altogether unreasonable.

Mr. Watts: That explanation makes the position a lot clearer.

The MINISTER FOR WORKS: The spread of hours is unreasonable from the point of view of fatigue to the owner-driver himself and therefore from the point of view of his safety. It is also unreasonable and dangerous in respect to the safety of passengers carried within the vehicle. There is no intention whatever to cut across the provisions of any award of the Arbitration Court, or to seek in any way to undermine the conditions which Court awards have laid down in respect of the employment of men and women engaged in this particular class of business.

I think that those members who care to inquire into the manner in which similar regulations have operated under the Transport Board Act will find that there has been no reasonable room for complaint on the part of any of those engaged in the transport industry as regulated by that legislation. These regulations will also enable action to be taken to compel the operators of passenger-carrying vehicles of certain types to employ conductors on the vehicles. I might quote the exact types of vehicles that will be subject to the compulsory employment of conductors in the event of this portion of the Bill becoming law. They will be omnibuses of the double-deck, tractor and semi-trailer types and omnibuses of other types which have two or more entrance or exit doors on the same side of the vehicle.

Some members may have watched the particular types of vehicles in operation where no conductor is employed. If they have done so they will have seen very clearly the measure of risk to which passengers are subjected, because of the fact that the driver has to use his own judgment in regard to the particular time at which the bus will recommence its journey after having stopped either to let down or to pick up a passenger. I think it will be agreed that the driving of omnibuses of these types is a full-time job for the driver concerned, without his having to shoulder also the very serious responsibility of being sure that passengers who are leaving the vehicle have left it safely and that other passengers entering the vehicle have entered it safely.

Mr. Rodoreda: Often they takes fares and give change while driving.

The MINISTER FOR WORKS: Some of them do that.

Mr. Rodoreda: All of them do.

The MINISTER FOR WORKS: I am not sure that all of them do; but I can quite believe that their time schedules are such as to make it almost impossible for them faithfully to observe such schedules and at the same time take fares, issue tickets and give back change at the various stops. It might very well be, as the member for Rotherbourne has suggested, that all the drivers without exception have to carry out their work whilst the vehicle is in motion, and for a period when they should be concentrating the whole of their time and attention upon the not-so-easy task of seeing that the vehicles are moving safely along the highways.

A definition of "external power vehicle" is contained in the Bill to cover electrically operated vehicles, a few of which are found in our metropolitan area. A method for ascertaining the horsepower of those vehicles is also set down in the Bill. There is a slight amendment of the Third Schedule to the Act to cover the tractor or semi-trailer type omnibus, which is a new type of omnibus upon our roads where it has appeared since the Traffic Act was last amended.

It will be remembered that during the war the principal Act was amended to give to the owners of motor vehicles a 25 per cent. rebate in connection with licensing fees. It was thought reasonable at the time to allow that rebate because of the unavoidable short-

age of petrol and the, perhaps, even more severe and unavoidable shortage of tyres. Those shortages inevitably meant that owners and operators of vehicles were unable to use their machines to the same extent as was the case before the war. Consequently it was felt that they were entitled to some consideration in regard to the amount of license fees to be paid. In this Bill there is a provision which will permit of a proclamation being issued at a later date for the abolition of that rebate. The reason it is proposed to abolish the rebate in due course by proclamation is that the Government does not want to have the rebate abolished until what might be considered a fair and reasonable time has elapsed.

I do not think, for instance, it can be said that it would be fair and reasonable to abolish the rebate at the present time, as petrol supplies and the supply of tyres are still not nearly back to what they were before the war. However, when it is considered that motorists are able to obtain reasonable quantities of petrol and reasonable supplies of tyres, the Governor will issue the suggested proclamation and, as a result, the rebate of which motorists have had the benefit during the war and since will no longer exist.

Mr. Watts: Would it not have to be at the commencement of a licensing year?

The MINISTER FOR WORKS: I think it would.

Mr. Rodoreda: There is no commencement under this measure.

The MINISTER FOR WORKS: The Bill will alter that position considerably, but it might very well be, as most motor vehicles on the roads today, and for some time to come, will have their licenses running from the beginning of July, that that will be the time. I point out that the local authorities are the main organisations concerned in the abolition of the wartime rebate as they are the ones who have suffered most as a result of the loss of revenue due to the existence of the 25 per cent. rebate. The Government has agreed to include in this Bill a provision which will enable licenses for the registration of motor vehicles to commence from the actual date on which the license is taken out. The system under the existing Act is for most motorists to take out their license at the

beginning of July for a term of 12 months to the end of the following June, although some motorists have taken advantage of the existing provisions whereby they can license quarterly or half-yearly.

Hon. J. C. Willecock: By paying a little more.

The MINISTER FOR WORKS: Yes. The Bill provides for licensing for periods of three, six, nine or twelve months. It is certain that from now on an increasing number of new vehicles will be put on the road, and it will be possible for a purchaser of any such vehicle, if the Bill becomes law, to license it, and from the date that he takes out that license it will run for whatever period he chooses. With the passing of time the present bulk licensing, early in July, will disappear and the licenses in the metropolitan area and in the country districts will gradually be spread throughout the year.

There are many solid arguments in favour of the proposed new system of licensing, and there are some arguments against it. One or two local authorities have already suggested that no alteration of the present system should be made. They point out that the local authorities have to draw up estimates of revenue and expenditure for the next ensuing year, and that under the existing system of licensing motor vehicles they can do that quite easily and with a great degree of accuracy. They suggest, however, that under the proposed new system they will not be able to do it nearly as easily and certainly not as accurately. It must, of course, be remembered that the revenue received by local authorities in the country from the licensing of motor vehicles is a considerable percentage of their total income in any one year. However, I am quite convinced that this system will work successfully, in practice, in the country districts as well as in the metropolitan area. I say that, because although with the passing of time the taking out of licenses might be spread fairly evenly through each month of the year, the secretary of each local authority will, nevertheless, always have a pretty good idea of the number of motor vehicles in the district and will, therefore, always have an idea of the amount likely to be received in the next year from the licensing of motor vehicles.

It might very well be that the two remaining provisions in the Bill are of the greatest importance, although the one that I have just briefly explained is of considerable importance. In recent months the hit-and-run motorist has come into prominence because of a substantial increase in the number of hit-and-run cases. The Commissioner of Police and the traffic officers under him have become increasingly concerned at the additional number of these cases, and are anxious that Parliament should be asked to do something to increase the penalty to be inflicted upon this type of individual. The present penalties for a hit-and-run motorist are a fine of £50 or imprisonment not exceeding six months. These penalties are entirely at the discretion of the magistrate or the J's.P. concerned. Where hit-and-run motorists have been apprehended as the result of the expert investigations of the police, and sometimes as the result of luck, they have not, in the opinion of the Commissioner of Police or in the opinion of members of the Government, always had meted out to them the punishment they deserved.

There is no excuse for any person in control of a motor vehicle who, when he has been responsible for causing an accident or has been involved in an accident, does not stop but speeds up his engine and clears away as quickly as possible without the slightest consideration for the injury that might have been caused to some person, or the damage that might have been inflicted upon another vehicle, or whatever object was involved in the collision. The Government feels that the existing penalty should be solidly increased in regard to hit-and-run motorists who, as the result of an accident, cause injury to human beings. In this Bill, therefore, a minimum penalty of three months' imprisonment without the option of a fine, is set down, and a maximum penalty of 12 months' imprisonment without the option of a fine.

I emphasise that these terms of imprisonment, without the option of a fine, will only apply to a hit-and-run motorist where, as a result of the accident in which he has been involved, some person is injured. If there is only damage to a vehicle, or to a machine such as a push-bike, or to an animal, then the ordinary penalties now pro-

vided in the Act will apply. The Government feels that the hit-and-run motorist has no right to clear out; that it is a most callous procedure for anyone to adopt, because the man who clears out might, if he were to stop, be able to save a life or several lives. Even if he were not able to do that, he might be able to prevent a great deal of pain and suffering. He might be able to save limbs, or to prevent someone becoming crippled for life, by getting a doctor quickly to the scene or taking the injured person quickly to a hospital.

Mr. Doney: It does not require argument. The man's guilt and cowardice are obvious.

The MINISTER FOR WORKS: The Commissioner of Police and the traffic officers and members of the Government are concerned at the increase in drunken driving. This Bill proposes to establish penalties for that type of offence additional to those already set out in the parent Act. The additional penalties set down in the Bill for drunken driving are, for a first offence, a compulsory three months' cancellation of the license; for a second offence, compulsory cancellation of the license for six months, and for the third offence, permanent cancellation of the license.

Mr. McLarty: Are fines provided?

The MINISTER FOR WORKS: The fines set down in the present Act will continue to apply. The penalties of compulsory cancellation of licenses are additional to the penalties already provided in the Act. When this type of offence is committed in the future, it will therefore be punished much more severely than has been the case up to date. It might be said that in regard to both this offence and that of the hit-and-run driver, discretion should still be left to the magistrate or justice of the peace, whichever might be concerned with trying the case. If members give consideration to the cases that have been tried from time to time, where offenders have been found guilty and penalties imposed, I think they will come to the conclusion that some tightening up is required.

The drunken driver is probably the greatest menace on the road today, but it is not easy to prove a charge of drunkenness against a driver. There are various reasons why it is not easy and one, unfortunately, is that some motorists seem to have very

good friends in the medical profession. Those medical men—it is probably a case of “a friend in need is a friend indeed,” or out of the goodness of their hearts, or whatever it might be—do sometimes give evidence in court, as to the condition of a motor-vehicle driver who is charged with drunkenness, which is very lenient evidence from the point of view of the person before the court. In addition, we find that justices of the peace impose certain penalties for these offences, and magistrates impose other penalties, so that as a result there is a good deal of leniency, to put it modestly, in the punishment meted out to various offenders under this heading. I have driven a car for many years and am convinced that it is a full-time job for a man who is absolutely sober, and in case there is any doubt about that I might say that I am always absolutely sober.

The Minister for Lands: We must take your word for that.

The MINISTER FOR WORKS: It is a full-time job for an absolutely sober driver to manage a motor vehicle efficiently, carefully and safely.

Hon. J. G. Willcock: There seem to be some maniacs on the road.

The MINISTER FOR WORKS: I do not think there is any excuse whatever for the drunken motorist.

Mr. Abbott: The trouble is to tell when he is drunk.

The MINISTER FOR WORKS: That is for the magistrate, or whoever tries the case, to decide. This Bill does not set out to try to decide that. It only sets out to establish more severe penalties for persons convicted in courts of having been in charge of motor vehicles whilst under the influence of liquor. Even after many years of experience, I think very few people in the community—and very few motor drivers—realise just what a dangerous machine the motor vehicle is. It is one of the most dangerous machines imaginable. The modern car is capable not only of travelling at very great speed on the road but of generating, if that is the correct term, high speed very quickly. If a man is under the influence of liquor, as many motorcar and truck drivers are, it remains a mystery to me why there are not many more accidents—though

goodness knows there are too many—than is actually the case.

I think there is a responsibility on Parliament to declare, in effect, that it regards the motor vehicle as a dangerous machine and one that should be operated only by men and women who are absolutely sober and therefore capable of controlling it safely. In my opinion, Parliament should certainly say that men or women under the influence of liquor, if they do operate motor vehicles on the roads to the danger of themselves and other people, should, if convicted, suffer a very severe penalty. In accordance with those views, this Bill contains additional penalties for drivers of that type convicted in our courts.

Before I conclude, it might be of value to members to have quoted to them some brief statistics, and statements connected therewith, issued recently by the Commissioner of Police, Mr. Doyle, who is also chairman of the W.A. National Safety Council. This statement appeared, much more fully, in “The West Australian” of the 18th July of this year. Mr. Doyle said that 91 persons were killed in the metropolitan area during the year ended the 30th June, 1946, as compared with 70 killed in the metropolitan area during the previous year. The year ended the 30th June, 1946, was easily the worst year on record for the total number of motor vehicle smashes, 4,086 having been reported to the police. In addition to the 91 persons killed in the metropolitan area, 615 persons were seriously injured. At a later stage in the statement Mr. Doyle said—

During the war the roads in Australia accounted for more casualties than the total Service casualties of the Navy, Army and Air Force combined, plus those of civilian internees. In the three Services, Australia suffered 84,000 killed, wounded and prisoners of war on all battle fronts, on the sea and in the air. During the same time, 101,000 persons were hurt on our roads. This figure includes 6,500 killed.

I have obtained some figures regarding the convictions of individuals on charges of drunken driving in the metropolitan area during the licensing year ended the 30th June, 1946.

Mr. Doney: Did the Commissioner supply you with figures affecting the whole of the State?

The MINISTER FOR WORKS: No.

Mr. Doney: Then the details apply only to the metropolitan area?

The MINISTER FOR WORKS: Yes. The details supplied to me show that there were 87 convictions for drunken driving, of which 69 were in Perth, 15 in Fremantle, and only three in Midland Junction.

Mr. Doney: And how many in Northam?

The MINISTER FOR WORKS: Northam and Narrogin, I am glad to say, had clean sheets. The Government considers the provisions of the Bill to be urgently necessary. Most of them are very important and those that are not in that category are required for the better administration of traffic control in this State. I am sure the measure will receive careful and, I should say, favourable consideration by members, and I move—

That the Bill be now read a second time.

On motion by Mr. Doney, debate adjourned.

### **BILL—MILK.**

#### *In Committee.*

Resumed from the previous day. Mr. Rodoreda in the Chair; the Minister for Agriculture in charge of the Bill.

The CHAIRMAN: Progress was reported after Clause 10 had been agreed to.

Clause 11—Constitution of the board:

Hon. W. D. JOHNSON: I gave notice of an amendment with the object of striking out in line 1 the word "five" with a view to inserting the word "seven." I am aware that the amendment would be out of order because it would mean an imposition on the revenue. I simply gave notice of my intention to move along these lines in order to promote a discussion.

Mrs. CARDELL-OLIVER: I desire to move an amendment in the first line, my object being to strike out the word "five" and not to replace it by any number at all.

The CHAIRMAN: The member for Guildford-Midland does not propose to proceed with his amendment, so the member for Subiaco may continue.

Mrs. CARDELL-OLIVER: I move an amendment—

That in line 1 the word "five" be struck out.

If the amendment be agreed to it will not impose any additional burden on the finances. It will mean that the board shall consist of members.

The CHAIRMAN: I should think the Committee would desire to know what the hon. member intends to insert later on in the clause. She might want to provide for more than five members.

Mrs. CARDELL-OLIVER: I do not intend to specify the number of members, and that will leave the position open to the Government at any time to appoint additional members to the board. In fact, the Government will have an open go. As the clause stands, the membership of the board will be restricted to five and I do not see why it should be confined to that number.

Mr. Fox: How would you fix up the following portions of the clause?

Mrs. CARDELL-OLIVER: I would leave the clause open for the Government to appoint more members if so desired.

The MINISTER FOR AGRICULTURE: I hope the amendment will not be accepted. Parliament is the body that should decide upon the constitution of the board, the type of board to be set up, and so on. We are to grant the board very wide powers and we should determine who is to exercise that authority. If the member for Subiaco had her way the responsibility in that respect would be removed from Parliament and—unless she has something up her sleeve, which I suspect she has—it would be left to the Minister to alter the personnel of the board as he deemed fit from time to time. I do not think any Minister would desire that responsibility, and surely it is better for Parliament to decide the issue.

Hon. W. D. JOHNSON: It is hardly correct to say that Parliament will shoulder the responsibility. It is one that Parliament cannot deal with; the Government will make the appointments. Parliament will not be in a position to interfere.

The CHAIRMAN: Only to the extent that Parliament could reduce the number of board members.

Hon. W. D. JOHNSON: Yes, but the tendency, if we accept the attitude of the member for Subiaco as an indication, is to increase the number of board members. I do not care whether the word "five" is struck



out because I propose to move an amendment later on that will fit in, whatever the number may be.

Amendment put and negatived.

Hon. W. D. JOHNSON: I move an amendment—

That in line 1 of paragraph (a) the word "two" be struck out and the word "one" inserted in lieu.

I had given notice of strike out the word "five" and insert the word "seven" in lieu but that cannot be done. I do not think the representation on the board today is fair. It is not a good administrative board, is too circumscribed, and deals only with the tail-ends of milk production and milk consumption. There is a tremendous responsibility between those two ends. That constitutes the main anxiety of the board. Two consumer representatives are not required; one would be ample. I do not think it would be possible to have on the board two consumers who would have the same point of view. Why introduce differences of opinion between two consumer representatives? It would be impossible to decide which was voicing the opinions of the consumers. There may be something to be said in favour of putting a woman representative of the domestic section of milk responsibility on the board, and one man, but I do not think that is the intention of the Government.

I am not opposed to consumer-representation but do not want to have differences of opinion between two consumer representatives. When a board consists of five persons there are often two yesses and two noes, and there is still a difference of opinion between them. One does not want two voices to say yes neither does one want two voices to say no. The only time when two voices are required is when there are two ideas. One person has one idea and the other puts forward his. I do not mind the board consisting of five persons but would prefer that it should consist of seven so that it would not interfere so much with the Government's idea of representation. As I cannot move in that direction I hope the Committee will agree to my amendment.

If I am successful I propose in paragraph (b) to make some move that will create two vacancies. My idea then would be to give milk vendors representation. Those are the men who carry all the anxiety and do all the detailed work associated with the distribu-

tion of milk under the most trying and difficult conditions. Such people seldom have much time during the day but one of them would have sufficient time to attend board meetings and educate the board from his point of view. It is difficult for the board to understand the vendor's point of view because the activity is a special one, and the responsibility is one that calls for the maximum judgment in the selection of the type of person called upon to carry out that detailed service. One of the vendors should therefore be a member of the board. The other one I would put on the board would be a representative of the holders of treatment licenses. The general activity of processing is referred to as treatment, that is the treatment of milk in the various plants and factories, and I want to see that aspect of the industry represented on the board.

Mr. McLarty: So you want two representatives from the retail side?

Hon. W. D. JOHNSON: Yes. We want better service and we cannot get it with the circumscribed assistance we now have on the board. A great deal of the present weakness is due to the fact that we have not given representation to those who perform the maximum service. I have a high regard for producers and understand what responsibilities they carry. The troubles of a dairy farmer are nothing compared with the anxieties of a milk vendor. Where a person is required to use intricate machinery and special plants to do the particular work of removing impurities from milk—impurities from everything but ice-cream—he has to be specially skilled. It is necessary to have that sort of representation on a board of this kind so that it may have a better knowledge of the difficulties associated with the treatment of milk. I hope the Committee will appreciate what we are doing and why we should give some consideration to securing proper representation on the board. It is not wise to duplicate the consumer representation any more than it would be to duplicate the producer representation. I would rather reduce the number of members of the board from five to three than see go on the duplication that is proposed in the Bill.

Mr. McLARTY: I hope the amendment will not be accepted.

Mr. Watts: You do not mind the amendment, but you do not like the reasons?

Mr. McLARTY: I believe the member for Guildford-Midland opposed a similar amendment on a previous occasion.

Hon. W. D. Johnson: No, I was not here.

Mr. McLARTY: I believe he did. The amendment would have the effect of putting the producers in a hopeless minority on the board, because I understand that if the hon. member is successful in reducing the consumers' representation, he will propose a similar reduction in the representation of the producers. When this legislation was originally introduced and for years afterwards, several attempts were made to put the producers in a minority, but Parliament has resolved time after time that the producers shall have two representatives on the board. I should not like to see any injustice done to other sections of the industry, but the hon. member did not give any illustrations of injustice being done. Members should require information on that point before approving of the amendment.

Mr. J. HEGNEY: I oppose the amendment. When the original legislation was being considered, we were at sixes and sevens as to how the board should be constituted, and finally the Government of the day, with the support of Labour members who were then sitting in opposition, eliminated the middlemen interests and constituted the board of producer and consumer representatives. At various other times proposals have been made to alter the representation, but have been rejected. Legislation was inaugurated to stabilise the industry, this being necessary because some people at the time were selling milk at 2d. per pint and under conditions that were not at all desirable.

The men engaged in vending milk certainly give service, but what special knowledge have they of milk? They pick it up at the depot and pour it into the householder's jug, but they have no special knowledge of the problems associated with the industry. The member for Perth, if I remember rightly, has made almost perennial efforts to get an alteration to the constitution of the board, but Parliament has refused. The industry has been improved under the board as at present constituted, and I see no reason for giving middlemen representation at this stage. I thought the member for Guildford-Midland objected to middlemen in any industry.

Mr. DONEY: As yet I have an open mind as to whether there should be one consumer representative or two, but I am not at all enamoured of the reasons given by the hon. member as to why the number should be reduced. I am concerned to know whether agreement with the amendment might not lead us into a trap and whether an attempt will not be made later to reduce the producers' representation. I should like to know how the several members of the board pair off when there are divisions of opinion. If I had that information, I would know the extent to which the producers are strong enough to hold their own in argument.

Hon. N. KEENAN: The amendment simply affects the consumer representation on the board. Therefore, the alarm of those who are jealously watching the producers' representation is somewhat premature. Conceivably the Committee might agree to reduce the consumer but not the producer representation.

Mr. Doney: There is little likelihood of that happening.

Hon. N. KEENAN: Quite likely it will happen.

Mr. Watts: Do you remember last year's discussion on the Bill?

Hon. N. KEENAN: I favour reducing the number of consumers' representatives and making other arrangements for the vacant seats on the board. I am not for one moment suggesting that the producers' representation should be touched. I gathered that the member for Williams-Narrogin was perturbed about the question of majority.

Mr. Doney: Not the majority, but the representation being reduced.

Hon. N. KEENAN: That point is dealt with later in paragraph (c). I favour the amendment because those who are engaged in the industry under the name of "milk vendors" have undoubtedly a right to representation on the board not only for the reasons expressed by the member for Guildford-Midland as to the nature of their work, its difficulties and its hazards, but also for the very important reason that they contributed a very large proportion of the compensation fund. I am not sure what that proportion is, but it is more than half.

The Minister for Agriculture: They did do so, but they are not contributing that now. It is only a token contribution.

Hon. N. KEENAN: But in the past they contributed a very large proportion of the fund. I am told the amount is about £25,000.

Mr. Doney: The point is not material today.

Hon. N. KEENAN: It is material because, presumably, if the fund becomes depleted once more the milk vendors will be called upon to make good the depletion. If a number of herds are found to be affected by disease it is likely that the fund would not be nearly sufficient to meet the demands that would be made upon it. It is almost an accepted rule that those who bear the burden of taxation should have the right of representation. These are reasons entirely different from those advanced by the member for Guildford-Midland which, in themselves, constitute good grounds for representation of the milk vendors on this board. In what sense can it be said that a milk vendor is not just as important as a consumer? Consumer representation would be almost a farce. The Government has the pick of the whole world of consumers, who have only their experience to go by. What would be their real value on the board? Their real value would, of course, be as commonsense individuals having some knowledge of the industry: but from that aspect surely the milk vendor has a greater knowledge of the industry, as well as a greater knowledge of the people's wants in respect of the industry. I know of no valid argument that can be advanced for the exclusion—for that is what it amounts to—of milk vendors from the board. I hope the Committee will agree to the amendment, so that justice may be done to a class which hitherto has had no justice.

Mr. NEEDHAM: I am glad that after some years I have secured at least one convert in the matter of representation of retailers on the Milk Board. The member for Guildford-Midland has moved that the number of consumers' representatives be reduced by one with a view to appointing instead a representative of the retailers. I have no objection to the amendment, as I wish the retailers to be represented on the Milk Board. I have advocated their

representation ever since I have had the honour to be a member of this Parliament; but, strange to say, on each of the occasions that I have advocated representation of the retailers and moved in that direction, one of my most doughty opponents has been the member for Guildford-Midland. Not only did he speak against my amendment but he voted against it. He appears to be converted. He has now moved an amendment similar to amendments which I myself moved in the past and which he very bitterly opposed.

Mr. McLarty: I do not think he will be any more successful.

Mr. NEEDHAM: I refer the Committee to "Hansard," 1936, vol. 2.

Hon. W. D. Johnson: I thought it was a long way back.

Mr. NEEDHAM: On the 17th November, 1936, I moved the following amendment to the measure then before Parliament (page 1839)—

That all the words after "That" be struck out, and the following inserted in lieu:—"this House will give consideration to the continuance of this Act when the Government are prepared to introduce a Bill that will provide for the representation of retail dairymen on the board constituted under the principal Act."

I proceeded to speak to the amendment and a point of order was raised by the then member for Irwin-Moore. The Speaker ruled against him.

Mr. Cross: That is immaterial now.

Mr. NEEDHAM: I shall now quote from the remarks of the member for Guildford-Midland on that occasion. I shall not quote the whole of his speech. He said (at page 1847)—

I cannot understand what advantage is going to be derived from associating milk production and milk distribution. There are two essential interests, the producer and the consumer, and the more we multiply those, so we increase the price of the commodity. The member for Subiaco suggests that if we multiply the number of vendors and distributors, we are going to increase the consumption of milk.

Mrs. Cardell-Oliver: In poor districts only.

Hon. W. D. JOHNSON: The effect will be to make it dearer, and there will follow adulteration. It has been proved the world over that where there is intense production, such as the hon. member suggests, adulteration must be resorted to. At the present time

there are quite a number of milk carts going into all the streets for the purpose of delivering to a limited number of consumers. What I should like to see is the number of retailers reduced considerably, and then of course we could guarantee to consumers a reasonable supply of good milk at a reasonable price.

The CHAIRMAN: I hope the member for Perth will keep to the amendment.

Mr. NEEDHAM: The member for Guildford-Midland has changed his opinion.

The CHAIRMAN: The hon. member can quote that later on when the amendment he is now speaking to is before the Committee.

Mr. NEEDHAM: At any rate, I will quote this last passage. I think it will be quite in order.

The CHAIRMAN: Will the hon. member please resume his seat for a minute? The amendment before the Chair is to delete the word "two" in paragraph (a). That refers to two members of the board as representatives of the consumers. That is the only amendment before the Chair. I have given great latitude to all speakers because the original speaker dealt with what he was going to insert in place of the word deleted. I hope the member for Perth will stick more closely to the point; and later on, when the amendment he is now discussing is moved, he can make his speech.

Mr. NEEDHAM: I will discontinue my remarks.

Mr. CROSS: I propose to support the amendment, but that does not mean any change of attitude on my part. I appreciate the fact that you, Mr. Chairman, have allowed latitude; and this is one case where latitude should be given, because members must submit reasons why this word should be struck out. The Milk Board, to be fitted to do a good job, should be well-balanced; but from its inception, one important section has been severely taxed without any representation. The vendors have had considerable responsibility, and I think we would have had a greater measure of success if they had had representation from the beginning.

The CHAIRMAN: Will the hon. member give some reason why the consumers should not have two representatives? That is what we are discussing at present.

Mr. CROSS: The producers should certainly have two representatives, but I think

one is quite sufficient for the consumers. The consumers' representatives are on the board to see that the consumers obtain good milk at a fair price. The producers' representatives are there to see that the producers obtain a good price and a fair crack of the whip from each of the other sections. The retailer, for whom we seek to get representation, has been the butt between the producers and the consumers. He has had to take everything. In the last few years, when there has been no change in the price of milk to the consumer, the retailer has had to face heavily increased charges.

Mr. Withers: What about the producer-retailer?

Mr. CROSS: I am not satisfied that the producer has had sufficient consideration. At the same time he has had the benefit of a subsidy and an increase in price. The consumers have been extremely lucky. Having had two representatives on the board, they have been able to prevent any of the increased charges being saddled on themselves. It is not fair to adopt a similar principle here to that which brought about the Boston tea-party: that is, to tax men without giving them any representation or a chance to put up their side of the case. It is important that this word be struck out. I am glad to know that some people at last are beginning to see the injustice which exists, and are prepared to afford us an opportunity to debate the possibility of giving the vendor section of the milk industry the justice to which they are entitled.

Mr. NEEDHAM: I was trying to point out to the Committee a little while ago, that the attitude of the mover of the amendment is different from that which he adopted previously. I agree that there should be representation of the retailers on the board. I listened carefully to the speech of the member for Guildford-Midland and compared it with what is here before me in "Hansard."

Hon. W. D. Johnson: It is a totally different question. On that occasion zoning was the matter being dealt with.

Mr. NEEDHAM: The amendment we were discussing was to have retailer representation. The member for Guildford-Midland told the Committee that it would increase the cost of milk and that the retailer was there for his own good and not for the good of the consumer. However, while I would like to see retailers represented on the board—

I think they have a right to be because they are a very important part of the milk industry—I remember being accused of departing from Labour Party principle in advocating retailer representation. I do not believe that was a very serious criticism. The retailers pay a certain amount of money to the fund. They render good service to the community and should have representation on the board in order that their interests may be protected. At the same time I would not like to see retailer-representation on the board at the expense of the consumers. I do not object to two representatives of the consumers and two representatives of the producers. We should strive to get the Government to realise the necessity of increasing the membership of the board so that the retailers can be represented.

**THE MINISTER FOR AGRICULTURE:** The basis of the constitution of the board is that certain interests should have the opportunity to express their opinion and take action to safeguard themselves. It is desirable to have two representatives of an interest rather than one. One man frequently becomes doubtful of the line of action that he ought to take on a proposition that has been submitted. If he has no-one with whom to consult he may come to a decision which might prove to be wrong. If, however, he has with him another representative he is able, when in doubt, to consult with his colleague and arrive at a decision in which he can have confidence.

Hon. N. Keenan: Why not have three; then he would have more confidence?

**THE MINISTER FOR AGRICULTURE:** I do not think the hon. member is entitled to draw that conclusion.

Mr. Abbott: Would you alter the Arbitration Court?

**THE MINISTER FOR AGRICULTURE:** The saying "Two heads are better than one" is a very old one and has stood the test of time.

Hon. N. Keenan: Four are better than three.

**THE MINISTER FOR AGRICULTURE:** Possibly, but a decision might not be arrived at with four. The reason for the present number is to get a better expression of opinion. Some men and some women are not open to argument.

Hon. P. Collier: All women; not some!

**THE MINISTER FOR AGRICULTURE:** It might be that if there were only one representative of a particular interest he would not listen to argument, and that would not make for efficient administration. It is better to have two people representing the interests concerned. The two vital interests are the man who produces the commodity to be sold, and the consumer. The producer is the most important man in the industry. If he produces no commodity there is no business, but he cannot be left to produce it under conditions that satisfy him only, and to sell at a price satisfactory to him only. The consumer is the person who provides the market and therefore makes it possible for the producer to earn his livelihood. He wants a good quality product for which he is prepared to pay a reasonable price.

Mr. Cross: What about the vendor who collects all the money, and loses a lot doing so?

**THE MINISTER FOR AGRICULTURE:** He is in the business of retailing a commodity which he has done nothing to produce. He makes a profit from rendering a service between the producer and the consumer. What interests has he that have to be represented other than that of getting as much profit as possible?

Hon. N. Keenan: Fair conditions.

**THE MINISTER FOR AGRICULTURE:** What conditions?

Hon. N. Keenan: Fair conditions.

**THE MINISTER FOR AGRICULTURE:** Surely the fair conditions are those that are right for the producer and the consumer.

Hon. N. Keenan: No, fair conditions in the discharge of his part in the business.

Mr. Cross: The retailers have had a pretty bad spin during the last five years.

**THE MINISTER FOR AGRICULTURE:** That is why they are anxious to get a license to sell milk.

Mr. Cross: Only the shops.

**THE MINISTER FOR AGRICULTURE:** To reduce the representation on the board to three would be bad. To increase it beyond five would not, I think, be of advantage to the industry. The board suggested here provides for equal representation of the producing interests and the consumers. It has

been demonstrated all along that the retailer has nothing to fear from producer and consumer representations. But it is quite conceivable that the producer or the consumer, or both, might have something to fear if the basis of representation were altered.

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

**The MINISTER FOR AGRICULTURE:** I was endeavouring to prove that it is desirable that the board should remain, as suggested in the Bill, constituted of five members. Another reason why it is desirable to have two representatives of each interest is that on occasions it will be unavoidable that either a consumers' representative or a producers' representative will be absent from the board for some reason. That would mean that, with only one representative, the interest concerned would have no voice at the discussion taking place at that meeting.

Hon. W. D. Johnson: The meeting could be adjourned, just like the Arbitration Court.

**The MINISTER FOR AGRICULTURE:** There is no suggestion here that in the event of either representative being absent the business of the board could not go on. That is most unusual. By having two representatives we make provision that where it is not possible for one of them to be present, the other can be there and that interest can have it full voice. The member for Guildford-Midland moved to reduce the number of consumers' representatives from two to one. In order to have an intelligent understanding of the amendment, it is necessary to give consideration to the object he proposes to achieve. He wants to put on to the board another representative, a representative of the retailers.

Hon. W. D. Johnson: Other interests.

**The MINISTER FOR AGRICULTURE:** It is a new idea on his part, because he came here this afternoon intending to move to increase the board from five to seven. He really believed in two representatives of the consumers and two of the producers. His real object is to get two additional members on the board, and that those additional members should be representative of the vendors. It is interesting to hear what he previously thought about representation for vendors.

**The CHAIRMAN:** I hope the Minister will not pursue that subject too far. He has already been given some latitude.

**The MINISTER FOR AGRICULTURE:** I am prepared to restrict my remarks to your requirements, Mr. Chairman, but I submit that members cannot have an intelligent understanding of the amendment without giving consideration to the reasons that the hon. member advanced when about to move this amendment. He gave the Committee as his reason that he desired to make provision for putting on the board a representative of the vendors. Surely I am in order in stating what his opinions were, previously, on that point. In 1932 when the House was dealing with the constitution of the board he said, as reported at page 841 of "Hansard" of that year—

A board of three should be quite sufficient to give us an impartial tribunal, one that will see that justice is done to the consumer as well as to the producer. All that is necessary is to give a representation of one to the producers, of one to the consumers, and of one to the Government, the last-named being the chairman.

He went on to say—

I believe we are all desirous of doing justice to the producer. We agree that he has been having a very bad time indeed and that over-production in the metropolitan area during flush periods has been disastrous to him. We wish to protect him as far as possible. Legislation of this kind is introduced for the purpose of protecting the producer, but in our desire to safeguard his interests we must not neglect those of the consumer. Above all else, we must see that that which the producer supplies is as wholesome and as pure as it is possible to have the article.

Hon. W. D. Johnson: That is where we failed.

**The MINISTER FOR AGRICULTURE:** The hon. member continued—

Therefore we should keep the middleman away from the board. We do not want to give the middleman any say in the administration of the board's affairs. We should so constitute the board as to have an even balance between the producers' interests and the consumers'; and that can be achieved by appointing a capable business man chairman of the board. Next, we must see that the board direct the distributors in the way they should serve the customers. In my opinion, the board should direct that the milk shall be treated. Further, the board must see that the milk supplied to customers is wholesome.

Hon. W. D. Johnson: That was in 1932.

**THE MINISTER FOR AGRICULTURE:** The member for Guildford-Midland gave sound reasons then. Now, he has suddenly decided—

**Mr. Abbott:** After 14 years!

**THE MINISTER FOR AGRICULTURE:**—that it is necessary to give the middleman representation on the board. I repeat that the two interests to be considered are the producers on the one hand, and the consumers on the other. It is necessary for the board to see that the product is good and wholesome, and that it is sold at a price that is not unfair to either the consumer or the producer. In between a number of middlemen interpose themselves, to get the product from the producer to the consumer. In some cases the producer does the business himself.

**Hon. W. D. Johnson:** The producers' representation is fixed definitely by the board.

**THE MINISTER FOR AGRICULTURE:** In some cases the producer is a producer-vendor. If members give the present position consideration they will know that the vending interests have representation on the board, because we have on the board producer-vendors. There is no reason why we should not have the same type of representation on the board.

**Mrs. Cardell-Oliver:** The Bill does not provide for that.

**THE MINISTER FOR AGRICULTURE:** It does. I hope the Committee will not accept the amendment of the member for Guildford-Midland, which is altered from his original intention owing to his desire to have on the board representation of retailing interests, which in 1932 was anathema to him.

**MR. ABBOTT:** In an age when we are constantly, I hope, moving forward and remoulding or re-orienting our ideas, to refer to what someone said 12 years ago is rather weak. I was surprised that the Minister should come down from his usual high tone in debate—

**Mr. Needham:** What a lofty idea!

**MR. ABBOTT:**—in order to indulge in such a petty argument.

**The Minister for Agriculture:** Surely there is virtue in consistency!

**MR. ABBOTT:** Not always; otherwise, as the Minister must know, we would have lost

the recent war long ago. I shall support the amendment because, if we are to have a board representative of those engaged in the dairying industry so far as it relates to wholemilk, each section that plays a major part in that industry should be represented. I would have preferred an expert board of three members. If that were adopted, the Government would then follow what is done in most parts of the world. The Minister pointed out that the main objective of the legislation was to ensure a good supply of milk to the consumer and I am certain that could best be accomplished by means of a board of experts, which is the method adopted in New South Wales, New Zealand and most other places.

The policy of the Government has been to place on the board representatives of people directly interested in obtaining something—the producer, to get as much as he can for his product, and the consumer to get his requirements at the cheapest possible prices. I do not object to that, but I regard it as a lopsided method of approach to a technical matter, such as the provision of a good milk supply, to set up a board upon which no representatives of the technical side will sit. That places a great responsibility on the chairman of the board, who is the man who will mostly have to make decisions. That policy was not followed in connection with the Licensing Court or in many other instances. We know that some producers who have conducted successful dairy farms have during the last few years sold out their quotas and have gone in for some other easier vocation. The milk retailer or vendor has had no representation and yet if that individual should take any actual part in the distribution of his commodity, he is in the unenviable position of having to commence his work at an early hour, such as 3 a.m. If the amendment be agreed to, I shall support the additions proposed to be inserted in the clause.

**MR. LESLIE:** When the member for Guildford-Midland first submitted his amendment, I confess that, because of a not unnatural tendency on my part to treat his suggestions with caution, I had decided to vote against it because he had submitted it. When he painted a soulful picture regarding the milk-vendor, he almost effected a change in my attitude. I realised I could perhaps wring his own hard heart by giving

him a picture of what the dairyman has to do to earn his living. I kept an open mind until I heard the Minister, who succeeded in convincing me that I should support the amendment. I contend that to have two representatives of the consumers and two of the producers is out of all proportion, bearing in mind the value of the interests the different parties have in the commodities under control. The milk is the property of the producer and has cost him something. Surely he is entitled to a greater say as to the manner of its disposal.

The Minister for Agriculture: That is not the proposal of the member for Guildford-Midland.

Mr. LESLIE: I know that. The Minister's proposal is that the producer shall have equal representation with the consumer. I agree that the consumer is entitled to representation but not on the basis of equality with the producer.

The Minister for Agriculture: Mind you do not fall between two stools.

Mr. FOX: I oppose the amendment. We should not do anything to establish the rights of the vendor in relation to the industry. In these times, the tendency of Governments is to take over every activity that can be regarded as a public utility that functions in the interests of the community, and I should say that the supplying of milk to the public would come within that category. The consumers should have two representatives on the board because, ultimately, they have to pay for everything and I believe their representatives would pay due consideration to the rights of everyone associated with the industry. Those selected for such positions are usually men who have previously been associated with the industry or are businessmen and can express unbiassed opinions on matters under consideration.

Hon. W. D. JOHNSON: Members, in order to get material on this question, have delved into history. The member for Perth got somewhat muddled in that he went back to 1936 to look up an amendment he himself had moved dealing with retail dairymen. How he could associate that with this amendment is beyond my comprehension, but it pleased him to do so. In the tea hour the Minister dived back to 1932. No doubt this man Johnson has

been very active over a good many years. The question is not one of middlemen. A middleman is one who stands between the individual and his earning power and takes a share of it. That does not apply here because the producer's income is fixed.

Mr. Leslie: Does the vendor work for nothing?

Hon. W. D. JOHNSON: No, but there is no middleman between the producer and his price. Therefore there can be no interference or exploitation. I want the vendor included because the Bill will impose such a responsibility upon him. After the producer gets his price for his milk, the board starts to follow the milk, not to control it. It says in effect, "We shall stop it here and issue a license," and the first stoppage is the vendor. Immediately he is licensed, a frightful responsibility is imposed upon him. True, he is a middleman inasmuch as he stands between the board and the consumer, but the board puts a big responsibility upon him to carry out the most difficult and exacting of all the tasks associated with the production and distribution of milk.

The only other man to be licensed is the treatment man, and he also will assume a heavy responsibility. If we are fair, we must realise that the vendor has to acquire a big plant subject to constant wear and tear and that his risks are enormous, apart altogether from the responsibility imposed upon him by the board. Under his license, he has to do things upon which the board can glean no information except in a casual way. Therefore, where there is great responsibility and an economic burden of some magnitude, we should give those upon whom the burden is cast a chance of pointing out the part they are playing in this important public function.

Mr. McLarty: And to do that you would reduce the representation of the producers.

Hon. W. D. JOHNSON: There is no such proposal. Surely members can understand this simple question! True, the amendment proposes to reduce the representation of the consumers for the purpose of making it possible to alter the constitution of the board. The Minister, in an effort to find arguments against the amendment—no relevant argument has been advanced against it—said that I proposed to increase



the board to seven. Why did I put the amendment on the notice paper? I knew that I could not move to increase the number of members, but I thought the commonsense of members would enable them to divine what I intended. I wanted to outline my ideas so that the Government might consider the wisdom of having a board of seven and giving proper representation to interests upon whom an economic burden of magnitude is being imposed, seeing that the cost of treatment plants will run into hundreds of thousands of pounds.

But, after imposing the responsibility and economic burden to which I have referred, we are asked to trust to some inspector to pick up at the street corner information applying to the milk vendor and pass it back for the board's edification. To speak for the treatment plant we are to have, not an experienced man but a casual inspector, who will bring in information to the board, and the board is supposed to have the fullest possible knowledge of the subject. The board will be dealing with the most vital of all foods. The problem of securing an absolute guarantee of purity for this food is one that has baffled the world. Therefore, I offer no apology for having said at the very outset what I wanted to do.

My desire was to try to convince the Government that the constitution of the board today is unfair. If we are to be fair to the men who carry all the responsibility which I have outlined then we should give them a voice on the board. I leave the matter to the commonsense of members. I thought the Minister was a bigger man and that he would not go into pettifogging arguments as to what I did or did not do. He has been long enough in Parliament to know that I was circumscribed because of the Standing Orders; but I was honest and straightforward in putting my views so that members would know what I wanted to do.

**The MINISTER FOR AGRICULTURE:** I am reluctant to delay a decision on this amendment, but there are two very serious flaws in the argument of the member for Guildford-Midland and I feel I should point them out to the Committee before the vote is taken. He said there were no middlemen in this business, because the price is fixed for the producer and for the consumer, and

the retailer comes in between and operates between those prices. But I tell the Committee that it is the board which fixes the price and that the price apparently is satisfactory to the producer. If the retailers have representation on the board then they will have a say in the fixation of the price. That is a benefit which they do not now possess and they can only secure it at the expense of either the producers or the consumers, or both.

**Hon. W. D. Johnson:** Do you not realise that you have to convince a majority? Do not be silly!

**The MINISTER FOR AGRICULTURE:** It is well that the Committee should understand what the situation will be if the retailers have representation on the board. In that case the method by which the price is fixed today will not be the method by which it would be fixed with another interested representative on the board.

**Hon. W. D. Johnson:** They would twist the other interests, would they?

**The MINISTER FOR AGRICULTURE:** They might have the balance of power. I feel there is no need for me to say more on the amendment, which is most undesirable in the interests of the industry.

**Mrs. CARDELL-OLIVER:** I had every intention of voting for the amendment until I heard the last speech by the member for Guildford-Midland. I object to chicanery and that sort of thing in Parliament. First the hon. member said that he wanted seven members on the board but that he knew full well that that could not be done. It revolts me to think that a member who has been in Parliament so long should put an amendment on the notice paper and then get up and say he knew full well that it could not be done. I object to that. Another thought came to me while the hon. member was speaking. Why does he specially want an amendment? The hon. member is desperately interested in the retail business. I believe he is the chairman of directors of a firm that retails milk. Consequently, he should not vote on the question at all. I feel there has been something that savours of dishonesty in connection with the matter.

#### *Personal Explanation.*

**Hon. W. D. Johnson:** May I make a personal explanation, Mr. Chairman? I did not

want to stop the member for Subiaco while she was speaking. I am not interested in the retail business at all. I have no chairmanship or anything else. I do hope that this kind of thing will not be heard in the Committee. I will let the matter go with the absolute contradiction that I have anything at all to do with the distribution of milk.

*Debate Resumed.*

Mr. WATTS: Were I asked to vote on the amendment simply as it stands and without a complete understanding of its background, I would be inclined to vote for it, as I could possibly take advantage of its success to put forward a point of view having reference to the producers that is of considerable interest to me. I have ventilated it many times in the past and therefore think it unnecessary to ventilate it again this evening. But one can dissociate one's ideas on this matter from the background of the amendment. It has been made all too plain that the objective of the member for Guildford-Midland has nothing whatever to do with advantaging the producer, nor, indeed, so far as I can see, the consumer. The truth of the matter doubtless is locked up in his own mind and is not to be revealed to the Committee, because the reasons which he has advanced for the amendment are entirely insufficient in my opinion, up to the present time. Because I feel that what is behind the amendment is of no advantage to anyone that I am interested in, I personally feel constrained to vote against it, rather than take the risk of the hon. member's future proposals.

Amendment put and negatived.

Hon. J. C. WILLCOCK: I move an amendment—

That in line 1 of paragraph (a) after the word "members," the words "one representing the metropolitan area and one representing the rest of the State" be inserted.

This Bill follows the parent Act, which deals with the metropolitan area only. Now there has been a revolutionary change in regard to this measure. It will have State-wide application, and people in other parts of the country will have the advantage of obtaining milk in a proper hygienic condition. Generally speaking, the measure will be used for the benefit of all the people. Therefore I do not see why only the metropolitan area

should be represented on the board. The principle of giving representation to separate interests is adopted in other Acts of Parliament. I can quite imagine that the interests of the consumers in country districts may not be entirely represented by the board unless those consumers have special representation.

For instance, I understand that if a particular district wants to come under the control and administration of the board that district has to be proclaimed a dairy district or by regulation made to come within the jurisdiction of the board. In those circumstances the people I represent may desire to have their district proclaimed a dairy district, but the board, for reasons of its own, may not want that to occur; and unless someone is on the board to represent country districts and to press the claims of people who want to take advantage of the Bill I am afraid they may be left out. Provision is made in the transport Act for both city and rural interests to be represented, and I desire the same principle to be observed in regard to consumers' representatives on this board; that is to say, I want one to represent the metropolitan area and one to represent new districts which have not had experience of the board's administration.

Mr. McLarty: What do you mean by the metropolitan area?

Hon. J. C. WILLCOCK: By the metropolitan area I mean what is understood and interpreted in many of our Acts to be the metropolitan area. There is a certain specific meaning attached to the words in the transport and other Acts.

Mr. Doney: Would you require your rural representative to live in the country or would you be satisfied if he lived in the city?

Hon. J. C. WILLCOCK: I would not care where he lived so long as he was prepared to look after the interests of the people in country districts. I believe that in its latest appointment to the Licensing Court the Government has given country interests some representation, knowing that the conditions in the country are entirely different from those in the city.

The MINISTER FOR AGRICULTURE: I am in sympathy with the idea behind the hon. member's amendment but I am not sure that it will achieve his purpose. It

could be argued that some man resident in the city and with no business interests in the country could be appointed to the board as a representative of country people, so long as they were satisfied with him as their representative. I think that what the hon. member wants to do is to see appointed somebody who has country interests and therefore something in common with country consumers.

Hon. J. C. WILCOCK: I trust the Government to do that.

**THE MINISTER FOR AGRICULTURE:** I suppose that so long as we thoroughly understand what is meant by the amendment, we can expect the Minister to interpret the wishes of Parliament in this connection; but that is not usual in legislation. We do not put any old thing in and trust to luck that the provision will be administered in the spirit in which it was inserted. We endeavour so to set it out that there can be no ambiguity. With regard to producers' representatives, the matter is clearly defined. There will be two areas and each area will elect its representative. With regard to consumers' representative, we are simply asking that of the two representatives one shall represent the consumers in the metropolitan area and one shall represent the consumers in the country. While I am entirely in sympathy with the hon. member's purpose, I believe it is well to give some attention to the question of how best to effect it. If the Committee is prepared to accept the amendment as it is moved I, as Minister, am prepared to interpret it as is intended.

Hon. J. C. WILCOCK: The Minister thinks there might be some ambiguity in the wording of the amendment, but in the transport Act, which gives effect to a similar principle, the wording is not very specific. It provides that the board shall consist of three members, one to be a Government official, one to represent rural industries—that is all it says; there is no other explanation—and one to represent city interests; and that none of them shall be financially interested in any form of transport. My amendment is somewhat on the same lines as that. I think the experience we have had of the Transport Board, where a man representing rural interests has often brought influence to bear on the board to the benefit of country people, has given tremendous satisfaction. One of the reasons for the success of the board in its administration of

transport matters throughout the State is that country people feel they have a sympathetic representative who will give them a fair deal in all circumstances. I am quite prepared to trust the Government to give effect to the principle of the amendment.

Amendment put and passed.

**Mrs. CARDELL-OLIVER:** I move an amendment—

That in line 2 of paragraph (a), after the word "consumers," the words "one of whom shall be a medical practitioner" be inserted.

We know the dissatisfaction that exists about present conditions. If a medical practitioner were appointed to represent the consumers, it would help to allay many of the fears as to impure milk.

The Minister for Lands: A veterinary surgeon would be better.

**Mr. FOX:** I hope the Committee will not agree to the amendment. The board has every facility, and the necessary officers, to carry out the investigations that are required to see whether milk is pure or not. Why put extra duties on the medical men who are all overworked at present? We should keep these so-called experts off the board. All they have done in the past 12 months has been to scare the public, without stating anything definite. If it is necessary for the board to have milk or dairies examined, there are sufficient qualified officers in the Government to carry out that work.

**THE MINISTER FOR AGRICULTURE:** I cannot accept the amendment. It is too restrictive. The Commissioner of Public Health is a medical practitioner, and he has overriding authority in connection with the production and distribution of milk. If the board wants further expert advice from medical men, it is able to obtain it. We would not, by having a medical practitioner as a member of the board, improve the administration of the Act.

**Mr. McDONALD:** We should not dismiss the matter so summarily. If anyone becomes ill with typhoid or T.B., as a result of infection from milk, a doctor is called in. Why not, in the first place, call him in so that he can have a look at the milk before it goes to the children? If we have as a member of the board a man who has specialised knowledge of milk in relation to health and disease, then he is worth having.

He would render particularly valuable service. I do not think this is restrictive. From Wyndham to Albany there are hundreds of medical men in the State, and there will be more in the future.

The Minister for Agriculture: With time to sit on the board?

Mr. McDONALD: I do not think they would all be able to sit on the board, but in the metropolitan area there would be a hundred or more who would, by way of choice, occupy this position. If we want a consumers' representative to deal with the matters of purity and wholesomeness, we cannot do better than get an expert.

Mr. CROSS: I oppose the amendment. It would be the height of absurdity to put a doctor on the board which employs fully-qualified inspectors, who know, by virtue of their examination and training, more about milk than does the average doctor. All a doctor can do, as a rule, is to take a sample of the milk and send it to a laboratory, and that is what doctors do with a good many things.

Mrs. CARDELL-OLIVER: I would like the Committee to know that it has missed the point, which is to allay the fears of the public. Parents are scared to allow their children to have the school milk. The consumption of milk is smaller in this State than in any other. If we had a doctor on the board, I feel that these fears would be allayed and the consumption of milk would rise.

Amendment put and negatived.

Mr. McLARTY: I move an amendment—

That in line 3 of paragraph (1) of the proviso to paragraph (b) after the word "actually," the words "and mainly" be inserted.

When the Bill was before this Chamber last session I moved an amendment, which the Minister accepted, to insert the words "and who are actually engaged in the production of milk." I did that to ensure that a genuine producer would be elected to the board. We are widening the scope of the Act, to make it State-wide. More will come into the industry whose interests are not only on the production side. On the last occasion the Minister agreed to make sure that a producer who was mainly engaged in production should be elected as a producers' representative on the board. This amendment proposes

again to make certain that the producers' representative shall be one whose main interests are on the production side.

Mr. CROSS: I think if these words were inserted the clause would be unworkable. The member for Murray-Wellington is himself engaged in the dairying industry, as well as holding the position of member for Murray-Wellington. Who will decide which is his main business? I think it is an almost ridiculous amendment, and I oppose it.

The MINISTER FOR AGRICULTURE: The member for Canning has detected the weakness of the amendment. By what rule could we determine whether a man was mainly engaged in milk production? Besides having a large dairy herd he might have large investments in property, receiving from them a greater increment in actual money than his return from dairying.

Mr. Doney: Not much of his time would be taken up overseeing his investments. His time would be mainly engaged with dairying.

The MINISTER FOR AGRICULTURE: The member for Williams-Narrogin has shown the thing up properly.

Mr. Doney: That may be so.

The MINISTER FOR AGRICULTURE: According to the member for Williams-Narrogin the criterion is the length of time devoted to the job. I do not think the amendment is workable. I have no objection to providing that the man to be elected as representative of the dairymen shall be one who gives most of his time to and derives the major portion of his income from that business.

Mr. McLarty: That is what I want.

The MINISTER FOR AGRICULTURE: Surely we can leave it to the dairymen to elect someone who will truly represent them?

Mr. McLarty: Will you not bring in a lot of men interested in both the retail and production sides?

The MINISTER FOR AGRICULTURE: The member for Murray-Wellington fears that the retail interests might overwhelm the producer interests and put retailers on the board. Only persons who hold current licenses as dairymen and are actually engaged in the production of milk will be eligible for election.

Mr. McLarty: They are engaged in production and sale.

The MINISTER FOR AGRICULTURE: Then they would be both retailers and dairymen.

The CHAIRMAN: The hon. member might use the word "solely" instead of "mainly."

The MINISTER FOR AGRICULTURE: I do not think he wants to do that.

Mr. DONEY: If the member for Murray-Wellington were to use the words "engaged for the major portion of his time" that would be the soundest basis, because that could be checked to some degree. If we said "actually engaged" it would mean nothing, because a man could be "actually" engaged on something for five minutes per day. I would suggest "engaged for a major portion of his time" or "engaged for all of his working hours."

Mr. READ: I think the insertion of the words suggested or of other words would make little difference because, as it now stands, two representatives are to be elected by a certain industry and surely the persons electing them will choose those best able to represent their industry.

Mr. LESLIE: I think if it were made to read "actively engaged in the production of milk as a livelihood," that would overcome the objections raised as to a man being engaged in two or three different occupations.

The Minister for Lands: If he went in for pigs and other things, would that bar him?

Mr. LESLIE: Not if dairying was his livelihood. In that case though he lost his pigs he would retain his livelihood as a dairyman.

Mr. FOX: I support the member for Murray-Wellington. He wants to define the qualifications for election as a representative in the first instance. After the first election I think the position would look after itself and it could be left to the dairymen to elect a representative whom they chose. If a man were mainly engaged in dairying, as suggested, it would mean that he received the major portion of his income from the milk industry. I hope the Minister will accept that.

Mr. McLARTY: I do not think the words I propose to insert are so ridiculous as the member for Canning suggests.

Mr. Watts: You may be certain of that.

Mr. McLARTY: Any person who nominates as a producers' representative on the board must have the qualifications set out in the Bill and he must be actually and regularly engaged in the production of milk. That is clear enough and will ensure that only genuine producers will be appointed.

The MINISTER FOR AGRICULTURE: I am not sure that the member for Murray-Wellington's purpose will be achieved by the amendment he has submitted. Surely a dairyman-vendor is mainly engaged in dairying!

Mr. McLarty: But he may purchase more milk.

The MINISTER FOR AGRICULTURE: That is possible, but the chances are that he would retail less than he actually produces. The clause as it stands is safe enough and we should leave it to the dairymen themselves to elect the proper type of representative. I think the hon. member's fear is more apparent than real.

Amendment put and negatived.

Mr. McLARTY: I move an amendment—

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

Subparagraph (2) deals with the division of the dairy areas into two groups, each group electing a representative to sit on the board. I do not think this provision is necessary. Under the existing Act two zones have been fixed for the purpose of the election of producer-representatives, one being the metropolitan area and the other the outer area. At present there are 93 producers in the metropolitan area and about 235 in the outer area. The producers in the metropolitan area are gradually moving out, and it is the board's policy that they should do so. I see difficulty in creating the zones indicated in the subparagraph and the Minister has not indicated any idea he may have as to how they will be fixed. When the Act was first passed there was about an equal number of producers in both the metropolitan and outer areas.

The Minister for Agriculture: Do you say there should not be a representative from the metropolitan area?

Mr. McLARTY: There should be two for the whole of the dairying area. That would be a more satisfactory way of electing producers' representatives.

**THE MINISTER FOR AGRICULTURE:**  
I cannot agree to the amendment. The Committee has already accepted this principle with regard to consumers' representatives and it should be maintained throughout the clause. We have already agreed that there should be a representative of the consumers in the city and another representing the consumers in the rural districts. The provision in the Bill contemplates the adoption of the same principle with regard to producers' representatives. I asked the member for Murray-Wellington if he thought the metropolitan area should have a representative and, while he did not answer the question directly, I gathered that he does not think so but that both representatives should be drawn from outside the metropolitan area.

Mr. McLarty: Not necessarily.

**THE MINISTER FOR AGRICULTURE:**  
That would be the result that would follow upon the adoption of the hon. member's amendment, otherwise what is the sense of it? If he does not mean that, then we should let the dairymen in the metropolitan area elect their representative and the dairymen in the outer area elect theirs.

Mr. McLarty: It is only a matter of a very short time when there will be only a handful of producers left in the metropolitan area.

**THE MINISTER FOR AGRICULTURE:**  
In that event the metropolitan group will not necessarily be restricted to the very limited confines of the metropolitan area itself. I may assume that the board would take the metropolitan area and the outer parts closely associated with it and make them one area, and the dairymen further afield would constitute the second group. As the dairymen went still further out, so would the first group embrace more dairymen and thus continue to maintain the two groups. I have discussed this phase with the chairman of the Milk Board and he sees very little, if any, difficulty in working out the plan, which conforms to the scheme already endorsed by the Committee.

Amendment put and negatived.

Clause, as previously amended, put and passed.

Clauses 12 to 17—agreed to.

Clause 18—Meetings:

Mr. McLARTY: Last year I secured an amendment to increase the quorum from three to four to ensure that a representative of the producers would be present at every meeting. These men might have to travel a considerable distance and might not always be able to attend. Perhaps it would be more workable to stipulate a quorum of three provided a representative of the producers were present, but I shall not press the point.

Clause put and passed.

Clauses 19 to 25—agreed to.

Clause 26—Powers and functions of the board:

**THE MINISTER FOR AGRICULTURE:**  
I move an amendment—

That in lines 6 and 7 of paragraph (B) (i) the words "Department of Agriculture" be struck out and the word "Board" inserted in lieu.

This is necessary for uniformity. Later in the Bill the board is mentioned, not the Department of Agriculture.

Amendment put and passed.

Mr. McLARTY: I move an amendment—

That in line 1 of paragraph (I) (a) the words "other than surplus milk" be struck out.

I cannot see any need for including surplus milk. There might have been a need for it previous to the introduction of this measure because surplus milk was sent to outlying places such as Kalgoorlie, but there is no necessity for it now. Three classes of milk are mentioned in the Bill—quota milk, accommodation milk and surplus milk. If the words are deleted, I shall move to strike out sub-paragraph (b), which deals with the price for surplus milk, and insert in lieu "Any milk supplied over and above the maximum daily quantity shall be deemed accommodation milk and paid for as such." There need be no fear that this will prevent anybody from obtaining the quantity of milk he requires, but he will have to pay for it at the board's price. If we wish to maintain the price for milk, we do not want a surplus, because it is the surplus that breaks down the price.

The Minister for Agriculture: What would you do with it?

Mr. McLARTY: I will explain that. If the surplus is permitted to come into the

metropolitan area, it will be exceedingly difficult to police. In the past it has been brought into the metropolitan area and then sent to Kalgoorlie and other places.

The Minister for Agriculture: That gate has been closed.

Mr. McLARTY: Yes, so why the need for any provision for surplus milk? We have provided that milk required for manufacturing purposes may be granted certain exemptions.

Mr. Abbott: Will not that be surplus milk?

Mr. McLARTY: No, because the board will be empowered to say what is to be done with that milk. As the Minister has indicated, the gate has been closed against the distribution of surplus milk to outer areas.

Mr. Cross: You should have been present last night.

Mr. McLARTY: The Minister should explain why it is necessary to include surplus milk, and how he proposes to maintain the full price if there is to be a flow of surplus milk into the city. I know that a producer with a 30-gallon quota might find that he has 35 gallons and the carrier might agree to take it, but this is not in the best interests of the industry as it tends to break down the price. There appears to be no need for any mention of surplus milk in the Bill.

The MINISTER FOR AGRICULTURE: It is unfortunate that the member for Murray-Wellington was absent in his electorate on business last night when the discussion on this question took place. The Committee has already made its determination with respect to surplus milk by adopting the definition.

Mr. McLarty: We could recommit the Bill.

The MINISTER FOR AGRICULTURE: We could if we so desired. The point was discussed from every angle last night. Unfortunately, surplus milk is unavoidable. The nature of the industry is such that there will be a lean period and a flush period. During the flush period many producers will have milk considerably in excess of their quota and it is against human nature in the first instance, and against economics in the second, to expect them to pour it down the drain. The milk is worth something to them and they will try to realise on it.

Mr. McLarty: Cannot they separate it?

The MINISTER FOR AGRICULTURE: In some instances the quantity might be too small to warrant separating it—a matter of five gallons in some cases, as the hon. member himself mentioned. The producer will offer that for sale at any price. Provision is made for accommodation milk when a quantity greater than the quota is desired. It is bought as accommodation milk and paid for at the quota price. But there will still be some milk over and above accommodation milk and that will be surplus milk. We deem it right to make provision in the Bill for control of this surplus milk and to give it a channel through which it can be sold. In that way the board could control it.

Mr. McLarty: Where will it go?

The MINISTER FOR AGRICULTURE: The member for Murray-Wellington knows very well where it will go.

Mrs. Cardell-Oliver: To Peters Ice-cream Co.

The MINISTER FOR AGRICULTURE: Without that control it would be extremely difficult to follow the surplus milk and the result would be far worse than the member for Murray-Wellington believes would be the case under this Bill. Instead of rendering the industry a service he would be doing it a distinct disservice by striking out this provision. We shall have an accentuation of those very things to which the hon. member now objects. It would be most unwise for the Committee to agree to the amendment.

Mr. FOX: I support the amendment and hope, if it is carried, that we shall be able to recommit the Bill in order to deal with the definition clause. Dairymen have informed me that there is no such thing as surplus milk. No matter what law is passed some people will try to evade it. Fortunately, we have many reputable men in the industry, but we should do away with surplus milk in order to circumvent the dishonest men. I have been informed by dairymen that some vendors insist on a butter-fat content considerably higher than the content insisted upon by the board. Some dairymen separate the milk, add the skim milk to their quota, which is safe so long as it is not below the standard required by the board, and so they have the surplus milk and cream.

Amendment put and negatived.

Mr. ABBOTT: I move an amendment—

That in paragraph (i) of subparagraph (a) of paragraph (I) of subclause (1) the word "value" be struck out with a view to inserting other words.

If the amendment is agreed to, I propose to insert the words "at ruling butter-fat rates." I suggest that the amendment would make quite clear what is meant. The provision deals with the method of fixing the price of milk to dairymen and my amendment provides that the method of valuing shall be the same in each case.

The MINISTER FOR AGRICULTURE: The amendment would confer a benefit on nobody, but would involve many unnecessary calculations, as the price would fluctuate according to the price of butter-fat. On balance, the result of the decreases and increases over the year would be that the price would be about the same. The amendment would add expense to the administration of the board without any resultant benefit. The amendment is not of much value and I hope the Committee will not agree to it.

Mr. McLARTY: I oppose the amendment. I agree with what the Minister has said. Those who sell wholemilk are unable to go into sidelines which butter-fat producers have, such as rearing calves, raising pigs, and carrying surplus stock. The wholemilk seller must get rid of those sidelines and so provision is made that he shall receive a price above that of butter-fat. That is the inducement.

Mr. ABBOTT: I am not suggesting otherwise. My desire was to make the provision clear and I think that is necessary from what the Minister has said. The value of any commodity is its ruling price at the time it is valued.

The Minister for Agriculture: Yes, but your amendment would result in a fluctuating price, would it not?

Mr. ABBOTT: No, the value must be a fluctuating one. The amendment only makes the position clearer. It must be the ruling price for butter-fat, but the value as it is now must be the same, because the value must be a fluctuating one.

The MINISTER FOR AGRICULTURE: The amendment would require constant attention to the price of milk.

Mr. Abbott: What does "value" mean?

The MINISTER FOR AGRICULTURE: Regard is had to all these provisions, and a price is fixed which operates for a period under these provisions. If we insert the words "at ruling butter-fat rates," each time there is a fluctuation in the price of butter-fat there will be a fluctuation in the price of milk.

Mr. Abbott: There must be now.

The MINISTER FOR AGRICULTURE: No, there is not.

Mr. Abbott: What does "value of butter-fat" mean if it does not mean the ruling price?

The MINISTER FOR AGRICULTURE: I cannot follow the hon. member. I am telling him that there will not be a fluctuating price every week or fortnight or every two or three days as there could be under his amendment. That would be undesirable, and would result in additional work, with no corresponding benefit; because, in the long run, the increases and decreases would average out pretty well and would be about the same as the result obtained now by fixing the price at periods. The amendment would unnecessarily increase the administrative work of the board and therefore its cost, with no corresponding benefit to the producers.

Amendment put and negatived.

Mr. McDONALD: I have been asked to mention a matter which I am informed agitates the retailers of milk. As members of the Committee know, inspections of milk are made periodically; and if the milk is not of proper quality, the retailer from whom the sample was taken becomes liable to prosecution. I do not pretend to have an intimate knowledge of the milk industry, but I am told that the retailer feels he bears the brunt of the liability for prosecutions on account of the deficiencies in the milk supply, and that some attention should be paid to inspection of the milk before it reaches the retailer. In the transit of milk from the dairy to the consumer, there are, one might say, two stages. The first is from the dairy to the vendor, and the second is from the vendor to the consumer.

The suggestion made to me is that when prosecutions are laid it is mainly in respect of milk at the time it is in the possession of the retailer, and



he is unable to protect himself in many cases because he takes the milk in good faith. It appears to be all right, and he has to deliver it to comply with the requirements of his customers. If more attention were paid to the first stage and inspections and samples were made and taken of the milk at that first stage, there would be brought home to the dairymen also responsibility for a proper quality in milk. I mention this for the attention of the Minister, as being something in which the balance is now weighted against the retailer; and it looks from the number of prosecutions against him, as compared with prosecutions in respect of milk before it reaches him, as though the retailer were mainly to blame for deficiencies in the supply.

**THE MINISTER FOR AGRICULTURE:** Additional powers are being given to the board under the Bill to enable it to deal with that aspect, and greater control will be exercised over the production of milk at the source.

**Hon. N. Keenan:** Are they to be compelled to do something, or are they to exercise discretion? Do you propose to give instructions or will they exercise discretion?

**THE MINISTER FOR AGRICULTURE:** They will exercise discretion.

**Hon. J. C. Willcock:** The inspectors?

**THE MINISTER FOR AGRICULTURE:** No, the board. The board is charged with the responsibility. The board has been asking for years for extra power to enable it to deal with these abuses, and it is now being clothed with that power. I foresee no trouble whatever in leaving it to the board's discretion to use that power.

**Hon. N. KEENAN:** What the member for West Perth has brought before the Committee is a very great grievance. It appears that it is almost unavoidable. Milk is found in the possession of a milk vendor and is below standard. If it were open to the vendor to produce some kind of receipt or certificate that he had obtained the milk from a certain source, the blame would be shifted from his shoulders and the inquiry would be into how that source conducted its business. The vendor is charged with having the milk in its possession and at that time it is not in compliance with the requirements of the department. That is the whole

offence. There is no question as to whether he took precautions in buying it or not, or whether he bought it in good faith or anything that goes beyond the question: Is the milk, in fact, below standard or not? That is putting a very heavy burden on the distributor and one which it is unfair to put on him if it can be avoided. I appeal to the Minister to see not only that the board has discretion but that it exercises discretion in a way under which the distributor will have fair protection if he is an honest man—which he has not got today.

Clause, as previously amended, put and passed.

Clause 27—agreed to.

Clause 28—Prohibition against carrying on business as dairyman or milk vendor, or treating milk without license:

**Mr. McDONALD:** We all know that licenses have become a franchise, a monopoly, and a privilege of considerable value. We know that a license is something that will change hands at a not inconsiderable figure. It is something created by the people, not by the licensee; and, while I appreciate the difficulties involved, I hope the board will devote some attention to finding some means by which the granting of a license will not be putting into the pockets of the licensee money which is created by the people themselves. We all know, too, that after the first license, the transferee who has given a considerable sum for the franchise is sometimes in difficulty in making ends meet, because his expenses have been increased by the premium which he has had to pay to the vendor-licensee for the privilege of the monopoly he is going to obtain. This is not a matter to be lightly dismissed. It seems inevitable that in many departments of primary production we create boards. The Minister introduced a Bill today under which a primary product is to be grown under license. It is conceivable that as time goes on the community will be divided into two classes, namely, those who are protected by a valuable license under Act of Parliament, and those who are excluded from engaging in a particular field of industry or production. The whole subject of the preservation of equality of opportunity for those coming on and the avoidance of valuable

monopolies under Act of Parliament, requires immediate and urgent study, and is something to which this board might make a valuable contribution.

Hon. J. C. WILLCOCK: This position arises in many industries. We have a Licensing Act dealing with the sale of fermented and spirituous liquors. Once a man gets a license he gets a present of so much money.

Mr. McDonald: Yes, and I object to it.

Hon. J. C. WILLCOCK: The board has the authority to set out the premium which a proposed licensee must pay before he gets a license. It is a general rule of industry. Under the State Transport Co-ordination Act people have a right to run a bus service.

Hon. N. Keenan: They build up.

Hon. J. C. WILLCOCK: Yes, but the Transport Board has said that, as far as it is concerned, the companies have no goodwill. Their licenses can be terminated at any time. A case in connection with the matter went to court. A similar position arises with the distribution of "The West Australian." A newsagency cannot be bought at less than £4 a copy of "The West Australian." With milk it is £10 a gallon.

Mr. McDonald: It is £15.

Mr. McLarty: It is £10 for producers and £15 for vendors.

Hon. J. C. WILLCOCK: It would help if the member for West Perth would put forward something constructive; otherwise it is of no use telling the Minister he should do something.

Mr. McDONALD: I would be most happy to submit constructive ideas for the consideration of the Minister and the board, but I am not an expert on the milk industry. I looked at the Bill to see if the same old system of monopolies was to continue and I found there was nothing included to alter it. I do not blame the Minister but I do say that the time has come when the question of franchises, permits and monopolies under Acts, has to be faced. The members of this board, who are experts and are paid for the job, should address their minds to a solution of the matter, and bring it before the Minister who could then introduce an appropriate Bill to remedy the position.

**The MINISTER FOR AGRICULTURE:** It is desirable to prevent the building up of vested interests in the milk industry, but it is an extremely difficult matter to do so. Take the profession in which the member for West Perth is engaged. A man in that profession, because of his ability and the results he achieves, can get a name for his firm that is worth a good deal.

Mr. McDonald: That is a different proposition. There is no exclusive license in that.

**The MINISTER FOR AGRICULTURE:** No, but it is the same thing working. As a result of his efforts he is able to build up something, not for which he is paid, but which is of value. An article clerk would have to pay a high premium to get into such a firm. This quality becomes, in effect, a vested interest. Is it not a fact that members coming into a firm with this goodwill have to pay something for its name?

Hon. J. C. Willcock: That is why the names of several judges are included in the names of legal firms.

**The MINISTER FOR AGRICULTURE:** Due to their activities these men have been able to increase their income, and so it is with the milk vending business. If a man is fortunate enough to get a license and a quota he gets something from which he can earn a profit, and the bigger his quota the bigger his profit. Naturally a person who has not a license but who is desirous of getting into the milk business is prepared to pay something for the opportunity to do so. How that is to be prevented is beyond me at present. We might mitigate it by calling upon the board to demand a premium from those who buy into the industry. By that means the board would take advantage of the goodwill attaching to the right to vend the milk. That difficulty is inherent in the capitalistic system.

Hon. J. C. Willcock: It is overcome in the Licensing Act by charging a premium.

**The MINISTER FOR AGRICULTURE:** I do not know that that overcomes it altogether. If the objective is to give the money back to the public, it could be achieved by getting the Milk Board to charge a premium which would be the amount at which the license is available for purchase.

Hon. N. Keenan: Who would pay that premium?

The MINISTER FOR AGRICULTURE: The purchaser.

Hon. N. Keenan: Who would be the purchaser?

The MINISTER FOR AGRICULTURE: I suppose in the long run the consumer would pay it; he does so now. That is why I say that asking for a premium does not remedy the evil. The matter requires deep consideration. It is a concomitant that we have to put up with.

[Mr. Fox took the Chair.]

Hon. J. C. WILLCOCK: Milk differs from other commodities because it has so much to do with the health of the community. Men pay such high premiums for the transfer of hotel licenses that they have to break the law and indulge in after-hours and Sunday trading to ensure a return on their investment. It may be that some people are so anxious to obtain milk licenses that they are prepared to pay a premium greater than is warranted by the circumstances, and when they have purchased the distributing business they are not able to make ends meet and alter the value of the milk by adding substitutes, which is against the interests of public health. The board should have some say in the conditions under which a license is transferred. A value created by the community should go back to the community and not to an individual who may resort to unscrupulous methods at the expense of the public.

Mr. ABBOTT: Subject to correction, I understand the board is doing something in that direction and has said that the price shall not be more than £10 per gallon.

Mr. McLarty: The board does not say that.

Mr. ABBOTT: I think it does. The trouble could be overcome by seeing that the purchaser does not get so much that he is prepared and willing to pay such a price. If one man is permitted to produce something which others are not, that is a monopoly and the person holding the monopoly gets more than is reasonable; otherwise the goodwill would not be there. I think too much is probably being paid to the producer. Only last week a man told me that he was getting 15s. per can for wholemilk and 8s. per can for milk for cheese. In one case

it had to be over four per cent. and in the other case a little over two per cent. That is why they are prepared to pay considerably more for the right to produce wholemilk. The board is not compelled to transfer a license or grant a new license, and if it were convinced that a premium was being paid it could refuse the transfer. If people pay too high a price they cannot legitimately give the service expected by virtue of the license. The board could prevent the goodwill by issuing more licenses and by seeing that the price was not so high as to produce an artificial goodwill.

The MINISTER FOR AGRICULTURE: It is often not the extent of the profit that counts, but the regularity. When a producer is guaranteed a market for his product, the fact that he has an assured market is worth something.

Mr. McDonald: It is given to privileged people.

The MINISTER FOR AGRICULTURE: Yes, just as the man who wins first prize in "Charities" has something that others have not. There is a lot of luck attached to it.

Hon. N. Keenan: This is not luck.

The MINISTER FOR AGRICULTURE: Some producers are offering to produce milk for the board, but cannot get quotas. Those who succeeded in getting quotas are luckier than those who did not.

Mr. McDonald: This is not a "Milk Lottery Act."

The MINISTER FOR AGRICULTURE: When a man has something of value there is always a purchaser for it.

Mr. Abbott: Is not £10 per gallon too much?

The MINISTER FOR AGRICULTURE: Yes, but apparently the people who pay that amount do not think so. I remember that 10 or 15 years ago the price for a round of "The West Australian" was £2 10s. per paper, but now it is £4, and in time to come it may £5 or £6.

Mr. Abbott: Reduce the price of the milk.

The MINISTER FOR AGRICULTURE: That would only mean that instead of paying £10, people would pay £4, for instance, and there would still be the same evil. The man who pays £4 for something worth £5 is in no better position than the man who pays £8 for something worth £9.

Mr. Abbott: But the public are.

The MINISTER FOR AGRICULTURE: Neither we nor the public can do much about it.

Mr. McLarty: Reduce the price of milk and you will not get supplies.

The CHAIRMAN: The Minister must address the Chair and not bother about interjections.

The MINISTER FOR AGRICULTURE: There is always a ready sale for anything of value, whether it be a milk round or anything else.

The Minister for Lands: A doctor's practice costs a lot of money, too.

The MINISTER FOR AGRICULTURE: Of course! If members opposite desire to start on a crusade to stamp this out, I wish them well. It is a task of very considerable magnitude.

Mr. Abbott: There must be a limit to it.

The MINISTER FOR AGRICULTURE: It must be realised that if we say that a man must pay £5 for a quota that is really worth £15, the £10 will be paid under the lap.

The Minister for Lands: And that means the black market.

The MINISTER FOR AGRICULTURE: A tremendous policing effort would be required to prevent the practice.

Mr. McLarty: And you would not get it.

The MINISTER FOR AGRICULTURE: It would be quite easy to overcome because a man would pay so much for the quota and then would hand over the difference in cash separately.

Hon. J. C. Willcock: Only yesterday a man was fined £50 for doing that sort of thing.

The MINISTER FOR AGRICULTURE: For every one man who would abide by the provision, there would be a thousand who would not, and they would not be found out.

Hon. J. C. Willcock: Not everyone desires to be a criminal.

The MINISTER FOR AGRICULTURE: But this sort of thing is not regarded by many as a criminal action. They acknowledge that it is an offence against the regulations, but they regard it in the same way as they view the income tax. How many thousands of people must there be that put in incorrect returns?

Mr. McDonald: How many put in correct returns?

The MINISTER FOR AGRICULTURE: The great majority put in correct returns, but it is the minority that breaks down any system and in this instance an unscrupulous minority would get all the quotas because they would pay something extra—and money talks. I would like to see a way out of the difficulty.

Mr. Abbott: Reduce the price of milk.

The MINISTER FOR AGRICULTURE: If we followed that suggestion we would merely give the producers a solid knock and achieve no result.

Mr. McLarty: We would deprive the consumers of milk.

The MINISTER FOR AGRICULTURE: I am receptive of ideas in connection with this matter. If any practicable scheme can be suggested, I will see what can be done to give effect to it. At present I can see no daylight.

Hon. N. KEENAN: I agree with the Minister that the position at present is one of very great difficulty and almost insoluble. It arises from the fact that certain persons have been licensed and others have been unable to secure licenses. That is happening all over Australia. In Queensland, for instance, certain persons secure licenses to grow sugar on their holdings. To land so licensed attaches abnormal values. Exactly similar land alongside such holdings has but one-tenth or one-twentieth of the value, because it is unlicensed. That is the crux of the position. If by the granting of licenses according certain people specified privileges we establish a quasi monopoly, then we create a privileged licensed class. Possibly the only way out of it is to allow everyone a free go.

Clause put and passed.

Clause 29—Kinds of license:

Mrs. CARDELL-OLIVER: The Minister said he was receptive of ideas and I trust he will accept a suggestion from me. I move an amendment—

That at the end of Subclause (3) the following proviso be added:—"Provided that no license for the supply or sale of milk in or to the metropolitan area shall be granted to any milk vendor unless the herd from which milk is supplied has been

tested and certified by a Government inspector as free from disease and as producing milk of the fixed standard."

#### THE MINISTER FOR AGRICULTURE:

When I invited ideas, I had in mind those that could be put into practice, and the suggestion of the member for Subiaco simply would not work. If effect were given to it, the milk supply of the metropolitan area would be cut off in a very short time, and the people would have no milk. The hon. member wants to run before she can walk. The Bill provides for the testing of dairy herds, and that work will take time. The process will increase in speed as we progress with the testing and have the reactors destroyed. Each month the position will be improved until finally, I hope, very few of the cattle will be diseased at all. That end cannot be achieved in five minutes. The proposition by the hon. member would make the whole scheme unworkable and the effect would be that the people would be without milk and the producers without income, which would not be good business for the State.

Amendment put and negatived.

Clause put and passed.

#### Clause 30—How licenses obtained:

Mr. NEEDHAM: I move an amendment—

That a new subclause be added as follows—

"(5) Notwithstanding anything to the contrary contained in this Act a dairyman's license or a treatment license shall not be issued or re-issued to an applicant therefor unless and until such applicant produces to the Board a certificate in writing under the hand of an inspector of health employed by the local health authority of the health district constituted under the Health Act, 1911-1944, in which the dairy of such applicant is situated that such dairy complies in all respects with the requirements of the by-laws of such local health authority."

Evidently the Minister is determined to have the Bill, the whole Bill, and nothing but the Bill. Only one amendment has been accepted.

Mr. McLarty: I hope this one will not be accepted.

Mr. NEEDHAM: Nobody raised any objection to this proposal which was contained in the Bill of last session, and the Minister has not informed us why it has been omitted on this occasion. Perhaps he will tell us

what is objectionable in a local health inspector's being empowered to inspect a dairy where this important food is being prepared in order to ensure that the dairy complies with hygienic requirements. Some of the dairies are not kept in proper condition. There is anxiety in the public mind about the quality of the milk being supplied and that anxiety has not been allayed by the publication of the report about the prevalence of T.B. in dairy herds. If people believe that proper supervision is not being exercised over dairies, the anxiety will increase. The intention of the measure is to ensure that the milk is conveyed from the cow to the consumer, fresh, clean and without contamination. Therefore, to make assurance double sure, it is essential that this subclause be re-inserted. It might happen that a local inspector would find a dairy not complying with the requisite conditions and a prosecution would ensue. What would be the position of the Milk Board in that event? Where would be the final authority?

Mr. READ: I am disappointed that this provision has been dropped from the Bill and strongly favour its re-insertion. Members for the metropolitan area are more deeply concerned for the health of the people of the metropolitan area. Though mindful of the interests of those engaged in the industry, we feel that a clean, fresh milk supply should be our first concern. Particularly do we want fresh milk free from harmful bacteria. The source of this bacteria is mainly at the point of production, namely, the dairy. It would be a safeguard if the health inspector working in the district inspected the dairies and certified that they complied with the requirements of the Health Act. This would not preclude an inspector of the board from inspecting the same dairies. The local health inspector would be familiar with the dairies in his district. It might be said that an important dairying centre like Harvey has many dairies and that it would be impossible for the local man to inspect each of them. This, however, would not be necessary. Local inspectors would know the conditions and would know whether a license should be issued. The few dairies that would require re-inspection could easily be supervised. The certificate of the local health authority would be an additional safeguard, as it would show that the provisions of the measure were being complied with at the source

of supply. Most of the country dairies are in a splendid condition. The member for Canning, when speaking to the second reading, was very exercised in his mind because he saw in several places along the road exposed milk cans. He thought the cans would be there for many hours before the milk reached the consumers.

Mr. McLarty: He saw empty cans.

Mr. Cross: I did not.

Mr. READ: I take it that the member for Canning saw cans full of good milk.

Mr. McLarty: No.

Mr. READ: That would be a tribute to the inspection made by the local health authorities who were policing the district. Before milk was chilled, dairymen were more careful of the way in which they scoured their cans. They had to be, because otherwise the milk, in a climate such as ours, would not have kept for more than four or five hours. The introduction of chilling has tended to make the dairymen perhaps a little more careless, as they rely more on the chilling to kill the bacteria in the milk.

Mr. CROSS: I suppose I have had as much experience in this matter as has any other member. The member for Victoria Park has no dairy in his electorate, nor has the mover of the amendment.

Mr. Read: What has that to do with it? I have as much intelligence as the man who produces milk.

The CHAIRMAN: Order!

Mr. CROSS: When the existing Act was introduced, there were many wrangles between the inspectors of the Milk Board and the inspectors of the local health authorities. These wrangles drove some of the producers nearly insane. An inspector from the Milk Board would make his inspection and give notice to the dairyman that certain things were to be done; then the inspector of the local health authority would do the same thing. The Bill proposes to give an overriding power to the Commissioner of Public Health. Which is the authority that the producer has to take notice of?

The Minister for Lands: The Commissioner of Public Health.

Mr. CROSS: The proposed subclause would be superfluous and would lead to duplication of services. The standard re-

quired by the inspectors of the Milk Board was far higher than that required by the inspectors of the local health authorities, whose inspections were often only casual. In my electorate, friendly relations existed between the inspectors and the dairymen. I can assure the Committee that the producers do not want duplication of services and I hope the Committee will not take the amendment seriously. I cannot imagine the Minister agreeing to it, or anybody else, for that matter.

The MINISTER FOR AGRICULTURE: This provisions was in the Bill introduced last session. It was then argued, although I resisted it, that the provision would be unworkable because of the number of dairies which would have to be visited and inspected in the time available, and that the examination would be of a perfunctory character and so the certificates would not be worth a great deal. In saying that, I do not want to disparage the inspectors, who would be called upon to inspect a great number of dairies in a very short time. They would thus have to carry out their inspections so rapidly as to lead one to believe that many of the certificates might be issued from the office. Should that happen, it would be exceedingly difficult for the Milk Board to withhold a license and tell a dairyman that his dairy was not up to the mark. In that event, the dairyman would reply, "The local health authority was perfectly satisfied and gave me a certificate." The member for Murray-Wellington argued this point last session. I was not then convinced that what he said was the actual position, as I believed it would have been possible for the health inspector to make his inspections; but in the time that has elapsed since the Bill was introduced last session I have made further inquiries and I am now convinced that there was a good deal in the contention of the member for Murray-Wellington and others that the provision would impose a task upon the local authority greater than it could manage in the time at its disposal. I do not think the proposed subclause is needed at all.

Mr. McDONALD: I appreciate the practical difficulties which have been mentioned by the Minister in connection with the application of this provision, but there is not in the Bill any explicit tie-up between licensing and inspecting. It may be that they are

matters of administration, but there is nothing of a mandatory type. The object of the amendment is no doubt to bring about a mandatory inspection of a suitable kind before licenses are issued or re-issued. I appreciate the difficulty, but the debate has indicated some weakness in the available services in the way of health inspection. We have been told about road board secretaries who carry out the dual function of secretary and health inspector and are unable to get round on inspection work. What seems to be indicated is the need for an endeavour on the part of the Health Department and other authorities to improve and increase the services of health inspection in those outer areas as a contribution to the satisfactory supply of milk under this measure.

Mr. McLARTY: The member for Perth and the member for Victoria Park can be assured that licenses are not granted to any dairyman unless an inspection has first been made. I am glad the Minister has taken out of the Bill this proposal which the member for Perth wishes to put back. I did urge upon him last session that he should remove this particular clause from the Bill. It is true, as the Minister says, that the local authority still has power of inspection, but this will make for quicker working. The board will not have to wait for a report from the local authority, which might take weeks. The board has competent persons on its staff. Most of its inspectors have a health certificate and those who have not have had a very wide and long experience in regard to what is expected from the producing side of this industry. I hope the amendment will not be agreed to.

Amendment put and negatived.

Clause put and passed.

Clauses 31 to 33—agreed to.

Clause 34—Revocation of licenses:

THE MINISTER FOR AGRICULTURE:  
I move an amendment—

That Subclause (1) be struck out with a view to inserting a new subclause.

The object is to insert in lieu the subclause standing in my name on the notice paper. It was not intended that the Commissioner of Public Health should have authority to request the board to revoke a

license following a conviction for any offence. It was only to be in connection with certain offences; and, to make the position clearer, the inclusion of the amendment on the notice paper is proposed. Paragraph (a) of the proposed new subclause (1) gives the board greater power than it has had hitherto—and very necessary power—to control the industry and discipline those who are inclined to be recalcitrant. It is also desired that the Public Health Commissioner shall have certain powers in regard to the matter as well and for that purpose paragraph (b) has been added to the proposed new Subclause (1).

Amendment (to strike out Subclause) put and passed.

THE MINISTER FOR AGRICULTURE:  
I move an amendment—

That a new subclause be inserted in lieu of the subclause struck out, as follows:—

(1) (a) Upon the conviction of any person holding a license under this Act for any offence against this Act or any regulation made under this Act, the Board may forthwith revoke the license held by such person.

(b) Upon the conviction of any such person for any offence against the laws or regulations relating to public health, where such offence relates to the premises in respect of which the license is granted or to the conduct of the business carried on in connection with such premises, the Board may, and at the request of the Commissioner of Public Health shall, forthwith revoke the license held by such person.

Mr. CROSS: I move—

That the paragraph (b) be amended by striking out the word "and" in line 8.

I desire to strike out the word "and" as indicated and later the word "shall" in the following line; and after that to add the proviso standing in my name on the notice paper as follows:—

Provided that the Board shall, at the request of the Commissioner of Public Health, prohibit the sale of milk from such premises until such premises are made to comply with the requirements of the Health Act.

If this power is given to the Commissioner of Public Health, it might be carried out in a manner very harsh to the producer. Members must realise that the Milk Board already has inspectors with power to cancel licenses. But it may be, as it was in the case I mentioned which occurred in South Perth, that the Commissioner will launch a prose-

cution, and before the prosecution is actually in the court the position will be rectified; but the Commissioner may ask that the license be revoked. That is what occurred, and it was distinctly unfair. The person concerned was not given a chance. If there were any such case and the Commissioner had power to prohibit the sale of milk until the position was remedied, that would be sufficient. It is not necessary for two authorities to control the issue and revocation of licenses. It will readily be agreed that the health inspectors of the Milk Board who visit these dairies periodically know more about what is going on than would an inspector from the Health Department who paid only an occasional visit. Members must realise that this may affect a person who has a quota of 200 gallons for which he has paid £2,000. The revocation of a license would take away that person's livelihood without giving him any chance to effect a remedy; because, once the Commissioner revokes the license, he has not power to give a new one. That power is retained by the board.

**THE MINISTER FOR AGRICULTURE:** The reason for my amendment is to bring about better co-operation and co-ordination between the Public Health Department and the Milk Board. I cannot imagine that a responsible person like the Commissioner of Public Health would request the board to revoke the license of a dairyman unless he had good cause for so doing. First, there must be a conviction recorded in connection with public health before the Commissioner has authority to request the revocation of a license. My amendment does not say that once a license has been revoked it shall not be re-issued. It is not the Commissioner of Public Health who revokes the license, but the board, and it is the board that would have the right to re-grant the license. I see no objection to that. Under my amendment, the board shall, at the request of the Commissioner of Public Health, revoke a license.

**Mr. McLarty:** Why do you not give the board discretionary powers?

**THE MINISTER FOR AGRICULTURE:** This relates to public health and the Commissioner has over-riding authority. This is the better method of obtaining compliance with the law because it is in

conformity with what the board would do. The penalty held out as a deterrent to a breach of the law and regulations is the revocation of the license. The Commissioner of Public Health, and I agree with him, believes that in the matter of breaches of public health matters he should have the right to say to the board, "This affects public health vitally, and I request you to revoke the license." His power to do that is limited to a special class of offences. He has not the wide power that was provided in the original Bill. I hope the Committee will not accept the amendment.

**Mr. CROSS:** I will illustrate what can happen. Under the Health Act, a dairyman must have a cement floor in the dairy. In a particular instance, a hole was made in the floor. A health inspector came round and said, "We will prosecute." The dairy proprietor was sick and could not get any cement. I can assure members that it is still difficult to get cement. Is it right, when a dairyman is having difficulty because of shortages of materials and is prosecuted, that the Commissioner of Public Health shall say that the board shall revoke the license? The Minister's amendment leaves no discretionary power with the board, yet it has inspectors who know all about the matter. These offences may not be nearly as bad as they would appear to be from the Press reports.

**Mr. WATTS:** I believe the Minister would be well advised to accept the amendment. The Minister told us that if a person has been convicted, in respect of premises, of an offence against the public health, it is a matter which should be dealt with by the Commissioner of Public Health who, he says, has over-riding powers under other legislation. But there is nothing in the amendment that takes away the reasonable rights of the Commissioner. All that the member for Canning attempts to do in his amendment is to prevent the possibility of an injustice being inflicted on a man whose sin is not a very great one. Even the hon. member proposes a punishment greater than that ordinarily inflicted because he says that, until the whole business is remedied, no milk shall be sold from such premises. All he seeks to do is to prevent the license being completely revoked so that the goodwill and premium, which we have discussed this even-



ing, will not be lost through one error. This is a reasonable amendment, and I propose to support it.

Amendment on amendment put and passed.

On motions by Mr. Cross, proposed new subclause further amended by striking out in line 10 of paragraph (b) the word "shall"; and by adding the following proviso:—"Provided that the board shall, at the request of the Commissioner of Public Health, prohibit the sale of milk from such premises until such premises are made to comply with the requirements of the Health Act."

Proposed new subclause, as amended, put and passed; clause, as amended, agreed to.

Clauses 35 to 74, Schedule, Title—agreed to.

Bill reported with amendments.

*House adjourned at 10.35 p.m.*

## Legislative Council.

*Tuesday, 3rd September, 1946.*

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

## ASSENT TO BILL.

Message from the Lieut.-Governor received and read notifying assent to Supply Bill (No. 1), £2,700,000.

## QUESTIONS.

### AIR SERVICES.

*As to Landing Grounds at Roebourne and Onslow.*

Hon. G. W. MILES asked the Chief Secretary:

With reference to the air mail services to Roebourne and Onslow—

1, Has the Government drawn the attention of the Federal authorities to the grossly inadequate facilities of the landing grounds at these two centres?

2, If not, will the Government take immediate steps to have this matter rectified?

The CHIEF SECRETARY replied:

1, The Government has on many occasions appealed to the Commonwealth authorities for better aerial facilities throughout the North-West.

2, The question of extension of these grounds to accommodate larger aeroplanes is now being considered by the Department of Civil Aviation, Melbourne.

## PEARLING.

*As to Rehabilitation of Industry.*

Hon. G. W. MILES asked the Chief Secretary:

With reference to the rehabilitation of the pearling industry, has the Government—

1, Approached the Federal authorities with the object of re-introducing indentured labour in this industry?

2, If so, will the Government recommend the advisability of pegging wages in order to overcome unfair competition, and to ensure the economic stability of the industry?

The CHIEF SECRETARY replied:

1, Yes.

2, This matter is at present receiving attention by the appropriate authority, namely, the Commonwealth Department of Labour and National Service.