

Last year the Government took over the works from the liquidator, and in order to effect a sale, granted an option to Mr. Vincent, and agreed to make a small advance to complete a contract for insulators existing at the time the works were taken over, and to put the works in order, such advance to be recouped in the exercise of the option. The fact that neither the liquidator nor the option holder was a public accountant is a technical objection only, and has no real bearing on the matter. The liquidator is responsible to the court for the correctness of his accounts, and the Auditor General has been asked to see, on behalf of the Government, that the option holders' accounts have been correctly kept.

In reference to the State Savings Bank transfer, the fact that deposits were transferred with the bank was due to the wording of our Act. By this it was directed that deposits not operated on for seven years should be carried to "Depositors' Unclaimed Fund." A list of the balances was then to be published in the "Government Gazette" annually for ten years before any deposit could be transferred to revenue. Although claimed by the State before transfer, the fact that until the expiration of the period specified, they still remained deposits, operated against our claim. However, if eventually unclaimed, they will form part of the bank's profit, and the State will be entitled to its share.

In regard to the Golden Eagle nugget, the disposal of the proceeds was governed by the terms of the Financial Agreement. On the passing of that Act the existing procedure was changed. It must not be forgotten that the repayment of all loan expenditure is now covered by the sinking fund.

Mr. Hall referred to an amount of £69,000 paid for pensions. Those amounts were paid under the Act of 1904. As they were statutory obligations, the Government had no option to meeting the claims. Apart from that, those amounts were reduced under the Financial Emergency Act. The amount is large because there have been a good many retirements. Men of 60 years and over have been retired, and consequently they were entitled to fairly substantial pensions. It was felt by the Government that it would be far better, when retirements were necessary, to retire men well on in years rather than younger men. I think every

member will agree with that policy. I thank members for the support given the Bill.

Question put and passed.

Bill read a second time.

*House adjourned at 10.30 p.m.*

## Legislative Assembly,

*Wednesday, 14th December, 1932.*

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

### QUESTION—MUNICIPAL AND TRAMWAY BOARD ELECTIONS.

Mr. SLEEMAN asked the Minister for Works: 1, Is he aware that serious allegations of improper practices have been made against certain authorities and Justices in connection with the taking of absentee votes at the recent Municipal and Tramway Board elections in the North Fremantle and Fremantle districts? 2, In view of the serious nature of the charges will he have an inquiry made? 3, If the charges are substantiated, will he take steps to see that the people concerned are not permitted to repeat the offence?

The MINISTER FOR WORKS replied: 1, No. 2 and 3, Being unaware of the nature of the alleged charges, I am unable to reply to these questions.

### QUESTION—BOY SCOUTS' BUILDING.

Mr. F. C. L. SMITH asked the Minister for Lands: 1, Is he aware that a wooden building for Boy Scouts is being erected on a Class "A" recreation reserve at South Perth? 2, In whom is the portion of the reserve containing this building vested? 3, By whose permission is the building being erected? 4, Is this authority competent to give such permission? 5, (a) Who comprises the South Perth Road Board and (b) who constitute the committee of control of the Boy Scouts' organisation in South Perth? 6, If applications for sectional interests can be approved, will he recommend the granting of a similar site to a South Perth labour organisation for similar purposes?

The MINISTER FOR LANDS replied: 1, Yes. 2, South Perth Road Board. 3, South Perth Road Board. 4, This authority has no power to grant a lease of an exclusive right of occupancy, but permission at will does not seem inconsistent with the purpose of the reserve. 5, (a) Pilgrim, H. A. (Chairman); Ryan, M.; Abjornson, G. V.; Hughes, P. W.; Philp, G. H.; Clydesdale, A. M.; Vincent, D. F.; Long, H. W.; Gill, F. R.; Angel, F.; Stone, P. W.; Harris, C. H. (b) Matters in connection with the building referred to are controlled by the South Perth Scouts and Guides Building Fund Committee, consisting of—Mr. G. V. Abjornson (chairman), Mr. W. E. Forster (treasurer): Committee: Mesdames M. L. Liggins and F. Moore, Misses J. Stowe, E. Higgins and B. Pether, Messrs. F. Moore, G. D. Brown, H. Korner, K. Hosking, R. D. Royce, F. Collett and E. A. Gorham; Mr. S. Royce (hon. secretary); Mrs. P. L. Perry (hon. assistant secretary). 6, The reserve is controlled by the South Perth Road Board.

### MOTION—STANDING ORDERS SUSPENSION.

**THE PREMIER** (Hon. Sir James Mitchell—Northam) [4.35]: I move—

That for the remainder of the session the Standing Orders be suspended so far as to enable Bills to be passed through their remaining stages in one day, and all messages from

the Legislative Council to be taken into consideration on the day they are received.

There are three Bills on the Notice Paper that will not be gone on with, namely, the Sale of Wheat Bill, the Electoral Act Amendment Bill and the Industrial Arbitration Act Amendment Bill. I hope the House will agree to the motion, which is the usual one at this stage of the session, and will considerably facilitate the completion of business.

**HON. P. COLLIER** (Boulder [4.36]: This motion is usually submitted at this stage of the session. I hope the Premier will not take advantage of it to put through new Bills at one sitting, but that members will be given ample opportunity to discuss any business it is desired to complete before the end of the session. There are three Bills on the Notice Paper to be read a second time, but I do not know the contents of any of them. I refer to the Land Act Amendment Bill, the Land and Income Tax Assessment Act Amendment Bill, and the Farmers' Debts Adjustment Act Amendment Bill. I understand the Attorney General desires to introduce a Bill dealing with auctioneers' licenses. He has informed me of the contents of this measure, and I have raised no objection to it. I hope, when the Standing Orders are suspended, the Premier will see that reasonable opportunity is given to members to discuss the Bills on the Notice Paper.

**THE PREMIER** (Hon. Sir James Mitchell—Northam—in reply) [4.38]: Yes. The Land and Income Tax Assessment Act Amendment Bill is a private measure, designed to provide for a remission of taxation on gifts in certain cases, I think to unemployed funds. I presume we can agree to that, and I hope the gifts will be made. The Farmers' Debts Adjustment Act Amendment Bill is a continuation measure.

The Minister for Lands: It only amends the year.

The PREMIER: The Land Act Amendment Bill will be dealt with this afternoon. We do not expect members to go on with Bills without getting an adjournment on such matters in regard to which they may think it necessary to make further inquiry.

Question put and passed.

**MOTION—ADDITIONAL SITTING DAY.**

**THE PREMIER** (Hon. Sir James Mitchell—Northam) [4.40]: I move—

That unless otherwise ordered the House shall meet for the despatch of business on Fridays at 4.30 p.m., in addition to the days already mentioned.

I hope the House will agree to meet on Friday, if necessary, as seems possible.

Question put and passed.

**BILL—SECESSION REFERENDUM.**

*Remaining Stages.*

Report of Committee adopted.

Read a third time, and transmitted to the Council.

**BILL—BILLS OF SALE ACT AMENDMENT.**

*Second Reading.*

Debate resumed from the previous day.

**MR. MARSHALL** (Murchison) [4.42]: The member for Guildford-Midland (Hon. W. D. Johnson) asked me to say that the Bill provides all that is required and deemed to be necessary by the firm of which he happens to be a director. He has no objection to its being put through, and supports the second reading.

Question put and passed.

Bill read a second time.

*Remaining Stages.*

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

Read a third time, and transmitted to the Council.

**BILL—LAND ACT AMENDMENT.**

*Second Reading.*

**THE MINISTER FOR LANDS** (Hon. C. G. Latham—York) [4.45] in moving the second reading said: It is needless for me to draw attention to the parlous condition of the primary industries, particularly the pastoral industry. Fortunately for this State the pastoral industry has been established at very little cost to our Governmental financial institutions, and so is very much

unlike other primary industries. It is proposed in the Bill to ask the House to agree to an extension of the pastoral leases for 34 years. It may seem a very long period but, unfortunately for us, during the time when wool and stock prices were high many pastoral leases changed hands at very high figures and in that changing of hands a good deal of money was borrowed for the purpose of completing payments. Besides that—particularly does this apply to the eastern portion of the pastoral areas—people came from the Eastern States and turned leases almost fully under big stock into sheep propositions, and spent a great deal of money in doing so. Their difficulty to-day is to continue financing those leases. As I said before, a lot of money has been borrowed and it is necessary to meet interest payments and in addition get sufficient money to carry on the industry. I do not think any other industry is in a worse condition than is the pastoral industry to-day. The price of wool is almost as low as it has ever been. And that is not the only problem, for there seems to be no market at all for the surplus sheep on the stations. It is true there may be a saleable asset in the younger animals, but if the younger stock is sold off it is a question of how to maintain the flocks. There is certainly no sale whatever for broken-mouth sheep to-day, and in order to keep down the stock to the carrying capacity of the leases, it is necessary for the pastoralists to destroy many of their sheep. Then, as the member for Kimberley will tell us, the same thing applies to the cattle stations. Unfortunately, station owners in the western part of the Kimberleys are suffering because it is impossible for them to get a market for their store cattle. In addition, during the last few years, the western and eastern and the southern portions of the Kimberleys have been subject, not only to the economic conditions prevailing, but also to drought conditions as well. Probably there has not been very many stock lost through starvation, but the pastoralists are unable to market their stock, since they are not fit for the Wyndham Meat Works and are not in sufficiently good condition to send south. So those pastoralists also are suffering the disabilities both of the economic condition of affairs and of drought conditions. For the period of three years ended in 1927, the average price of wool was 1s. 5d. per lb., as against the three-year period which ended last year, when the average price was 8¾d.

per lb., a falling off of 50 per cent. It has been estimated that the cost of production of wool varies from 1s. per lb. to 1s. 3d. per lb. The estimate of 1s. per lb. may be considered a very fair basis. If wool costs 1s. per lb., then for every lb. of wool produced in the North there is a loss of 3¼d. I am quoting that because I want to tell the House why I am asking for an extension of the leases. As to the beef industry, it is estimated that it costs £5 per head on a station to breed and rear stock to a marketing condition. May I say in passing that many of the new sheep stations known to the member for Mt. Magnet were stocked when sheep were bringing up to £2 per head. The sale price of cattle that have cost £5 per head on the station to produce and rear to a marketable condition, has been on an average £3 5s. So there we have a loss of £1 15s. on every head of cattle produced in the North. Members might say the Government could give relief in rent. But the pastoral leases are totally different from farming areas the land in which is sold under conditional purchase, no Crown grant issuing until the whole of the money has been paid. But on pastoral leases, every year that goes by without rent being collected means a complete loss of revenue. And, unfortunately, at the moment we have to get every penny we can possibly lay hands on. While we might say that in some instances we will suspend the rent payment, we are not justified at the present time in foregoing the whole of the rent.

Hon. J. C. Willecock: If they fail to pay rent in one year, it is not wiped off.

The MINISTER FOR LANDS: Consideration has been given, particularly to stations in the West Kimberley, where it is impossible to market the cattle; because on many of those stations there are only store cattle, and because of the pleuro restrictions some stations have got into such a position that we have had to give consideration to them. But suppose we say that for two years we will suspend the rental and spread it over the remaining portion of the lease: the outlook is so black that I venture to suggest that would not give any encouragement to the leaseholders. The capitalisation of many of those stations is far too high, but the overcoming of the difficulty is not within the powers of the House. Some of the

stations were purchased at a figure as high as £55,000, the sheep ranging in price from £2 to £2 10s. per head.

Hon. A. McCallum: Scarcely as much as that.

The MINISTER FOR LANDS: Well I do not desire to exaggerate the position.

Hon. S. W. Munsie: I think you are well at the top.

The MINISTER FOR LANDS. Do not forget there is the cost of producing, the wastage that takes place, the cost of shipping and many other things. I believe it can be said the prices I have mentioned are on a fairly sound basis. It has been submitted that 1s. 3d. per lb. is the cost of producing wool. We in the Agricultural areas who are not depending entirely on wool, but are getting some revenue from wheat only, can produce wool probably cheaper than can the pastoralists in the North. I do not think it can be contended that any great injury will be done to a national asset by extending these leases. It is not going to cost the people of the State anything, and on the termination of the existing leases no doubt the Government of the day will extend those leases without question. Any Government would do it. But the point is we cannot afford at present to allow the excuse to be used that the term of the lease is so short that the security is not there for assuring further advances to assist the industry. Unfortunately that excuse is offered. It is offered because it has been suggested that it is impossible to satisfy overseas shareholders of companies that it is necessary still to make further advances to protect securities already held by those companies. It will cost the State nothing, and if it does give relief to the industry it is worth while giving it. Because I am fearful that the pastoral industry to-day is almost on the verge of collapse. As a matter of fact I know it. I am no pessimist, but knowing the amount of money the industry owes, and the difficulty of necessary financing, I am led to think we have to be very careful as to what we do. In every discussion that arises each half year when the rents are falling due, the Government are faced with this declaration: "Here you are. We are paying in more money in land rents and our security is waning every day." And it is perfectly true, because every half year means a half year

less of their security. The giving of this proposed extension will provide financial institutions with greater security and will give to the pastoralists the backing they need, and so will afford them encouragement to carry on. Also it will give to them the required security. If we were to consider the value of pastoral leases to-day, I think we should find they were very low. If valued on their production basis, I venture to say they would be very difficult to place on any market. On account of that grave uncertainty of the monetary value of the leases, I ask the House to agree to extend them as provided by the Bill. The House can accept my statement that the pastoralists of this State have very little accumulated wealth. The money that has been made in the industry—and I candidly admit a great deal has been made in the past—has been expended in many instances, particularly in the North-Western portion of the State, in additional improvements, with a view to increasing the carrying capacity of the leases.

Hon. P. Collier: A lot of the money has not been spent in improvements, but in the purchase of city property.

The MINISTER FOR LANDS: As a matter of fact, particularly in the North, much money has been diverted to other investments; but, unfortunately, those investments to-day are of doubtful value, and the holders are not able to get from them sufficient money to maintain their stations. Men who formerly spent their summers in the southern portion of the State are to-day confining themselves to their properties in the North; unless the properties are controlled by companies. To-day it is not apparent that there is a likelihood of the revival of remunerative prices for wool or sheep.

Hon. S. W. Munsie: What about the Ottawa Conference? Was that not going to do something for the cattle-raisers of Australia?

The MINISTER FOR LANDS: It was said so. Might I suggest to the hon. member, however, that before we can get any benefit at all in that connection, a tremendous amount of capital would have to be spent on the erection of chilling works in this State. We have to compete against such countries as the Argentine, which places its beef on the London market chilled. I do not mind telling members that it is very difficult for us to compete in frozen meat.

It would involve a very big capital outlay in the erection of chilling works in Australia to enable us to compete with the Argentine. As I said at the commencement of my speech, this industry is one of the few industries that have not come along to the Government asking for monetary assistance. Certainly, a little while ago the Agricultural Bank did make some advances to pastoralists, but, luckily for the State, very small amounts were advanced.

Hon. P. Collier: What has happened with regard to the money owing in connection with the Gascoyne scheme?

The MINISTER FOR LANDS: Only a very few people benefited there. I think members will agree that we have rendered assistance to the mining industry in the years when it required assistance. We have assisted the wheat farmer, the potato grower and the dairyman, and every other primary industry, probably with the exception of this one. The price of wool that I mentioned also includes the exchange, from 25 per cent. to 30 per cent. It has fallen to 25 per cent. now. In the interests of those getting the advantage of the exchange, I say long may it continue. It is estimated that a sum of not less than £5,000,000 is owing by the pastoral industry. That is a very substantial sum. Interest on it has to be met, when it can be met, and current expenses have to be paid.

Hon. P. Collier: Who made that estimate? Have we any authoritative figures on the subject?

The MINISTER FOR LANDS: I could not say. That is as near as possible to the amount.

Hon. P. Collier: That is the figure given by the pastoralists.

The MINISTER FOR LANDS: It was obtained, as a matter of fact, from one of the financial institutions; not from one of the stockbrokers, but one of the banks.

Hon. P. COLLIER: I would like to have proof of the figure.

The MINISTER FOR LANDS: I do not think the amount would be very far out, because I know that when some of the stations were sold, a very large amount of capital was provided to finance the purchase.

Hon. P. Collier: Five millions is a lot.

The MINISTER FOR LANDS: Yes, but when you compare it with the amount ow-

ing by the wheatgrowers of the State, after all it is not so much.

Hon. P. Collier: The two are not comparable.

The MINISTER FOR LANDS: Dealing with the Bill itself, I am talking of the principles involved. It is proposed to ask the House to extend the term of the leases for 34 years from 1948 to 1982.

Hon. P. Collier: Or 50 years from now.

The MINISTER FOR LANDS: Yes.

Hon. W. D. Johnson: Why don't you make it 99 years?

The MINISTER FOR LANDS: If the hon. member desires that, I will raise no objection.

Hon. W. D. Johnson: Give them away altogether.

The MINISTER FOR LANDS: The hon. member says "give them away," but nobody in the House knows better than the hon. member the state of the primary industries.

Hon. W. D. Johnson: This is not going to put them right.

The MINISTER FOR LANDS: Nobody is more entitled to the sympathy and help of the hon. member than these people are.

Hon. W. D. Johnson: It is this kind of thing that has brought us to the state we are in.

The MINISTER FOR LANDS: I am satisfied it has not. As I have pointed out, we have provided no money to assist the industry, except the money expended on public works, and one or two minor works, such as wire netting fences. I think the pastoralists are still paying interest on the money expended on those items.

Hon. P. Collier: How much has been written off lately?

The MINISTER FOR LANDS: Not very much.

Hon. P. Collier: How much?

The MINISTER FOR LANDS: Roughly, £18,000. The Bill will also apply to any new country taken up. Unfortunately, during the past two years a number of properties have been abandoned, and I know that no member of this House would suggest it is a business proposition for anyone to take them up on a lease with 16 years to run, providing capital to stock them, and making improvements in order to carry the stock.

Hon. W. D. Johnson: Other leases have more than 20 years to run.

The MINISTER FOR LANDS: This is a very important matter from the State's point of view.

Hon. P. Collier: Where is the new country waiting to be taken up?

The MINISTER FOR LANDS: There are many abandoned properties, and I regret to say that every day more are being abandoned. Particularly does that apply to the West Kimberley. There are also quite a number of new areas available for selection for pastoral purposes.

Hon. P. Collier: Perhaps the Minister could, before the Bill goes through, give us some information about them.

The MINISTER FOR LANDS: I will bring a map—provided it can be returned to the department—showing the areas. Some little time ago, in order to discourage as much as possible the abandoning of properties—I do not propose to say publicly for what reason—I gave instructions that a map should be prepared showing the areas available for selection. A glance at the map will show members the areas available.

Hon. P. Collier: Are you referring now to the abandoned properties?

The MINISTER FOR LANDS: Yes. The provision that was inserted in the Bill last year for reassessment of rents every 15 years has been continued in the Bill now before the House. Members will recollect that we altered the rents last year. They were to be adjusted on a wool-value basis. In the case of the Kimberleys, we made a reduction of 40 per cent. on one portion and I think 20 per cent. on another. We also decided that there should be a re-appraisal of the Kimberley leases during next year, 1933, and also 15 years after that. In the case of the wool growers, there shall be a re-appraisal 15 years after 1931. The re-assessment provision will be continued in the amending Bill.

Hon. P. Collier: Were the sheep properties re-assessed last year?

The MINISTER FOR LANDS: No, but we fixed the rental according to the value of the wool. As the value of wool went up, we received more; as it went down, we received less, provided that it did not get 30 per cent. below the basis fixed for the rental. It is proposed, in order that members may know something about how the assessments are made, to lay on the Table of the House the report of those who make the assessments. It is also proposed to give pastoralists the opportunity of appealing to the

board. There are instances where the rental value has been fixed after the lease has been selected, subject to the rental being reassessed. In some cases, the information at the office has not been quite up to date and it has been found that the rental is unfair. This provision will give pastoralists the opportunity of appealing against that rental. That applies to new leases as well as to old leases. Provision is made—and this applies particularly to the Kimberleys, where there is nothing but cattle country and very little fencing—that where the stations belong to companies the management may be assigned to one person. I think the Act at present provides that every station shall have its own manager; but, in order to cut down expenses, it is proposed, of course subject to the approval of the Minister, to permit companies to have one general manager, provided that stocking conditions are complied with and the ordinary maintenance kept up. It is proposed to impose additional improvement conditions with a view to encouraging the improvement of stock, particularly in the Kimberleys. The Bill provides that the Minister may direct that the stock be improved by the building up of stud stock, both in the Kimberleys and in the North-West. When going through the Kimberleys one feels convinced there has been a very great deterioration in the stock bred there during the past few years. In order that the station owners there may get the most out of their properties, it is proposed to encourage the improvement of their stud stock. The same remark applies to the sheep stations. Particularly in the South-West, where fencing and water supplies seem to have been very efficiently provided and maintained, it is intended to encourage the breeding of better sheep. Some of the stations in the South-West are to-day cutting up to 12 lbs., while some are cutting only 4 lbs. In order to give them some encouragement, the Bill provides for the improvement of flocks by the improvement of stud stock.

Hon. W. D. Johnson: More pious hopes!

The MINISTER FOR LANDS: The hon. member may have an opportunity of seeing whether they are pious hopes.

Hon. W. D. Johnson: It has been talked of for the last 25 years.

The MINISTER FOR LANDS: No one knows better than the hon. member whether an improvement has been made in the stock of this State.

Hon. W. D. Johnson: I admit it has been mighty slow.

The MINISTER FOR LANDS: But let this House set some example.

Hon. W. D. Johnson: It is the other way round.

The MINISTER FOR LANDS: If we are to encourage the breeding of better stock—

Hon. W. D. Johnson: You will not encourage the breeding of better stock by retaining large holdings.

The MINISTER FOR LANDS: I think it could be brought home to the people in the Kimberleys that a great deal more fencing is required, that more water supplies are needed, and that the stock ought to be segregated. The breeding stock needs to be kept apart from the stock to be marketed. All those things could be done. The first step is to get the right class of stock so that, when it matures, it will bring a good price. Even if it is only a pious hope, let us give it a trial. So far we have not been able to do anything in that direction. The improvement conditions proposed are set forth in the schedule to the Bill. If there is any member who feels that the industry can be carried on without this assistance, I am sorry for his lack of knowledge. I do not think any member imagines that the industry does not deserve the assistance being asked. Whether we are giving the assistance in the right way or not may be a matter of personal opinion.

Hon. P. Collier: No doubt the industry needs assistance; all primary industries do, but this is not going to give it assistance. It will not enable the industry to get a higher price for wool or sheep.

The MINISTER FOR LANDS: But meanwhile it will encourage the provision of the money required to carry on the industry.

Hon. P. Collier: It will not.

The MINISTER FOR LANDS: The knowledge I have gained during the last two years has justified my action in introducing the Bill. The measure has no political significance whatever. If I thought we could help the industry in any other way, the Bill could stand over but I know of no other way. I ask members, if they had money to invest, would they be prepared to put in into a security that had only 16 years to run?

Hon. S. W. Munsie: With the positive knowledge that the lessees would get an extension when the time comes. Why grant an extension 16 years before it is due?

The MINISTER FOR LANDS: I am not sure that an extension would be granted.

Hon. S. W. Munsie: You said that, whatever party were in power, they would extend the term of the leases. Would not that apply to 1948?

The MINISTER FOR LANDS: While we might possess that knowledge, does the hon. member realise how difficult it would be to satisfy people with money to finance the industry?

Hon. S. W. Munsie: I heard that said 15 years ago.

The MINISTER FOR LANDS: This House agreed in 1917 to a 20 years' extension when wool was 1s. 5d. per lb. The price of wool was fixed at that time under the War Precautions Act. To-day, and for the last three years, wool has not averaged 9d. per lb.

Hon. P. Collier: That extension was much more improper than this one would be.

The MINISTER FOR LANDS: I was not in the State at the time the extension was granted.

Hon. P. Collier: I was here and I opposed it strongly, too. The same tale was told then.

The MINISTER FOR LANDS: The same tale could not have been told then.

Hon. S. W. Munsie: The same reasons were given.

The MINISTER FOR LANDS: Prices are now down far below the cost of production. There was not the capitalisation in 1917 that there is to-day.

Hon. P. Collier: That is so, but I meant that the same tale was told about the money to be made available and the improvements to be effected.

The MINISTER FOR LANDS: I think the Leader of the Opposition has had an opportunity to see the tremendous improvements made there since 1917. If he has not, his colleagues have. It is true that money was made available after 1917, not the new money for which I am seeking to give security, but the money the industry provided.

Hon. W. D. Johnson: It was not the legislation that did that.

The MINISTER FOR LANDS: Even if this measure were the means of improving the price, which I know it cannot do, would not everybody be delighted?

Hon. W. D. Johnson: Do not attribute the improvements to legislation. They were due to the increased price of wool.

The MINISTER FOR LANDS: The hon. member has such a thorough knowledge of sheep, wheat and cattle—

Hon. W. D. Johnson: And I know the North-West.

The MINISTER FOR LANDS: The hon. member is aware of the losses that have been made by our agriculturists during the last few years.

Hon. W. D. Johnson: That has no bearing whatever.

The MINISTER FOR LANDS: If the measure will attract sufficient capital to carry on the industry, it will be worth while.

Hon. W. D. Johnson: It will not do so.

The MINISTER FOR LANDS: I am sorry to hear the hon. member's condemnation. There are members who believe otherwise. I am prepared to leave the Bill to the judgment of the House. Members must accept the responsibility. I honestly believe in my own mind that the measure will bring to the industry the renewed confidence that we desire; it will provide security to continue the operation of the industry, and it will attract the wherewithal to carry on the necessary improvements so that, even under present-day conditions, more money may be obtained from some of those areas, particularly from the cattle areas. I move—

That the Bill be now read a second time.

On motion by Hon. P. Collier, debate adjourned.

## BILL—TIMBER WORKERS.

### *Second Reading.*

Debate resumed from the 28th September.

**THE ATTORNEY GENERAL** (Hon. T. A. L. Davy—West Perth [5.22]): I am sorry that I do not feel prepared to recommend the House to pass the Bill. I realise that its object is to extend help to people, some of whom need help, but my objection is first one of principle, and that is my dislike to forcing by law the fiction that a relationship shall be deemed to exist that does not, in fact, exist. The object of the measure is to provide that the relationship of master and servant shall be deemed to exist where, in fact, it does not exist. It



is true that has been done in the Workers' Compensation Act and the member for Forrest has more or less followed the wording in the amendment made to that Act in 1923. That does not seem to me to be a good reason for doing it in two entirely different measures. It may have been right or wrong to do it then, but that does not seem to be a good reason for doing it in other measures. In addition to that objection on principle to forcing a relationship that does not exist, I think the Bill will not effect the aim of the hon. member. She quoted to us the judgment of the Chief Justice and Mr. Justice Dwyer in the case of *Tucak v. Milentis*, and presumably she told us the facts of that case as an illustration of the type of thing her Bill was designed to alter. The Bill, in my opinion, will not in the slightest degree affect the position that arose in the case of *Tucak* and *Milentis*. I think *Milentis* was the principal and *Tucak* the contractor. *Tucak* made a contract whereby *Tucak* was to supply *Milentis* with a certain number of sleepers at so much per sleeper or per load of sleepers. Payment was to be made on the sleepers being passed, presumably by an officer of the Forests Department. *Tucak* was not paid, and he proceeded against *Milentis* in the Police Court under the Masters and Servants Act, and the matter finally reached the Full Court. What the Full Court held, in effect, was that there was no relationship of master and servant between *Tucak* and *Milentis*. The legal relationship, so far as the evidence disclosed, was that of vendor and purchaser. In effect, *Tucak* agreed to sell so many sleepers to *Milentis* at so much per sleeper or per load. Therefore the court held that the Masters and Servants Act could not possibly cover the position. This Bill would still leave that position as it is. Except so far as it may affect the position of a man who at present is deemed to be an independent contractor and therefore not covered by an award, the result of passing the Bill, it seems to me, will certainly be to induce or encourage all persons in future making contracts for the supply of sleepers to follow the procedure followed in *Tucak* and *Milentis*; that is, frame all their contracts in the shape of a contract for sale on the one hand and purchase on the other hand. That would entirely defeat any effect that

this Bill might have. In order to prevent that being done, we would have to bring down legislation more far-reaching than this Bill is. We would have to introduce a measure similar to the tribute agreement provisions in the Mining Act. We would have to provide that sleepers could only be purchased on contract and that we would make for the parties a contract as in effect we do for the tributers. So far as I can see, nothing short of that would effect the object the hon. member desires. The Bill is a short one, but the results, if the measure be passed, may not be so short. Just where it might lead us, I do not know. I accept the hon. member's statement. I believe it is probably true that there are people in the timber industry who are being exploited. Whenever a shortage of work occurs, competition for the little work offering tends to drive rates down and down. Unfortunately, in this industry there are quite a number of very new citizens, perhaps many of them unable to speak the English language, and some of them are exploited, I understand, by their fellow countrymen who have been here a little longer than they have been.

*[The Deputy Speaker took the Chair.]*

Hon. S. W. Munsie: That is so.

The ATTORNEY GENERAL: I should like to see legislation that I could accept that would prevent it, but this measure will not do so, and it has the objection that it proposes to force everybody into the relationship of master or servant. The independent contractor in all instances is to be prevented from operating. Attempts have been made along similar lines to drive everyone into the category of employer and employee. Sometimes the attempts were made by unions of workers, sometimes by unions of employers, and at other times by both in combination. An effort was made at one time practically to wipe out the so-called one-man baker. I think that if the master bakers and the operatives had their way to-day, the one-man baker would be wiped out. Independent men usually prefer to work for themselves and, personally, I consider the one-man baker represents a healthy safeguard to the community. I recommend to the House that the Bill be not passed.

**MR. WILSON** (Collie) [5.31]: I support the second reading of the Bill, for two reasons. In the first place, I want to protect the worker so that he will be able to secure his wages and his compensation under the Workers' Compensation Act, should he meet with an accident. Then I want to protect the bona fide employer. It is a matter of common knowledge that there are unscrupulous employers who are engaged in undercutting in the timber industry and are prepared to take contracts at 10s. to £1 a load under what is the generally recognised price. Such employers are to be found all over the country, and they get all sorts and conditions of men who will cut at low prices, even at 10s. a load. Instances are quite common in the South-West of poor devils who, after working for three or four months, have been unable to get a penny of their wages from their unscrupulous employers. If the Bill does nothing beyond protecting the workers and bona fide employers, it will be a step in the right direction. If we are not to agree to the passage of the Bill, the Attorney General should at least give us some lead indicating how the member for Forrest (Miss Holman) should proceed in order to protect the timber workers.

The Attorney General: I cannot suggest anything other than suing the employers.

**MR. WILSON:** The instance quoted by the member for Forrest showed how futile that course has proved because people have lost more money through taking action at law. Surely the timber workers should be protected. Although many of the unscrupulous employers do come from foreign countries, the services of interpreters are available. But the trouble is that some of them are not good friends at all. Incidentally it may be as well to state that it is not foreigners only who have taken the timber workers down. Some of the British and Australian-born are the worst scoundrels of the lot. We had a striking example about a month ago. Sleeper cutters could not secure their wages until action was taken in Parliament. If the Bill will result in some protection being extended to those I have mentioned, I shall support it.

**HON. A. McCALLUM** (South Fremantle) [5.35]: If I understood him correctly, the Attorney General took exception to the Bill under two headings. First of all, he said that the Bill set out to establish

the relationship of employer and employee, of master and servant as between two individuals, whereas that relationship, in fact, does not exist. There is no natural law that establishes the position of master and servant. Practically every law that Parliament has passed has established a position of which it could be said it did not exist. The relationship between master and servant is that which the Masters and Servants Act prescribes. The Act defines the position; there is no natural relationship as such. If we are to accept the statement of the Minister for Lands when he introduced another Bill, when he said that quite a number of the pastoralists were merely employees of financial institutions, we find that the relationship of master and servant actually applies to them. Yet, according to the Attorney General, that relationship does not, in fact, exist. What is the relationship of master and servant? It is merely what Parliament sets it out to be. Nothing more than that is aimed at in the Bill, and the Bill sets out to do no more than has already been done by scores of measures that we have passed from time to time. The Bill is not unique in that respect. The Attorney General, by introducing many such Bills himself, has established by law what he denied existed in fact. That is all that is attempted in the Bill, and therefore I do not think the Attorney General's argument in that respect was at all sound. If it were sound and had to be regarded as vital in determining the fate of the Bill, quite a large percentage of the Bills passed by Parliament could be rejected on the same ground. The next point the Minister took was that the wording of the Bill was taken from the Workers' Compensation Act and that if the provisions were included in the Bill, the objective sought would not be achieved. The reply to that is that the Arbitration Act has effected the purposes for which it was passed, and that applies with regard to the Workers' Compensation Act to a great extent. Therefore the legislation has not proved abortive from that standpoint. If it has not achieved all that was desired, it has gone a long way towards gaining that end. I think it will be time enough for the Attorney General to raise the second point when the results have proved contrary to our expectations. If, as he suggests, the Bill could be circumvented by the parties establishing the relationship of vendor and purchaser, how is it that that course

has not been adopted to evade the provisions of the other Acts I have mentioned?

The Attorney General: I think it has been.

Hon. A. McCALLUM: It may have been in isolated instances, but it has not been done generally. I do not say that the Arbitration Act and the Workers' Compensation Act have achieved 100 per cent. of their objectives, but if the member for Forrest were to be successful with the operation of her Bill to the extent that those two Acts have proved effective, substantial relief will be afforded respecting evils that exist to-day. The second point raised by the Attorney General may have more force than the other, but I do not consider his objections should warrant the defeat of the Bill. We should approve of this attempt to put a stop to the nefarious practices indulged in now, which the member for Forrest is attempting to redress under the Bill. In view of the underlying principles, no sound objection can be taken to the measure. If it is found subsequently that the relationship of vendor and purchaser is adopted to circumvent the legislation, we may be able to find some other way out of the difficulty. The fact remains that that course has not been adopted to any extent to defeat the Arbitration Act or the Workers' Compensation Act, and I am certain that if it were possible to do so by that means, action would have been taken in that direction long ago. Doubtless there must be some difficulties, otherwise attempts would possibly have been made more generally with that object in view. I think it is worth while passing the Bill because the Attorney General has admitted that grave injustice has been worked in the timber industry. We are all aware that that is so. I do not suppose there is one member who has not had some such instances brought under his notice. The Minister was right in saying that this sort of thing is indulged in largely amongst foreigners, but that is not exclusively so. An attempt to remedy the position is worth while, and as a move in that direction I support the second reading of the Bill.

**MISS HOLMAN** (Forrest—in reply) [5.41]: I am naturally very disappointed to find, after waiting for three months, that the Attorney General has seen fit to recom-

mend that the Bill be not passed. He suggested that there may be some other way of getting over the difficulty, and possibly had the Bill been dealt with earlier in the session, we might have had time to adopt some other course. I still believe that the Bill will go a long way towards achieving what we desire. As pointed out by the member for South Fremantle (Hon. A. McCallum), the Attorney General's first objection was that the Bill sought to establish by law a relationship between the parties that does not, in fact, exist. The amendment made some time ago to the Workers' Compensation Act was with that object in view, namely, to create by law something that did not exist in fact. The Crown Law Department was so certain that a relationship did exist, that part of the expenses of an appeal to a higher court was paid by the Government. When it was found that the higher court would not allow the appeal, the Workers' Compensation Act was amended to cover sleeper cutters. The Attorney General said that the fact that the Workers' Compensation Act was amended, was no good reason why the House should agree to the amendment embodied in the Bill. For my part, I regard it as an absolutely sound reason, because we now have the illogical position of workers being covered by the Workers' Compensation Act, but not by the Master and Servants Act or by the Arbitration Act. It is a fact that the sleeper cutters are covered by the Workers' Compensation Act. At one time the insurance companies charged such a high rate that it was almost impossible to insure sleeper cutters, and the State Insurance Office took over that form of risk. The men are now insured by that office, and that fact is made clear when we see the amounts that have been paid in settlement of compensation claims. The Attorney General considers that the Bill will not affect the situation. He also said that the Bill would not affect a position such as that which arose in the case of *Tucak v. Milentis*. That is a very grave injustice, and we should by some means alter the position that exists. *Milentis* has not yet been paid. A grave injustice is being done by reason of the fact that the workers do not get the benefit of other Acts in addition to the Compensation Act. The Attorney General said that the Bill would still leave the position as it was, and also that the results may not be as short

as the Bill. It will be curious if the position is to be retained as it is and there also remains a doubt as to the result.

Hon. P. Collier: It cannot go to further lengths and still goes nowhere.

Miss HOLMAN: The Attorney General also said that the independent contractor would be prevented by the Bill from operating. So the position will not remain as it is in that direction also. I do not believe that the independent contractor will be prevented from operating. Anyway, I do not care about the independent contractor; he can look after himself. The man I am concerned about is the worker who is forced to cut sleepers at any rate, the man who has no award rate under which to work, the man who cannot get his money, not even by going to the courts. I want some hold over the independent contractors; I want to stop them from exploiting the men who are cutting sleepers. The position at present is that a man has to cut sleepers for a rate that will not let him earn the basic wage, and if he can get two loads of sleepers per week he still cannot earn that wage. That position has been going on for months. It is true also that some of these contractors are forcing men to pay their own insurance rates. Fancy £1 18s. for a load of sleepers with nothing allowed for compensation! Imagine men having to work for such a rate, and being exploited by independent contractors. Storekeepers have been carrying the sleeper cutters for a considerable time and in many cases they have not had anything from the cutters who have not the money with which to pay. The hewer has always been recognised in the industry as a piece-worker; he has never been recognised as a contractor. The man who actually cuts the sleepers in the bush does not own those sleepers. Royalty has to be paid to the person who owns the land from which the sleepers are cut. The position to-day is that all these men are being exploited; we have no protection for them, and the Minister is taking up the position that because the Bill does not exactly fit in with his legal ideas, it should not be carried by the House. As the member for South Fremantle said, quite a number of Bills that have been brought down have not fitted in with the ideas of the Attorney General; consequently I do not think one more will make very much difference. At any rate, I would be willing to make a test. This is not a new idea; it was put into operation when the Compensation

Act was amended in 1923 by the present Premier who was then in power. My proposal is an amendment of certain Acts and it will bring the men in question under the title of "workers" and "employed" under those Acts. That is not too much to ask. It might be the view of the Attorney General that this is a new departure; he says that it is a departure from the legal definition of master and servant. All the same, these unfortunate workers must be protected and the House should not be afraid to make the departure from what the Attorney General says is the recognised legal position. But the time is so late, that even if I were to agree with the Attorney General that the Bill will not cover the whole position, we would not have the opportunity to do anything else. Again I point out that Parliament in 1923 approved of this principle, and as it approved of the principle that the claims of timber workers and piece workers in the industry with regard to compensation should be safeguarded, then I see nothing dreadful in the House agreeing to my request to safeguard the rights of those people when it comes to a question of getting for them the money that they have earned. It is logical for Parliament to widen the principle so that these men can be assured of receiving the money that they have earned. The position has been made quite clear by the judgment that I quoted, and referred to by the Attorney General, the case of Eloff versus Lewis and Reid. I am advised that the Bill will cover any case such as that. That is what we want to do. The actual worker is the man I want to protect, not the independent contractor. If it has been found that the law requires to be widened or improved in its relation to certain people, then we should not hesitate to widen or improve it. That is the reason why Sir James Mitchell secured in 1923 the amendment to which I have referred. This is an industry which has been exploited by newcomers, by sub-contractors and by independent contractors, and it has even been exploited by some of the recognised employers. In days gone by we have never been able to get much more than the employers were forced by law to give us, but in connection with the part of the industry to which the Bill refers there is no law. The peculiarities of the industry and the grave hardship and the tragedy of leaving these workers without legal rights, in the case of injury, led

to Parliament in 1923 altering the law. That law expressly provided that these men were to be re-created as workers under the Workers' Compensation Act. There is no logical reason in the world for Parliament to say that so far as the rights of compensation are concerned, these men are workers within the meaning of the Act, but so far as the rights of wages are concerned, they are not workers within the meaning of common law. To make the position logical and equitable, the Bill is submitted.

Question put and passed.

Bill read a second time.

*In Committee.*

Mr. Richardson in the Chair; Miss Holman in charge of the Bill.

Clause 1—agreed to.

Clause 2—Certain persons engaged in the timber industry to be deemed workers and employers and to be parties to contracts of service:

Miss HOLMAN: I move an amendment—

That in line eight of Subclause 1, after the word "him," the following be inserted:—"Whether by contract of service or contract for services" be inserted.

This will improve the Bill and give me the scope I require.

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

Clause 3, Title—agreed to.

Bill reported with an amendment and the report adopted.

*Third Reading.*

Bill read a third time and transmitted to the Council.

**BILL—LAND AND INCOME TAX ASSESSMENT FURTHER AMENDMENT (No. 1).**

*Second Reading.*

Order of the Day read for the resumption of the debate from the 28th September on the second reading.

Question put and passed.

Bill read a second time.

*In Committee.*

Mr. Richardson in the Chair; Mr. H. W. Mann in charge of the Bill.

Clause 1—Short title:

The PREMIER: Clause 2 of the Bill as distributed to-day is to take the place of Clause 2 of the hon. member's Bill as originally introduced. The idea is to exempt from taxation land held for certain purposes. The clause as originally worded would not have achieved what was required. In the Bill as presented to members this afternoon the necessary alteration has been made. This will necessitate amending the Title of the Bill.

The CHAIRMAN: That can be done if the clause is negatived.

Clause put and negatived.

Mr. H. W. MANN: I move—

That the following be inserted to stand as Clause 1:—"This Act may be cited as the Land and Income Tax Assessment Act Amendment Act (No. 1), 1932, and shall be read as one with the Land and Income Tax Assessment Act, 1907-1931, as reprinted in the Appendix to the Sessional Volume of the Statutes for the year 1924, and as amended by the Land and Income Tax Assessment Act Amendment Act, 1930 (No. 42 of 1930), and the Land and Income Tax Assessment Act Amendment Act, 1931 (No. 42 of 1931), hereinafter referred to as the principal Act."

Hon. P. COLLIER: The Title as now propounded by the member for Perth is the whole Bill. From what source did he get it?

Mr. H. W. Mann: From the Crown Solicitor.

Hon. P. COLLIER: This is the first Bill I remember where the short Title amends so many Acts. I suppose it is all right, but it is far from being clear.

New clause put and passed.

Clause 2—Amendment of Subsection 1 of Section 10:

The CHAIRMAN: The same procedure had better be followed in regard to this clause.

Clause put and negatived.

Mr. H. W. MANN: I move—

That the following be inserted to stand as Clause 2:—"Subsection one of section ten of the principal Act is amended by inserting after the word 'occupied' in line thirteen of paragraph (c) the words 'or held.'"

I am sorry the necessity has arisen for treating the Bill in this manner, but I have for a long time been trying to get the measure through.

Hon. P. COLLIER: This is a most extraordinary procedure. The hon. member brings down a Bill of two clauses. He withdraws the first, the short Title, and substitutes another, and when we come to the remaining clause, that also is withdrawn and replaced by something entirely new. It is a new Bill altogether. I do not know if there is anything in the fact that this is the first day on which the Standing Orders have been suspended, thus enabling the hon. member to put through these new proposals. I have not had an opportunity to look at the amended clauses. Has the hon. member been waiting all these months until the present occasion in order to bring in a new Bill?

Mr. H. W. Mann: I assure you it is all right.

The Premier: I am afraid I am the culprit in this case.

Hon. P. COLLIER: Had I thought we were going to have a new Bill, I should have wanted to discuss it on the second reading.

The Premier: The new Bill achieves the same object, but in the right way.

Hon. P. COLLIER: I have not yet had time to satisfy myself on that point.

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

Mr. H. W. MANN: Before the tea adjournment we negatived the clause with a view to inserting other words.

Hon. P. Collier: Which of your two Bills are you on now?

Mr. H. W. MANN: I have already moved the new clause to stand as Subclause 2.

Hon. P. Collier: I take it that is in the new Bill.

New clause put and passed.

Title:

Mr. H. W. MANN: I should like the Title to be negatived, so that I might move an amendment.

Title put and negatived.

Mr. H. W. MANN: I move an amendment—

That the following be inserted as the Title:—"An Act to amend Subsection 1 of Section 10 of the Land and Income Tax Assessment Act, 1907-1931."

Amendment put and passed.

Bill reported with amendments and an amendment to the Title, and the report adopted.

*Third Reading.*

Bill read a third time and transmitted to the Council.

## BILL—FINANCIAL EMERGENCY ACT AMENDMENT.

Received from the Council and, on motion by Mr. Sampson, read a first time.

*As to Second Reading.*

Mr. SAMPSON: I move—

That the second reading be made an Order of the Day for the next sitting of the House.

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

Ayes	..	..	..	..	14
Noes	..	..	..	..	27

Majority against .. 13

### AYES.

Mr. Angelo	Mr. McLarty
Mr. Barnard	Sir James Mitchell
Mr. Brown	Mr. Patrick
Mr. Doney	Mr. Piessie
Mr. Ferguson	Mr. Sampson
Mr. Keenan	Mr. J. H. Smith
Mr. Lindsay	Mr. Griffiths

(Teller.)

### NOES.

Mr. Church	Mr. North
Mr. Collier	Mr. Nulsen
Mr. Coverley	Mr. Pantou
Hon. J. Cunningham	Mr. Parker
Mr. Davy	Mr. Scaddan
Miss Holman	Mr. Sleeman
Mr. Johnson	Mr. F. G. L. Smith
Mr. Kenneally	Mr. Thorn
Mr. Latham	Mr. Wansbrough
Mr. J. I. Mann	Mr. Wells
Mr. Marshall	Mr. Willcock
Mr. McCallum	Mr. Withers
Mr. Mullington	Mr. Wilson
Mr. Munster	

(Teller.)

Question thus negatived.

Mr. SPEAKER: The Bill is dead.

## BILL—LAND AND INCOME TAX ASSESSMENT ACT AMENDMENT (No. 2).

*Second Reading.*

MR. SAMPSON (Swan) [7.42] in moving the second reading said: The Bill provides that from an income tax assessment there may be deducted gifts of £1 and upwards proved to the satisfaction of the Commissioner to have been made out of the ac-

cessable income derived during the year in which the gifts are made to any fund established for the relief of persons in necessitous circumstances, or for the purpose of constructing, supporting or maintaining a public hospital in any part of the State. The amendment is really an addition to Section 31 of the Land and Income Tax Assessment Act, and the passage of the Bill will remove an inconsistency as between the State Act and the Federal Act. Section 23 of the Federal Act reads as follows:—

In calculating the taxable income of a taxpayer, the total assessable income derived by the taxpayer shall be taken as a basis and from it there shall be deducted . . . . .

(h) (ii) gifts of £1 and upwards made out of the assessable income derived during the year in which the gifts are made to public charitable institutions in Australia . . . . .

“Public charitable institution” means a public hospital, a public benevolent institution, and includes a public fund established and maintained for the purpose of providing money for such institutions or for the relief of persons in necessitous circumstances.”

I quote that to show the absence of such provision in the State Act. It amounts to an anomaly as between the two Acts. The Bill is of one clause only, but it contains a principle that should be inserted. Last year the second reading stage of this Bill was reached, but on account of sickness towards the close of the session I was unable to proceed with it. It is important that I should point out that no additional work in the way of checking will be required if the amending Bill is passed, because at present, as I have indicated, the provision is in the Federal Act, and therefore there will be no additional clerical work to be done. The amount to be deducted in this way may not be large, but the effect of the measure, I submit, would be to encourage the free giving to funds for charitable purposes. The needs of the unemployed are considerable, and they are actually the persons referred to in the Bill as being in necessitous circumstances. In the opinion of many people, the trend of modern finance and legislation is to dry up and kill the charitable spirit. From the cold business aspect, I submit it will pay the Government to approve of this measure because, as I have said, it will have the immediate effect of encouraging people to help those who for the time being are unable to help themselves. It has been noticeable in the “West Australian” recently to what an

extent private charity is declining. If amounts are given by people for the relief of the unemployed, those amounts should be treated as deductions and brought under Section 31 of the Land and Income Tax Assessment Act.

Mr. Kenneally: Would the hon. member support the proposal to exempt the amount from the other provision when we move it?

Mr. SAMPSON: The Bill does not affect the Financial Emergency Act. I am afraid I did not catch the hon. member's interjection. The Bill is more than a gesture: it is a definite encouragement for people to help those temporarily unable to care for themselves. On looking up the records, I find that in 1920 the Premier secured the passage of a Bill on somewhat similar lines, and I applaud him for it. The proposed Bill is introduced in a similar spirit. I believe members generally will support it. I have no desire to labour the matter. I trust the Government will give their approval to the Bill and allow it to become law thereby giving taxpayers that consideration which is already given to them by the Federal Act. I move—

That the Bill be now read a second time.

**THE PREMIER** (Hon. Sir James Mitchell—Northam) [7.48]: I hope the result of the Bill will be what the hon. member anticipates. I do not know, however, that it will encourage private giving; but if it will encourage people to help those in necessitous circumstances I think we ought to approve of it. I would point out that the deduction can only be claimed if the money is paid to a fund established for the relief of necessitous persons. The Bill will bring our Act into line with the Federal Act. I sincerely hope it will be the means of securing donations to the funds mentioned by the hon. member, but I doubt it. In order that people may be encouraged to give to these funds, I have no objection to offer to the Bill.

**MR. SLEEMAN** (Fremantle) [7.50]: It does not seem to me very reasonable that people who are intending to give one pound to charity—

Mr. Sampson: That is the minimum.

Mr. SLEEMAN: It does not seem to me they will withhold their pound simply because the Bill brought down by the member for Swan is not passed. It strikes me that

the hon. member is inconsistent. His object is to grant relief to the man with money who is intending—

The Premier: To give it away.

Mr. SLEEMAN: Yes. Of course, I applaud the man who gives to charity, but the other evening, when we were endeavouring to provide for exemptions for people on sustenance, the member for Swan did not wholeheartedly support our efforts. He supported the taxation of men on sustenance, and now he comes along with this Bill. While I do not actively oppose the Bill, I do not think it will do much good. I am inclined to think the average man who is disposed to give £1, or even £5, to charity, does not consider whether he can claim the amount as a deduction from his taxable income. He gives the money out of goodness of heart. I do not think the Bill will get the member for Swan very far.

MR. KENNEALLY (East Perth) [7.52]: As the Premier has pointed out, there will be no exemption unless the amount is paid into a fund. The usual donation of £1 is very seldom paid into a fund. The principle by which the hon. member is actuated in introducing the measure is a good one, but it would have been better if the hon. member could have seen his way to support the proposal for the granting of actual relief to men on sustenance. This is a Bill to grant relief to men who have money. The hon. member had the opportunity of voting for relief for men who have not got money. I cannot quite understand a man who will vote for taxation to be levied on a married man receiving £2 1s. per week, and at the same time vote for the exemption from payment of income tax of donations given by the wealthy to assist the poor, who, after all are their victims. I approve of the principle of the Bill. If we can get more donations for charitable purposes from people who have money to give, it will be to the benefit of the State. If a measure such as this offers some slight inducement—I do not think it will—for people to give because they will not have to pay taxation on the amount given, I will support it.

HON. M. F. TROY (Mt. Magnet) [7.54]: It is extraordinary that we should be called upon to discuss a measure of this kind at this late hour of the session. The Bill provides that gifts of £1 and upwards to charitable funds or public hospitals shall

be deducted from the taxable income of the donor when assessments are made for income tax payments. I do not think it will bring one more gift to such funds. People do not give donations because they can claim them as deductions from their income: that never occurs to them. They give because they have the heart and mind to do so. They would not give for any other purpose, certainly not because they would save a fraction of a penny on the income tax which they have to pay.

Hon. P. Collier: They would not think of it.

Hon. M. F. TROY: Exactly: I like to encourage charity, but I would not vote for a special Act of Parliament to encourage it. The Bill is ridiculous and petty. I do not think it will in the slightest degree encourage people to give, because they do not give for those reasons.

Hon. P. Collier: How much would a person save—about 2d. a year on £10.

Hon. M. F. TROY: It is a proper thing for people to give money to charity from goodness of heart. To that extent they reduce the claims made on the State, and they ought to be encouraged. But this measure will not have the effect anticipated. At any rate, why should we stop at £1? There are thousands of people who give 2s. 5s., and 1s. to various funds. Why should they not be considered?

Hon. P. Collier: I should say the bulk of the money contributed to funds is made up of shillings, not pounds.

Hon. M. F. TROY: Of course it is. Most of the funds are made up of small amounts. It is ridiculous to bring in a Bill of this kind at this late hour of the session. The hon. member has laboured all the session, and this is what he has brought forth.

Hon. P. Collier: It is a real Swan Bill.

Hon. M. F. TROY: Yes. It will not bring one solitary penny more to the funds, because people do not give money away with the idea of deducting it from their assessable income. If a person did, it would do him no good. He gives because it does him good. He feels an inward glow because he has done the right thing. He might have thrown it away, or given it to a wrong object. While I do not oppose the Bill, I think it is hardly the type of legislation to bring down to Parliament.



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

Ayes	..	..	..	24
Noes	..	..	..	20

Majority for .. 4

**AYES.**

Mr. Angelo	Mr. McLarty
Mr. Barnard	Sir James Mitchell
Mr. Brown	Mr. Munzie
Mr. Davy	Mr. Parker
Mr. Doney	Mr. Patrick
Mr. Ferguson	Mr. Piesse
Mr. Griffiths	Mr. Richardson
Mr. Keenan	Mr. Sampson
Mr. Latham	Mr. J. M. Smith
Mr. Lindsay	Mr. Thorn
Mr. H. W. Mann	Mr. Wells
Mr. J. I. Mann	Mr. North

(Teller.)

**NOES.**

Mr. Church	Mr. Nulsen
Mr. Collier	Mr. Panton
Mr. Coverley	Mr. Sleeman
Hon. J. Cunningham	Mr. F. C. L. Smith
Miss Holman	Mr. J. H. Smith
Mr. Johnson	Mr. Trov
Mr. Kenneally	Mr. Wansbrough
Mr. Marshall	Mr. Willcock
Mr. McCallum	Mr. Withers
Mr. Millington	Mr. Wilson

(Teller.)

Question thus passed.

Bill read a second time.

*In Committee.*

Mr. Angelo in the Chair; Mr. Sampson in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 31:

Hon. M. F. TROY: I move an amendment—

That the words "one pound and upwards" be struck out with a view to inserting the word "money."

Thousands of people cannot afford to give one pound, but they give shillings, and they should receive consideration.

The Minister for Lands: Such people would not be paying tax.

The PREMIER: The amendment would involve a tremendous number of calculations and much confusion in the Taxation Department. I do not know that the taxpayer would receive much relief if allowance were made for very small amounts. No deduction should be made for less than £1.

Mr. KENNEALLY: If a person who could not afford to give £1 contributed various amounts of 10s. or 15s., is it not de-

sirable that he should receive a deduction? He may be giving more in comparison with his means than the man who gives a large sum.

The Premier: He would get a deduction.

Mr. KENNEALLY: Not unless the amendment be agreed to. Members on the Government side opposed exemption from taxation for sustenance men, and I expect them to oppose this amendment. The proceeds of the cancer appeal consisted largely of the small donations of the many.

Amendment put and negatived.

Hon. P. COLLIER: Subclause 2 seeks to make the measure operative from the 1st July last. Taxation returns had to be submitted by the end of July or August, and this provision would necessitate the Taxation Department amending assessments.

Mr. SAMPSON: Subclause 1 shows that the amounts will affect the assessable income during the year. As we are now in the financial year 1932-33, returns for this year's income will not be put in till next year, when any such donations will be allowed for.

Hon. S. W. MUNSIE: If the clause be agreed to in its present form, it will enable people to include any donations made since the 1st July of this year.

Clause put and passed.

Title—agreed to.

Bill reported without amendment, and the report adopted.

*Third Reading.*

Read a third time, and transmitted to the Council.

**BILL—METROPOLITAN WHOLE MILK.**

*In Committee.*

Resumed from the 8th December. Mr. Richardson in the Chair; Minister for Agriculture in charge of the Bill.

The CHAIRMAN: Progress was reported on Clause 6, which relates to the constitution of the board.

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

That in line 1 of Subclause 2 the word "seven" be struck out.

If the amendment be agreed to, I shall subsequently move to insert the word "three." The clause relates to the constitution of the board, which is to consist of seven members, one of whom is to represent the consumers, four to represent the dairymen, and two the vendors. Such a large board is unnecessary, and is not representative of the interests really involved. I recognise that the producers and the consumers should have an equal say in the work of organising and administering matters concerning the whole milk industry; otherwise it would be possible for one section to have power to exploit the other. The cost of distribution and administration should be on the most economical basis possible, and the work that the board will be called upon to do should not require seven members. If my amendment be agreed to, I propose that there shall be one representative of the producers and one of the consumers, with an impartial chairman to be selected by the Government.

Mr. McLarty: How will the producers' representative be appointed?

Hon. W. D. JOHNSON: I do not think it necessary to go to the expense of electing a representative, and I would prefer to place the responsibility directly on the producers themselves to suggest names to the Minister. I would be prepared to leave in the hands of the Government of the day the task of selecting a representative of the producers from those suggested by the producers themselves. I would leave to the Government, too, the task of selecting a truly representative person to look after the interests of the consumers, and of securing the services of the best man or woman available as chairman, to act as arbitrator when differences arose between the remaining members of the board.

Mr. J. MacCallum SMITH: I agree with what the member for Guildford-Midland has said regarding the board being too large, but I think he has gone to the other extreme. A membership of three would not be sufficient, because occasions may arise when members of the board would be absent, and it would be impossible to carry on the business. Later on I shall move with the object of securing a board of five members.

Amendment put and passed.

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

That the word "three" be inserted in lieu of the word struck out.

Mr. J. MacCallum SMITH: I move an amendment on the amendment—

That the word "five" be inserted in lieu of "three."

If my amendment be agreed to, I propose that two of the members shall be representative of the consumers, two of the dairymen, and one to be appointed by the Governor as chairman. I have made provision in subsequent amendments that I shall move, that the consumers' representative shall not be engaged or interested in the production or vending of milk, and that the representatives of the dairymen shall not be engaged in the vending of milk, either wholesale or retail, while the chairman shall not be engaged or interested in the production or vending of milk.

Mr. KENNEALLY: I hope the amendment moved by the member for Guildford-Midland will be carried. The price-fixing board which functioned in this State consisted of three members and not five or seven. If we take the necessary steps to have the two parties mostly concerned represented, consistent with the fewer number you have on the board, the better and the more effectively will the work be done. Why do we invariably reduce large gatherings into small gatherings? Because we know that with the smaller number it will be possible to get the work done. The time has come when we should have a system to ensure that the producer of milk will get a fair return. At the same time we should make provision to see that the consumer is not exploited with regard to price. The most successful way by which that can be brought about is to have a board of three, one representing the consumers one the producers and the third an independent chairman. A board of five will not work as effectively as a board of three.

Mr. McLARTY: I hope the amendment moved by the member for Guildford-Midland will not be carried. At the same time, I am not taken with either of the amendments. I would prefer the board to remain as was proposed originally, but knowing that I cannot get what I want

I will support the amendment moved by the member for North Perth. It is necessary that the producers should have as wide representation as possible. It is only reasonable that both producers and consumers should have adequate representation and if we have only one producer from the outside districts, dissatisfaction will be caused.

Hon. A. McCALLUM: In boards of this description the smaller the number the better will they function. I understand that in this election one producer is to have one vote. Eighty per cent. of the milk consumed in the metropolitan area is produced in the metropolis, but the bulk of the owners are outside the metropolitan area. If it comes to one vote for one dairyman to elect a single representative, the board will be elected by those dairyman who produce only 20 per cent. of the milk. If there are to be two to represent the producer and a similar number to represent the consumer, I hope the Minister will agree that one shall be from within and the other from outside the 17-mile radius. In suggesting that, I am giving away a lot. There is the probability that the two would be elected from outside the 17-mile radius and those who supply 80 per cent. of the milk would be without representation.

Mr. WELLS: I oppose the amendment to reduce the number to three because the committee would then be too small. On the other hand, seven is too many to be workable with advantage. I prefer the number suggested by the member for North Perth. I also agree with the suggestion made by the member for South Fremantle as to the method of election. It would be unfair for those within the 17-mile radius to be out-voted by those outside the metropolitan area.

Mr. SAMPSON: I like the compromise suggested by the member for South Fremantle. A board of three would not be workable; five would be satisfactory, and it would be possible to give representation to the various interests.

Mr. MILLINGTON: I favour the amendment moved by the member for North Perth. Although there are 6,500 cows registered within the 17-mile radius, the fact remains that with a fewer number of cows there are many more owners in the other zone, and if it came to a vote unquestionably the outer zone would prevail. When it comes to a

question of altering the existing system, at least five men will be required to constitute the board. There will be plenty of work for the five to do.

Mr. BROWN: I intend to support the amendment moved by the member for North Perth. There is, however, a danger in it. The whole control may devolve upon the chairman, as the other two parties are not likely to agree upon everything. At any rate the chairman will require to be a really impartial man.

Hon. W. D. JOHNSON: The Bill is designed to effect a reorganisation in the distribution of milk. We do not want to pass a measure for the settlement of the differences between two warring sections of the producers, but because there are two factions amongst the producers, and in order to placate them, it is now proposed to burden the administration with a duplication of representation. The Bill does not regulate the production of milk, but is designed to organise the marketing of the product. The producer is not getting a fair return for his labour and the consumer is paying too much for his milk. Those members who are inclined to accept the proposal of a board of five, will be loading up the administration with burdens and responsibilities relative to the settlement of the differences of the producers. Let the producers settle their own differences from within, and let one man represent them as a whole and one represent the consumers. All the energies of the members of the board will be required to see that milk is distributed in such a way as will effect the necessary economic changes, and they will not have any time for the settlement of internal disputes. If the board is overloaded, the organisation will be ruined. If the board is limited to three members there can be no crossfiring of interests.

The MINISTER FOR AGRICULTURE: I hope the amendment moved by the member for North Perth will be agreed to. If I have to appoint the board, I will see that two representatives of the producers are chosen so that one will come from the metropolitan area and the other from the country districts. Later on in the Bill provision is made for the declaration by the Minister of dairy areas. If there are two producers representatives, two dairy areas will be declared and one man chosen from each. The Minister would always act on the advice of the board as to the definition of those areas,

which would insure that they were fairly and equitably defined.

Hon. W. D. JOHNSON: How would you deal with the consumers?

The MINISTER FOR AGRICULTURE: The present boundaries may be unsuitable, and it would be wrong at present to declare that those should be the dairy areas from which the representatives of the producers had to be selected.

Hon. M. F. TROY: The representation suggested by the member for North Perth is the fairest in all the circumstances. The board would, at any rate, be well balanced. I am glad the Minister has accepted the suggestion.

Hon. A. McCALLUM: I cannot follow the Minister when he talks of dairying districts. There is nothing in the Bill which says that the representatives on the board are to be elected from given districts. Clause 19 gives power to constitute dairy districts, but that merely means that dairying can be carried on in those districts.

The Minister for Agriculture: But their boundaries would be natural boundaries within which the producers would elect their representatives.

Hon. A. McCALLUM: No, all the registered dairymen will vote in a block. There is nothing in the Bill to say there will be elections in various districts. All it does is to allow the whole of the registered dairymen to vote as one section. The Minister's idea is not in the Bill, and unless it goes in at this point, it cannot go in at all. There is a trade war at present, and men in the metropolitan area have been ruined by producers 100 miles away unlawfully sending their milk over the railways at concession rates. If that section were to get a majority on the board, it is possible they would declare that no milk should be produced in the metropolitan area. If we are to define areas, it must be done in this clause. There might be one area within the 17-mile radius, and another without that radius. I am advised that the dairymen within the 17-mile radius have an average of 40 cows per dairy, and that those without that radius have an average of ten cows per dairy. So on the basis of production those within the 17-mile area will have four times the voting strength of those in the metropolitan area, and will be dictating to everybody. It is too great a voting strength to give them. I should like to have it based on the quan-

tity of milk supplied, but I realise the difficulties in the way.

Mr. ANGELO: I will vote for the amendment moved by the member for North Perth. We could get over the difficulty of electing the dairymen's representatives on the board by inserting after "Act" in paragraph (b) "one area within the radius of 17 miles of the G.P.O. and another outside that area." That is all that would be necessary.

The MINISTER FOR AGRICULTURE: When we get to paragraph (b) of Clause 6 I will be prepared to move that it should read like this: "Two members representative of the dairymen elected by dairymen licensed under this Act, one of whom shall be elected from that portion of the State which is defined as a district under Section 4 of The Dairy Cattle Compensation Act, 1926, by order in Council published in the 'Government Gazette' of the 11th November, 1927." To have it on the basis of the 17-mile radius would be entirely unsatisfactory.

Hon. W. D. JOHNSON: Evidently there has been a party meeting on this, and general understandings have been arrived at. The Minister has made some effort to arrive at the means by which he is to get his producers' representatives. Will he tell us how he is to get his two consumers' representatives? The consumers are more interested in the Bill than are the producers. If I were not convinced that the board would give the consumers a better quality of milk at a reduced price, I would not be in favour of the Bill. It is unfair for the Minister to accept a board of five members instead of seven, and tell us how he is going to get the two producers' representatives, yet say nothing about the representatives of the consumers.

The MINISTER FOR AGRICULTURE: The question of the consumers' representatives is quite away from the present discussion. All the consumers' interests are the same, and the appointment of the representatives of the consumers should be left to the Minister. I cannot say definitely whom I am going to appoint as consumers' representatives, for I have not yet given consideration to that question.

Amendment (Hon. W. D. Johnson's) put and negatived.

Amendment (Mr. J. MacCallum Smith's) put and passed.

Mr. J. MacCallum SMITH: I move an amendment—

That paragraph (a) of Subclause 2 of Clause 6 be struck out, and the following inserted in lieu:—“(a) Two members as representatives of the consumers, who shall be appointed by the Governor, but such members not to be engaged or interested in the production or vending of milk.”

Hon. W. D. JOHNSON: I suggest the hon. member should strike out the words “who shall be appointed by the Minister.” They are superfluous.

Mr. J. MacCallum SMITH: I have no objection to deleting those words.

The CHAIRMAN: If the member for North Perth will move the amendment without those words, we will proceed.

Hon. M. F. TROY: I move an amendment on the amendment—

That after the word “milk” the following be added:—“or members of any milk producers’ organisation or milk vendors’ organisation.”

Mr. J. MacCallum SMITH: I have no objection to the amendment, but I think the word “interested” covers the hon. member’s point.

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

Mr. J. MacCallum SMITH: I move an amendment—

That paragraph (b) of Subclause 2 of Clause 6 be struck out and the following inserted in lieu:—“(b) Two members as representatives of the dairymen, one of whom shall be elected by those dairymen being owners or occupiers of dairies within the district defined by Order in Council made under the Dairy Cattle Compensation Act, 1926, and published in the ‘Gazette’ on the 11th day of November, 1927, who are for the time being owners of dairy cattle registered under that Act, and one by those registered dairymen outside that area, but such members shall not be engaged or interested in the vending of milk either wholesale or retail.”

The MINISTER FOR AGRICULTURE: I move an amendment on the amendment—

That the words “but such members shall not be engaged or interested in the vending of milk either wholesale or retail” be struck out.

I heartily approve of the Minister not being allowed to appoint as a representative of the

producers anyone who is engaged or interested in the production or vending of milk, but so far as the elected representatives are concerned, I do not think the producers’ choice should be restricted in any way. If they desire that a lawyer or any other person should represent them, they should have the opportunity of electing him. It would be wrong to restrict their choice.

Mr. MILLINGTON: Those are the words to which I had intended to direct the Minister’s attention. The metropolitan milk producer is a milk vendor. That is his occupation. He thoroughly understands the intricacies of milk distribution. Why debar the men who have built up the industry, not only as producers, but as distributors, from acting on the board? Why lose the advantage of their experience? I hope the Minister’s amendment will be carried.

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

Mr. J. MacCallum SMITH: I move an amendment—

That paragraph (c) of Subclause 2 of Clause 6 be struck out, and the following words be inserted in lieu:—“(c) One member appointed by the Governor who shall be chairman, with a casting vote, but such member not to be engaged or interested in the production or vending of milk.”

Amendment put and passed.

The MINISTER FOR AGRICULTURE: I move an amendment—

That Subclause 3 of Clause 6 be struck out. This is a consequential amendment.

Amendment put and passed.

Clause 7—Terms of office of members of board:

The MINISTER FOR AGRICULTURE: I move an amendment—

That after the word “eight” the words “and nine” be inserted.

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

Clause 8—First members of the board:

The MINISTER FOR AGRICULTURE: I move an amendment—

That the words “and milk vendors” be struck out.

Mr. KENNEALLY: How does the Minister propose that the representative of the

consumers shall be appointed? Provision is made for the appointment of the representative of the dairymen. The Minister can consult the Dairymen's Association. If that be necessary surely it is also necessary to consult organisations of consumers in connection with the appointment of the consumers' representative. Provision should be made for the appointment of the consumers' representative or representatives and the Minister should consult the organisations of consumers. There is an organisation that represents mainly the consumers, namely the organisation of the workers. If such provision is not made, the board will be a failure.

Amendment put and passed.

Hon. W. D. JOHNSON: I had given notice of an amendment to insert consumers and I thought the Minister would have moved in that direction. I move an amendment—

That the words "and consumers" be inserted in lieu of the words struck out.

**THE MINISTER FOR AGRICULTURE:** To consult the consumers would not be practicable. The duty of selecting the representative of the consumers may safely be left to the Minister. There can be no conflict in the interests of the consumers. Every householder in the metropolitan area consumes some milk, and the interests of all householders are identical. There are so many associations of consumers that it would be difficult to find them all or to give effect to the wishes of them all. The amendment should not be pressed.

Mr. KENNEALLY: It is as logical to provide for the appointment of representatives of the consumers as of the producers.

The Minister for Agriculture: There are only two organisations of dairymen, one in the metropolitan area and one in the South-West.

Mr. KENNEALLY: It would be only fair to consult the organisations representing the consumers. Without the amendment, the Government could appoint anybody to represent the consumers.

Mr. McLarty: It is almost impossible to consult all the organisations of consumers.

Mr. KENNEALLY: That objection could be overcome if the Minister so desired. If the amendment be not passed, the Minister will be free to ignore the consumers' organisations.

Mr. Wells: What are the consumers' organisations?

Hon. W. D. JOHNSON: The Housewives' Association in addition to the Labour organisations.

Mr. Pantou: Also the National Council of Women and the Women's Service Guild.

Mr. KENNEALLY: Those organisations could easily be consulted.

The Premier: Easily consulted!

Mr. KENNEALLY: They have been consulted before. Some organisations have been particularly active in the interests of the consumers.

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

Ayes	..	..	..	..	20
Noes	..	..	..	..	23

Majority against .. .. 3

#### AYES.

Mr. Barnard	Mr. Munsie
Mr. Collier	Mr. Nuisen
Mr. Coverley	Mr. Pantou
Mr. Hegney	Mr. Sleeman
Miss Holman	Mr. F. C. L. Smith
Mr. Johnson	Mr. Wansbrough
Mr. Kenneally	Mr. Willcock
Mr. Marshall	Mr. Wilson
Mr. McCallum	Mr. Withers
Mr. Millington	Mr. Corboy

(Teller.)

#### NOES.

Mr. Angelo	Mr. McLarty
Mr. Brown	Sir James Mitchell
Mr. Church	Mr. Parker
Mr. Davy	Mr. Patrick
Mr. Doney	Mr. Piesse
Mr. Ferguson	Mr. Scaddan
Mr. Griffiths	Mr. J. H. Smith
Mr. Keenan	Mr. J. M. Smith
Mr. Latham	Mr. Thorn
Mr. Lindsay	Mr. Wells
Mr. H. W. Mann	Mr. North
Mr. J. I. Mann	

(Teller.)

Amendment thus negatived.

Clause put and passed.

Clause 9—Election of members:

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

That in line 6 of Subclause 1 "some person" be struck out, and the words "two persons" be inserted in lieu.

Amendment put and passed.

**THE MINISTER FOR AGRICULTURE:** The word "representative" in the same line will have to be altered to "representatives."

The CHAIRMAN: That is a consequential amendment.

The MINISTER FOR AGRICULTURE:  
I move an amendment—

That Subclauses 2 and 3 be struck out with a view to inserting other subclauses.

Amendment put and passed.

The MINISTER FOR AGRICULTURE:  
I move an amendment—

That the following subclauses be inserted in lieu:—

(2.) The representatives of the consumers then appointed and that one of the representatives of the dairymen then elected, who received the greater number of votes in the election, shall hold office for two years from the date of their appointment or of his election, as the case may be. The remaining representative of the dairymen then elected as aforesaid shall hold office for one year from the date of his election, but shall be eligible for re-election.

(3.) Following the first election as provided for in Subsection 1 hereof, an election shall be held annually for the election of one representative of the dairymen on the board.

Mr. KENNEALLY: If the Minister considers the amendments we have already agreed to regarding the representation of dairymen inside and outside the metropolitan area respectively, he will appreciate the fact that his amendment does not contemplate the altered situation. Apparently the subclauses were drafted without taking into consideration the amendments we have agreed to this evening.

The MINISTER FOR AGRICULTURE:  
That is so. I ask leave to withdraw my amendment. The subclauses are really not necessary.

Amendment, by leave, withdrawn.

Hon. A. McCALLUM: How long will the representatives of the producers hold office?

The Minister for Agriculture: For two years. That was decided when we agreed to the amendment moved by the member for North Perth.

Hon. W. D. JOHNSON: That is provided for now in Clause 7.

Clause, as previously amended, put and passed.

Clause 10—Elections:

The MINISTER FOR AGRICULTURE:  
I move an amendment—

That in lines 1 and 2 of Subclause 2, the words "every wholesale milk vendor and every retail milk vendor" be struck out.

Amendment put and passed.

The MINISTER FOR AGRICULTURE:  
I move an amendment—

That the proviso to Subclause 2 be struck out.

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

Clauses 11 and 12—agreed to.

Clause 13—Proceedings of the board:

The MINISTER FOR AGRICULTURE:  
I move an amendment—

That in line 1 of Subclause 1 "four" be struck out and "three" inserted in lieu.

Hon. W. D. JOHNSON: With small bodies such as the board, I do not like to see the number of the quorum reduced as suggested. If we provide that three out of five shall form a quorum, it means that three could get together and constitute a meeting of the board. We should require the five members to be in attendance.

The Minister for Agriculture: Three will be a majority at any time.

Hon. W. D. JOHNSON: That is so; but it is undesirable to provide for such a small quorum.

Mr. THORN: I hope the amendment will be agreed to. We should appreciate the fact that one member of the board may be ill for a long time, and unless some provision is made along the lines of the amendment, the operations of the board may be hampered.

Amendment put and passed.

The MINISTER FOR AGRICULTURE:  
I move an amendment—

That in Subclause 2, all the words after "meeting" in line 4, be struck out.

Provision regarding the voting power of the chairman has already been dealt with in the amendment moved by the member for North Perth.

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

Clauses 14 to 16—agree to.

Clause 17—Officers of the board:

Hon. S. W. MUNSIE: I move an amendment—

That the words "including inspectors" in line 3 be struck out.

I object to the proposed board having the right to appoint inspectors.

Amendment put and passed.

Hon. W. D. JOHNSON: The board will still be able to appoint inspectors, and that is what we want to avoid. I move an amendment—

That the following words be added to the clause:—"Such officers shall not in any way interfere or exercise the functions of health officers, or inspectors under the Health Act."

The MINISTER FOR AGRICULTURE: I intend to move an amendment on similar lines to Clause 27. Perhaps it can be inserted here. It reads—

Provided that nothing in this subparagraph or in this section shall be deemed in any way to affect or prejudice the rights, powers and duties of inspectors appointed under the Health Act, 1911-1926.

That will include inspectors appointed by local governing bodies and the amendment moved by the member for Guildford-Midland will not. I do not want the board to interfere with the activities of the Health Department or health inspectors.

Hon. S. W. MUNSIE: I hope the Minister will accept the amendment moved by the hon. member and he can also add the proviso that he has read. The inspectors that may be appointed by the proposed board will have no qualifications from the health point of view. The board's inspectors will have a knowledge of veterinary work only, and they will do all the inspections. Without casting any reflection on dairymen, I can say we have experienced great difficulties in trying to get the dairymen to keep their dairies up to standard, and it was not until the other day that we were able to take action if the dairies were in a dirty state or if dirty milk was supplied. The board's inspectors may now go around and give instructions that may be entirely different from the instructions given by the health inspectors. The Minister will be making a mistake in the interests of the community generally if he takes the control of dairies from the Health Department, and places it in the hands of this board, which will appoint its own inspectors without qualification. The board will be able to tell the Health Department to mind their own business.

The Minister for Agriculture: Not if my proviso goes in.

Hon. S. W. MUNSIE: That will not improve the position.

The Minister for Agriculture: Clause 2 will be subject to the proviso.

Hon. S. W. MUNSIE: The proviso will be subject to the clause. There will be continual conflicts amongst the dairymen themselves, and the standard both of the dairies and of the milk supply will be reduced.

[Mr. Angelo took the Chair.]

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

Clause 18—Departmental inspectors:

Hon. S. W. MUNSIE: The clause is not clearly expressed. If the Minister consents to hand over an inspector from the Health Department to the board, the board will have to pay him while he is working for them. The clause says he shall be an employee of the board, and not of the Health Department.

The Minister for Agriculture: He would be an officer of the Agricultural Department.

Hon. S. W. MUNSIE: Had the Minister consulted the Health Department before bringing down the Bill, he would not have been faced with the present trouble. The Agricultural Department want to control all the inspectors of the Health Department, and have frequently argued that the meat inspectors should be attached to their department.

Hon. P. Collier: What inspectors have the Agricultural Department?

Hon. S. W. MUNSIE: They have two veterinary inspectors, who have only a smattering of veterinary science.

The Minister for Agriculture: They are inspecting for T.B. under the Dairy Cattle Compensation Act in the metropolitan area.

Hon. S. W. MUNSIE: From the agricultural point of view only. Could not the four health inspectors do the work required?

The Minister for Agriculture: The clause only provides that the officers of the Department of Agriculture may be loaned to the board if desired.

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

That in Subclause 1 the words "all such inspectors when performing any duties under this Act shall be deemed to be performing such duties for the board" be struck out.



**The MINISTER FOR AGRICULTURE:** These are stock inspectors of the Department of Agriculture. If their services are to be utilised by the board, they should be regarded as officers of that body, and paid by the board.

**The MINISTER FOR LANDS:** If any action is taken by the inspectors, it will have to be taken on behalf of the Agricultural Department, unless it can be made certain that they are employees of the board. They should be defined as discharging these duties on behalf of the board.

**Hon. W. D. JOHNSON:** The retention of the words will not give the inspectors any more power. If the Minister thinks the board should pay the salaries of the inspectors the words will not help to bring that about.

**Mr. KENNEALLY:** If the first portion of the subclause is left in, I think the second part is also necessary. We have deprived the board of the right to appoint its own inspectors, and we should therefore retain the whole of the subclause. We shall not be encroaching on the powers of the Minister for Health.

**Hon. W. D. JOHNSON:** If the reasoning of the member for East Perth is sound, we are vetoing what we have decided in the preceding clause, where we say the board shall have no control over the inspectors. Just as it is undesirable for the board to direct health inspectors, so it is wrong for them to direct inspectors of the Agricultural Department. Unless we agree to the amendment, those inspectors will be under the board who, instead of the Minister, will direct their operations.

**The Minister for Lands:** But these are inspectors of cattle, not dairy inspectors.

**Hon. W. D. JOHNSON:** If the Minister wants specially qualified officers to perform any duty under the Act, all he has to do is to gazette them as inspectors under the Minister. The board must not have anything to do with the inspection of cattle or of dairies.

Amendment put and negatived.

Clause put and passed.

Clause 19—agreed to.

Clause 20—Dairymen and milk vendors to be licensed:

**Hon. A. McCALLUM:** I should like to know whether the powers under this clause will involve also the improvement of premises. I have seen milk in all sorts of shops, butchers' shops, greengrocers' shops, pastrycooks' shops and secondhand ironmongers' shops. Will there be required proof of cleanliness of the premises in which milk is sold?

**The Minister for Lands:** That is provided for in the Health Act.

**Hon. A. McCALLUM:** Is it suggested that this clause will give the board power to refuse a license to anyone whose premises are not suitable for the retailing of milk? Will the board have that power?

**The MINISTER FOR AGRICULTURE:** Yes, under this the board will have power to license premises in which milk is sold.

**Hon. A. McCallum:** Will the premises have to be suitable?

**The MINISTER FOR AGRICULTURE:** It will be one of the functions of the board to see that the premises are suitable before issuing the license.

Clause put and passed.

Clauses 21, 22—agreed to.

Clause 23—Licenses:

**Hon. A. McCALLUM:** I move an amendment—

That the following subclause be added:—  
(6) Any person to whom the board has refused to issue a license under this section may appeal, as prescribed, against the board's decision to a resident or police magistrate or the magistrate of a local court sitting within the metropolitan area, and the magistrate may order the license to be issued or may confirm the decision of the board, as shall be just, and effect shall be given to his decision.

At present there is no appeal from the board.

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

Clause 24—Revocation of licenses:

**Hon. A. McCALLUM:** I move an amendment—

That the following proviso to Subclause 1 be added:—

Provided that such person may appeal, as prescribed, against the board's decision to a resident or police magistrate or the magistrate of a local court sitting within the metropolitan area, and the magistrate may reverse or confirm the revocation as shall be just.

Amendment put and passed.



in the streets covering the same ground and causing added costs. In fact, that is one of the largest items in the excessive cost of distribution to-day. Many of them will have to go out of business, but what right have we to say that they shall be pushed out without compensation? That is confiscation pure and simple. We cannot claim to do justice to those people if we do not provide for compensation.

Mr. MILLINGTON: The Minister suggests that if a dairyman or milk vendor were dispossessed of his business interests for the benefit of the community, he should have no redress. It is not a matter altogether of such a man being licensed because he has conducted insanitary premises or infringed the regulations of the board in other directions. The distribution of milk has to be completely reorganised and I am under the impression that the machinery provided is inadequate. The job is so big that it will require very definite regulations. If the proposed reorganisation takes place and licenses are cancelled, definite provision should be made for the assessment of the value of the cancelled licenses. It must be remembered that the milk vendor will not be represented on the board. Whatever may be said about the producer and the consumer, the milk vendor has vested interests which he has built up and which will have to be considered. Another point: we do not know what the regulations will be. It will not be a question of the infringement of the Health Act, but of the regulations to be made under the Bill, when passed. In my opinion, the amendment does not go far enough. The Minister, when drafting the Bill, did not appear to have appreciated the position of the milk distributors in the metropolitan area. The proposed board will have power to confiscate the big vested interests of the distributors. Therefore, the amendment is absolutely necessary, but some provision should be drafted setting out how the value of those vested interests is to be assessed. Once a distributor is displaced and delicensed he should be compensated.

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

Ayes	..	..	..	19
Noes	..	..	..	20

Majority against .. .. 1

## AYES.

Mr. Collier	Mr. Nulsen
Mr. Coverley	Mr. Panton
Mr. Hegney	Mr. Sleeman
Miss Holman	Mr. F. C. L. Smith
Mr. Johnson	Mr. Troy
Mr. Kenneally	Mr. Wansbrough
Mr. Marshall	Mr. Wilcock
Mr. McCallum	Mr. Wilson
Mr. Millington	Mr. Corboy
Mr. Munsie	(Teller.)

## NOES.

Mr. Barnard	Mr. McLarty
Mr. Brown	Sir James Mitchell
Mr. Church	Mr. Patrick
Mr. Davy	Mr. Piesse
Mr. Doney	Mr. Richardson
Mr. Ferguson	Mr. Sampson
Mr. Keenan	Mr. Scaddan
Mr. Latham	Mr. J. H. Smith
Mr. Lindsay	Mr. Thorn
Mr. J. I. Mann	Mr. North
	(Teller.)

## PAIRS.

AYES.	NOES.
Mr. Raphael	Mr. Wells
Mr. Lamond	Mr. Parker
Mr. Cunningham	Mr. J. M. Smith

Amendment thus negatived.

Mr. MILLINGTON: Now that the amendment of the member for South Fremantle has been negatived, I point out that the clause gives most drastic and dangerous power to the board. The Minister should report progress and make provision to deal adequately with the claims for compensation that may arise. The board may exercise the power conferred upon them to reconstruct the scheme of milk distribution in the metropolitan area, say, on the zone system. That was recommended by the Royal Commission some years ago, but they also recommended a compensation fund. Surely members on the Government side do not stand for the confiscation of vested interests. Whenever a similar proposal has been made in the past, there has always been provision to compensate those whose interests would suffer. I have supported the Bill so far, but I will not support it further unless such provision is made. Hundreds of thousands of pounds are involved. I suggest that the industry and not the Government should compensate sufferers. The Bill contains principles that are not ordinarily supported by the Government, and it should not be left for us to champion the rights of vested interests. I thought members on the Government side were the champions of vested interests.

The Premier: See how easy it is to be mistaken.

Mr. MILLINGTON: This is a serious matter that cannot be ignored by the Government. If the board do not take the action I fear, there will be no need to utilise

the power, but machinery should be provided in the event of the board exercising the power in order to assess the amount of compensation payable. I anticipate that the board will reconstruct the whole scheme of milk distribution in the metropolitan area, and the question of compensation will certainly arise. The vendors are no longer given representation on the board, and we should ensure that their interests are not lightly jeopardised.

Mr. SAMPSON: I support the view expressed by the member for Leederville. It would be unfair if a man's business were wiped out through some technical error.

Hon. S. W. Munsie: There might be no technical error. A business might simply be wiped out.

Mr. SAMPSON: Consideration should be given to the question of compensation. I suggest that the further consideration of the clause be postponed.

The CHAIRMAN: The clause has been amended, and therefore further consideration cannot be postponed.

The MINISTER FOR AGRICULTURE: I am agreeable to recommit the clause for further consideration.

Clause, as previously amended, put and passed.

Clauses 25, 26—agreed to.

Clause 27—Powers and functions of the board:

Hon. S. W. MUNSIE: I have no objection to conferring the powers and functions mentioned in paragraph (1). Paragraph (2) provides for inspections by men without qualifications for the work they will be called upon to perform. The Bill is designed to take away from the Health Department all those duties that are now discharged by it in connection with dairies. The board should not be given powers of inspection.

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

That in Subclause 1 a paragraph be inserted to stand as paragraph (g) as follows:—"The prohibition of the use for human consumption in any form of milk which appears to be deleterious to health or unwholesome."

It is not clearly enough defined that only wholesome milk shall be distributed to the public. To-day every kind of milk is distributed.

The Premier: It is all inspected by the Health Department.

Hon. S. W. Munsie: But under the amended Health Act there is no power to prevent the sale of dirty milk.

Hon. W. D. JOHNSON: I have taken these words from the New South Wales Act.

The Minister for Agriculture: The whole thing is already covered by the Health Act.

Hon. W. D. JOHNSON: That is not so. Apparently members representing the metropolitan area are very callous about the claims of the consumers, and I think this board ought to function on behalf of the women and children.

Hon. S. W. MUNSIE: I think the amendment ought to be carried, but who will determine whether or not the milk is unwholesome?

The Minister for Lands: We are going to alter that.

Hon. S. W. MUNSIE: The matter is to be left in the hands of veterinary surgeons. The board cannot appoint anyone who is competent to determine whether milk is deleterious for human consumption or not.

Amendment put and passed.

Hon. S. W. MUNSIE: Since the Minister did agree to cut out the right of the board to appoint inspectors, I move an amendment—

That Subclause 2 be struck out.

The board will have no inspectors, so they do not require this subclause.

The MINISTER FOR AGRICULTURE: I hope the Committee will not agree to the amendment. The board still have their officers, and they can inspect dairies and milk stores. It is necessary that they should do so.

Amendment put and negatived.

Hon. P. COLLIER: On the second reading I referred to the great powers it is proposed to confer on the board. This is the clause giving all those powers. Subclause 7 gives the board power to fix the minimum price per gallon to dairymen for milk supplied, but there is no power for the board to fix the maximum price to be charged to the consumer.

Hon. W. D. Johnson: I have an amendment covering that.

Hon. P. COLLIER: If it is good in one way, surely it is good in the other. Then it is provided that in fixing the price per gallon to dairymen for milk other than surplus milk, the price shall be fixed in accord-

ance with butter fat content and value, and bacterial test. Then we get this extraordinary provision, that regard shall be had to added value for services involving production of whole milk and, if necessary, a premium during periods of scarcity. That is a blank cheque to the board in fixing the minimum price to be paid to dairymen for milk supplied.

The Minister for Agriculture: It is done in numerous other countries.

Hon. P. COLLIER: That does not justify it.

The Premier: That is meant to cover the various seasons.

Hon. P. COLLIER: Still it is giving the board tremendous power to fix an exorbitant price. There should be some limitation. Under this, even in flush periods the board would have power to fix an unduly high price because of the added value for services involving production of whole milk. There may be on occasions good ground for the board increasing the price because of considerations other than butter fat content, but this is giving the board tremendous powers. I would not do anything that would tend to prevent the milk producer from getting a fair price, but we require to be careful in setting up a price-fixing board with such powers. I am astonished at a Bill with such powers for the board coming from the Government. A few years ago, when we endeavoured to pass Bills dealing with price-fixing and profiteering, we were ridiculed and told that such a thing could not be effective at all, because it was interfering with the free flow of trade and business. The Premier himself strongly protested, and I have still ringing in my ears the denunciation of the Attorney General of such legislation. And, if I may digress, even today with wheat at 2s. 4d. a bushel, the price of bread is the same as when wheat was at 5s. per bushel. When we tried to protect the consumers generally, we were strongly opposed by members now on the Government side. Of course our Bills were designed to protect the consumer, whereas this Bill is intended only to protect the producer.

The Minister for Lands: And the consumer as well.

Hon. P. COLLIER: No, there is nothing in the Bill to protect the consumer. It is further evidence of the one-sided character of the Bill. that it protects the producer, but does not protect the consumer.

The Premier: The board cannot fix any price they like.

The Minister for Lands: The consumer has two representatives on the board.

The Minister for Agriculture: There is a veto in the Minister.

Hon. P. COLLIER: In any case, no matter how desirous the board may be to fix the maximum price for the consumer, the Bill does not permit them to do it. The board will not have power to fix the maximum price to the consumer, although they will be able to fix the minimum price to the producer.

The Premier: If we limit competition, we shall have to fix prices.

Hon. P. COLLIER: Of course. I never anticipated that in the short space of two or three years there would be such a complete right-about-turn on the part of the Government members with respect to this type of legislation. Now that the Government have turned the corner, I hope that consumers of foodstuffs besides milk, will be protected against the exploiting proclivities of middlemen and other tradespeople. It should not stop at this Bill. I venture to assert that if attempts were made with other Bills to protect the general body of people regarding other food prices, those who are supporting the Bill would be found opposing the measures I have in mind. I can point to division lists in this House where members opposite have recorded votes in opposition to such legislation. I trust we shall be able to go much further in the years that lie immediately ahead.

The Premier: I hope those Bills will not be so hotly opposed as this one has been.

Hon. J. C. Willcock: This one has not been opposed; it has been improved.

Hon. P. COLLIER: Wonderfully improved. The Minister has accepted many of our amendments, and if he accepts a few more, we will make quite a good Bill of it. I am not satisfied with the paragraph that provides the board with power to do all things necessary, including that of fixing the value for services. The board might fix an exorbitant price.

The Minister for Lands: The board would defeat their own objective if they did that, because no Government would allow them to continue.

Hon. P. COLLIER: If the board were to fix high prices for the producers, I do not think the present Government would interfere with them.

The Minister for Lands: In that event, the people would use more tinned or condensed milk. We must endeavour to induce them to use more pure whole-milk, instead of tinned milk.

Hon. P. COLLIER: If too high a price is charged for milk, the people will use reduced quantities, and that may influence the board in fixing prices.

The Premier: The board is not in the hands of producers only.

Hon. P. COLLIER: No, that is one of the improvements we have made.

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

That a new subclause, to stand as Subclause 8, be inserted as follows:—“Fix the maximum price or prices at which milk may be sold by retail.”

Evidently this represents an omission. I do not think any Government would desire the board to fix a price with a total disregard to the interests of the consumers. It would be wrong to permit one section the right to exploit another.

Hon. M. F. TROY: How will the amendment affect the power of the board to fix prices? Certainly it will enable them to deal with the retail price, but the board will still have power to fix prices arbitrarily.

Hon. W. D. JOHNSON: You cannot eliminate that, because the board have the power now, no matter what you may do.

Hon. J. C. WILCOCK: This is only the method by which the board will fix prices.

Hon. M. F. TROY: In the past Royal Commissions have said that commodities could not be produced under a certain price; wheat could not be produced under so much a bushel, wool under so much a pound. Then the clause provides the board shall have power to fix a premium during a period of scarcity. There may be a period of scarcity without any increased cost of production. If the producers control the board, we can understand them making a period of scarcity. I understand the Bill was introduced because there was an excess of milk. This is a vital clause. I can understand the price of milk being fixed on the butter-fat content and bacterial test; but not on value of services rendered, with a premium in case

of scarcity. That is giving the board too much power.

Hon. W. D. JOHNSON: I raise no objection to the granting of power to the board, so long as a representative body has the power. I favour the provision. The board should be given full power to go into the pros and cons of the production and distribution of milk, but while the interests of the producer are protected the interests of the consumer should not be lost sight of. Give the board full power and expect them to function to the maximum extent. If you limit the power of the board, and then criticise their actions, they will simply reply that they have not been given power to carry out what is necessary in the interests of public health.

Hon. M. F. TROY: In reply to the member for Guildford-Midland, I would point out that the board can fix a price on the least efficient service. I am not prepared to give the board such sweeping powers. I think the clause might be recommitment, and in the meantime the Minister might find a way out, after consultation with his officers. At present we are handing over the consumer body and soul, bound hand and foot, to the board.

Mr. KENNEALLY: The clause enables one readily to realise why the Minister was not prepared to accept the proposal that he should consult the consumers' organisations before appointing the consumers' representative. Provision is made for fixing the minimum price per gallon to dairymen for milk supplied. Provision is also made for fixing maximum rates for the transport of milk from the dairy to the milk vendors. The dairyman is therefore protected in those respects. If it is reasonable to fix a minimum price to be paid to the dairyman and to protect him in regard to the transport of milk, why should not provision be made that the consumer shall not be charged over and above a certain price for milk? The Minister has said that Clause 4 of the Bill gives power to the Minister to fix the maximum price. That is not so. Clause 4 says that subject to the Minister, the Bill, when passed, shall be administered by the board.

The Minister for Agriculture: Everything to be done must be approved by the Minister.

Mr. KENNEALLY: The Minister knows better than that. Surely the Minister does

not claim to have authority to fix a maximum price unless provision to that effect is made in the Bill!

*12 o'clock midnight.*

The Minister for Lands: It has been moved.

Mr. KENNEALLY: And it has been opposed.

The Minister for Lands: It has not been opposed.

The Minister for Agriculture: You have not given us a chance to say we accept it.

Mr. KENNEALLY: Then there is no need to discuss the matter further. If the measure is to be effective, a maximum price to the consumer must be fixed.

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

Clauses 28 to 30—agreed to.

Clause 31—Advances by Treasurer:

Hon. M. F. TROY: Will the Minister explain the meaning of the clause? Will the Government make advances to finance the board?

The MINISTER FOR AGRICULTURE: The Treasurer will probably have to make advances to enable the board to get under way. The first board will have to be appointed and certain preliminary work will be necessary. Whatever advances are made by the Treasurer must be repaid with interest. An almost identical clause was inserted in the Bill dealing with primary products introduced by the member for Mt. Magnet, when Minister for Agriculture.

Clause put and passed.

Clauses 32 to 36—agreed to.

New clause—Dairy Cattle Compensation Act, 1926, to apply in certain cases:

The MINISTER FOR AGRICULTURE: I move—

That the following be inserted to stand as Clause 37:—“Every dairyman holding a dairyman's license under this Act may, whilst he continues to hold such license, register the dairy cattle kept by him in or in connection with his dairy for the purpose of his business carried on pursuant to such license, under and in accordance with the provisions of the Dairy Cattle Compensation Act, 1926, as if that Act applied to such dairy cattle and, notwithstanding anything to the contrary contained in that Act, the provisions of the said Act shall apply to such registered dairy cattle.”

Hon. M. F. TROY: Will that bring them all under the Dairy Cattle Compensation Act?

The MINISTER FOR AGRICULTURE: Every owner of cattle registered under this measure may, if he so desires, bring his cattle under the Dairy Cattle Compensation Act, notwithstanding the fact that they are not within the defined area of 17 miles from the Perth Town Hall.

New clause put and passed.

New clause:

Hon. M. F. TROY: I move—

That the following be inserted to stand as Clause 27:—“Notwithstanding anything hereinbefore contained, the board in the exercise of its powers shall be subject to the control of the Minister, and if any action or proceeding, or intended action or proceeding by the board is not approved by the Minister, he may, by notice in writing addressed to and served on the chairman, prohibit such action or proceeding, either absolutely or subject to such condition as he may think fit, and effect shall be given by the board to such notice.”

A similar provision is made in the Dairy Industry Act and in the Dried Fruits Act. The Bill gives great powers to the board, and if the board fixed an excessive price, the Minister should have power to intervene. I do not think the Minister has the requisite power under Clause 4. Such power as this would only be used as a last resort. I hope the new clause will be agreed to.

New clause put and passed.

Title—agreed to.

Bill reported with amendments.

#### **BILL—NARROGIN HOSPITAL.**

Returned from the Council without amendment.

#### **BILL—FARMERS' DEBTS ADJUSTMENT ACT AMENDMENT.**

*Second Reading.*

The MINISTER FOR LANDS (Hon C. G. Latham—York) [12.15] in moving the second reading said: This is an ordinary continuance Bill. It is to continue the Act for another year, so that it will expire on the 31st March, 1934. Generally speaking, this legislation has given satisfaction throughout the State. Some members of the community have complained about it, but curiously enough these complaints have generally been made by other than those

who are operating under the Act. There have been 880 applications made for stay orders since the introduction of this legislation. Of these 558 farmers have had meetings, and arrangements have been made to carry the debtors on under the Act. Of meetings held, and/or successful efforts made to carry the debtors on although the stay order has lapsed, there have been 66. Stay orders lapsed and no satisfactory arrangements made number 158; stay orders withdrawn owing to the cases being unsatisfactory number 32; stay orders withdrawn but satisfactory arrangements made number 56; meetings arranged but not yet held number six, and meetings adjourned to arrange supplies number 4. Two hundred and six applications under Section 13B of the Act have been granted to register bills of sale to cover advances to enable farmers to carry on. The advances under Section 13B amount to £50,692. I will tell hon. members the area seeded for the 1932-33 season. Under the Act proper the particulars are—wheat, 236,274 acres; oats 13,255 acres; other 377 acres; total 249,906 acres; under Section B 56,300 acres; area to be fallowed under the Act proper 179,271 acres. The moneys to be advanced by Associated Banks amount to £28,059; moneys including horse loans to be advanced by the Agricultural Bank, £1,735; proceeds released by creditors, including Associated and Agricultural Banks for carrying on for this season £105,930; and the value of current supplies in kind, £129,724. I feel sure that members have been satisfied that the legislation has achieved more than was expected of it some 18 months ago. It is with confidence I ask the House to agree to the extension of the Act for another year. I move—

That the Bill be now read a second time.

**HON. M. F. TROY** (Mt. Magnet) [12.18]: I agree that the Act should be re-enacted, for it does serve some purpose in the present difficult times. It gives no real power to enforce settlements between creditors and debtors, but it does provide the means whereby they can come together. Statements concerning this legislation have been somewhat exaggerated and farmers have been misled regarding its powers. The idea is that the creditor is compelled to meet the debtor and carry him on, whereas such is not the case. Creditors have carried on a great many debtors, but they have generally done so because there has been no op-

tion but to do so. Without this Act the same thing would have been done. If an ordinary board had been sitting without Legislative authority, the creditors would have had to meet the farmers, and if they were to get their money back in time they would have to carry the farmers on. All that can be said for the Act is that it has provided the means whereby the parties interested have come together. I should like to know what has happened to the farmers who did not make arrangements with their creditors. I see that in 158 cases the stay orders lapsed, and no satisfactory arrangements were made. What happens to those settlers? Do they carry on?

The Minister for Lands: Some of them carried on, while others abandoned their properties.

**HON. M. F. TROY**: How could they carry on without endorsement? Certainly quite a number of them are not being carried on. There have been 805 applications, out of which arrangements were made to carry on 509. Fifty-eight meetings were held, satisfactory arrangements made, and the stay order allowed to lapse. In 151 cases, meetings were held, but no satisfactory arrangements could be made. Of course, there is no compulsion on the creditors to carry on these debtors. In my opinion, the creditors have been fairly reasonable, for they have released £105,930 out of a total of £265,448. And of that total £129,724 represented supplies in kind, such as super. So the proceeds released by the creditors totalled £234,000. I have no objection to the Bill for it is merely for a continuance of the Act. There is no compulsion about it, and if a creditor refuses to carry on a debtor, that is the end of the measure. Actually the creditors have no option to carrying on the debtors, particularly those who have a chance of paying-up in the end, for the only hope of the creditor is to keep the farmer on the land if he has a chance of making good. I trust that in a few years' time there will be no necessity for a measure of this kind.

**Mr. DONEY**: I move—

That the debate be adjourned.

Motion put, and a division taken with the following result:—

Ayes	..	..	..	..	19
Noes	..	..	..	..	18
					—
Majority for	..	..	..	..	1
					—



## AYES.

Mr. Barnard  
Mr. Brown  
Mr. Church  
Mr. Davy  
Mr. Doney  
Mr. Ferguson  
Mr. Latham  
Mr. Lindsay  
Mr. J. I. Mann  
Mr. McLarty

Sir James Mitchell  
Mr. Patrick  
Mr. Piessé  
Mr. Richardson  
Mr. Sampson  
Mr. Scaddan  
Mr. J. H. Smith  
Mr. Thorp  
Mr. North

(Teller.)

## NOES.

Mr. Collier  
Mr. Corboy  
Mr. Coverley  
Mr. Cunningham  
Miss Holman  
Mr. Johnson  
Mr. Kenneally  
Mr. Marshall  
Mr. Munsie

Mr. Nulsen  
Mr. Panton  
Mr. Sleeman  
Mr. F. G. L. Smith  
Mr. Troy  
Mr. Wansbrough  
Mr. Willcock  
Mr. Withers  
Mr. Wilton

(Teller.)

## PAIRS.

Mr. J. M. Smith  
Mr. Angelo

Mr. Raphael  
Mr. Lamond

Motion thus passed.

## BILL—MINING ACT AMENDMENT (No. 1).

### *Council's Amendment.*

Amendment made by the Council now considered.

### *In Committee.*

Mr. Richardson in the Chair; the Minister for Mines in charge of the Bill.

Council's amendment: Clause 6—Add to Subsection (1) of proposed new Section 145 a proviso, as follows:—

Provided also that the charge, under such scale, for treatment of ore (not being free milling ore) assaying not more than ten pennyweights of gold to the ton shall be fifteen shillings per ton of ore treated, and such charge shall be increased by such amount (not exceeding sixpence) for each additional pennyweight of gold per ton of ore as may be agreed on by the parties, or in default of agreement as may be determined by the State Mining Engineer, up to the maximum aforesaid.

The MINISTER FOR MINES: While Clause 6 fixed a maximum, it did not fix a sliding scale. The Legislative Council desires that we should fix what should be the sliding scale for the treatment of ores that are not free milling. I move—

That the amendment be agreed to.

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

Resolution reported, the report adopted, and a message accordingly transmitted to the Council.

## BILL—WESTERN AUSTRALIAN AGED SAILORS AND SOLDIERS' RELIEF FUND.

### *Council's Amendment.*

Amendment made by the Council now considered:

### *In Committee.*

Mr. Richardson in the Chair; Mr. Parker in charge of the Bill.

Clause 3, Subclause (3), paragraph (c).—Add the words "or bequests."

Mr. PARKER: The Bill made provision for certain funds and it overlooked the fact that someone might make a bequest. The amendment merely overcomes that omission. I move—

That the amendment be agreed to.

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

Resolution reported, the report adopted, and a message accordingly transmitted to the Council.

## DISCHARGE OF ORDERS.

On motion by the Premier, the following Orders of the Day were discharged from the Notice Paper:—

- 1, Sale of Wheat Bill (To be read a second time.)
- 2, Electoral Act Amendment Bill (No. 1) (Second Reading).
- 3, Industrial Arbitration Act Amendment Bill (Second Reading.)

*House adjourned at 12.35 a.m. (Thursday).*