

Legislative Council,

Wednesday, 20th November, 1940.

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

QUESTION—TOURIST BUREAU, MELBOURNE BRANCH.

Hon. C. F. BAXTER asked the Chief Secretary: 1, What was the amount collected by the Melbourne branch of the State Tourist Bureau during the year ended the 30th June, 1940? 2, What proportions of such funds represent revenue on account of—(a) railways; (b) shipping; (c) air services? 3, What was the amount of commission received by that branch for the services rendered under (2) respectively? 4, What is the cost to the State per annum for the maintenance of the aforesaid services?

The CHIEF SECRETARY replied: 1, £19,949 0s. 1d. 2, (a) £17,279 18s. 7d.; (b) £1,479 15s.; (c) £342 4s. 6d. The balance of £847 2s. comprises receipts for accommodation, transport, etc., in Western Australia. 3, Commission was not received on the items, (a), (b), (c), in question 2. 4, Expenditure for year 1939-40: Salaries £508 13s., publicity £585 3s. 4d.

LEAVE OF ABSENCE.

On motion by Hon. J. M. Macfarlane, leave of absence for six consecutive sittings granted to Hon. J. A. Dimmitt (Metropolitan-Suburban) on the ground of ill-health.

BILLS (6)—THIRD READING.

- 1, Sale of Land (Vendors' Obligations). Transmitted to the Assembly.
- 2, Registration of Firms Act Amendment.
- 3, Optometrists.
Returned to the Assembly with amendments.
- 4, Financial Emergency Act Amendment.
- 5, Mortgagees' Rights Restriction Act Continuance.
- 6, Industries Assistance Act Continuance.
Passed.

BILL—RESERVES.

Second Reading.

THE HONORARY MINISTER (Hon. E. H. Gray—West) [4.40] in moving the second reading said: This is the usual Bill brought down late each session with the object of obtaining the necessary Parliamentary approval to alter the purpose of and to take other necessary action in connection with certain reserves held by the Crown and by various public bodies. The reserves to be dealt with number six, and they are situated in Macartney-street, York; Beaufort-street, Bayswater; Bagot-road, Subiaco; Gregory-street, Geraldton; at Cowaramup, and at Jayes near the Upper Blackwood River. I propose to lay on the Table of the House plans indicating the position of these reserves.

The first proposal is in connection with York Lot 450 which is held in the names of three Trustees in trust for the Order of Good Templars, for the purpose of the erection of a temperance hall. The original grant for this land was issued in February, 1876. The York Municipal Council desires to obtain possession of this lot, and add it to the adjoining Class "A" Reserve No. 1814, for park lands. There are no improvements on the lot, and the Order of Good Templars has no objection to surrendering any claim it may have. The Title is in the name of local trustees who are not now available, and it is not possible to execute a transfer or surrender. Parliamentary approval to surrender the lot, to include it in the adjoining Class "A" reserve, and to have it vested in the York Municipal Council is therefore necessary.

The next proposal concerns land in Beaufort-street, Bayswater. A number of years ago, the Bayswater Road Board purchased several locations facing this street, for the purpose of widening it. This action was not proceeded with, however, and in 1925, at the request of the board, the locations were surrendered to the Crown, and set apart as a Class "A" reserve for park lands and recreation. The board has now written to the department seeking authority to sell one of these lots (Location 3159, Class "A" reserve 18957) and to use the proceeds in developing an adjacent Class "A" reserve, No. 18958. The lot which the board desires to sell is too small to develop as a park, while the reserve it wishes to develop is much larger and more suitable for recreation purposes. Worthy of mention, too is the fact that the board has recently purchased land adjoining the reserve which it desires to develop, for the purpose of enlarging its recreation facilities. There is no objection to the proposal either from the department, or the Town Planning Commissioner. As the land concerned is a Class "A" Reserve, Parliamentary approval of the proposal is required.

Another proposal in the Bill deals with the setting aside of a reserve in Bagot Road, Subiaco, for the purpose of a kindergarten site. In the first place, the member for Subiaco (Mrs. Cardell-Oliver) approached the Lands Department for a kindergarten site for Subiaco. After consultation between the Town Planning Commissioner and the Surveyor General, two sites in Bagot Road were suggested, one part of a school reserve, and the other part of police reserve No. 5690. The Education Department was unwilling to release any portion of its area, but the Police Department agreed to release 33 perches of its reserve. This being a Class "A" reserve, Parliamentary approval is required to excise the area.

The fourth proposal concerns a reserve at Cowaramup. In 1930, a reserve of about 1 acre was set aside in this town for the purpose of a hall site, and a 999 years' lease was granted to the Cowaramup and District Progress Association and Agricultural Society, Incorporated, in trust for such purpose. This Society is now out of existence. A hall has been

erected on the site, but an amount is still due to the builder for the construction of the building. The position now is that the Augusta-Margaret River Road Board has asked that the hall be handed over to it. The two sealholders of the society have no objection, and agree that the society has ceased to function. The department also sees no objection, provided the road board assumes responsibility for the liability on the hall. The board has expressed its willingness to do this, although it has not come to an agreement with the builder in regard to the liability which will have to be met. As the society has ceased to exist, it is impossible to obtain a surrender of the lease. Parliamentary authority is therefore necessary to re-vest the land in the Crown. On the road board coming to an agreement with the builder, the department will again reserve the land as a hall site and vest it in the road board.

The next proposal deals with an area of four acres which was reserved at Jayes (near the Upper Blackwood River) in 1899 for the purpose of a recreation ground and agricultural hall. In 1932, this reserve was vested in the Upper Blackwood Road Board, and in 1938, at the request of the road board, it was declared a Class "A" reserve. The building on the land is now very old, has become useless for the purpose for which it was built, and is in a state of disrepair. The road board desires that the reserve be set aside for road board purposes so that it may lease the building to a person who would occupy it either as a caretaker, with the right to dwell in it, or for the purpose of a roadside refreshment house. This would enable the building to be kept in order without expense. As this site has been declared a Class "A" reserve, Parliamentary approval is required to make the necessary alteration.

The final proposal in the Bill is in connection with Lot 59, Gregory-street, Geraldton, the freehold of which is held by the Geraldton municipality, as a site for a town hall. This lot is not now required for the purpose mentioned and the council considers that it could be best used with other adjoining land for the purpose of a bowling green. It is desired, therefore, that the

greater part of Lot 59, and portions of Lots 55 and 56 which are reserved for public buildings, together with portion of Lot 61 which is reserved for public requirements, be vested in the council for recreation purposes so that the whole of land mentioned may be leased to a bowling club. Lot 59 cannot be surrendered to the Crown in view of the trust, so it is necessary to obtain Parliamentary approval. The areas taken out of Lots 55, 56 and 61 will not interfere with the use of the remaining portions of these lots for Government requirements. The department, therefore, recommends the necessary Parliamentary approval for this proposal as for all others submitted in the Bill. I will lay plans on the table of the House so that members may check the various items referred to in the Bill. I move—

That the Bill be now read a second time.

HON. G. B. WOOD (East) [4.50]: Whilst I support the second reading of the Bill, I would call attention to a mistake that appears in Clause 2. I refer to the names "Joseph and Sydney Pryke." The surname should be "Pyke." Although the matter relates to the year 1876, Sydney Pyke is still alive. Either a mistake has been made in the title, or there is a clerical error in the wording of the clause. When the Bill is in Committee I hope that clause will be postponed so that further consideration may be given to it, either by having the title examined or the name spelt correctly. It is interesting to note that not only is Sydney Pyke still alive but that Edmond Ashworth is also alive to-day and residing in York.

Question put and passed.

Bill read a second time.

BILL—NATIVE ADMINISTRATION ACT AMENDMENT.

Received from the Assembly and read a first time.

BILL—LOTTERIES (CONTROL, ACT AMENDMENT.

Returned from the Assembly without amendment.

BILL—LEGITIMATION ACT AMENDMENT.

Second Reading.

Debate resumed from the 14th November.

HON. J. NICHOLSON (Metropolitan) [4.55]: I moved the adjournment of the debate last Thursday so that I might consider some points that occurred to me. I have put on the notice paper certain amendments which I feel will fill the blank that seems to appear in the measure. Meanwhile the matter has been referred to the Crown Solicitor, who would like to alter the wording of my proposed amendments. I have examined the suggestions he has made, and I think they will lead to the production of a more or less perfect Bill. At any rate, they will meet the points I endeavoured to deal with in my proposed amendments. I take it the Honorary Minister will at a later stage move the amendments that have been drafted by the Crown Solicitor, and I trust they will be accepted by the Committee.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. Cornell in the Chair; the Honorary Minister in charge of the Bill

Clause 1—agreed to.

Clause 2—Amendment of Section 6.

The HONORARY MINISTER: In view of the amendments it is proposed to move, the wording in line 3 of Clause 2 will have to be altered by striking out the words "a new subsection" and inserting in lieu thereof "new subsection."

The CHAIRMAN: That will be a clerical adjustment.

The HONORARY MINISTER: I move an amendment—

That paragraph (b) be struck out and the following paragraph inserted in lieu—

(b) Any man, having married the mother of an illegitimate child since the birth of such child and, before he shall have made or produced to a registrar a statutory declaration as provided for in paragraph (a) hereof, dies or becomes insane or of such a condition of mental disability as to render him, in the

opinion of the judge hearing an application hereinafter provided for, incapable of making such a declaration, and it shall be proved to the satisfaction of a judge in Chambers upon the application of the mother of such child that the said man was or is her husband and that he was or is the father of the said child, or during his lifetime or before he became insane, or mentally disabled as aforesaid, acknowledged himself as the father of the child, and upon production of a certified copy of the order of the judge so finding.

Hon. A. THOMSON: May I ask whether this amendment is on the notice paper?

The CHAIRMAN: It is not; I have a typed copy.

Hon. A. THOMSON: We are developing very bad habits in Committee by having to give consideration to long amendments, the effect of which it is impossible to understand by merely hearing them read out. It is not fair to members to have such long amendments read to them. We are entitled to see them in print and to learn what they are all about. With all due deference to the legal members —

Hon. J. Nicholson: Do not blame the legal members.

Hon. A. THOMSON: Well, then, the amendment read by the Chairman should be on the notice paper. It is bad enough to have one or two lines read out, but when the amendment is of considerable length members cannot possibly be expected to gather what it is all about.

Hon. J. NICHOLSON: The protest registered by Mr. Thomson is not justified in this case.

Hon. A. Thomson: That is a matter of opinion.

Hon. J. NICHOLSON: I explained a little earlier that I secured the adjournment on the second reading last week because there appeared to me a matter that might with advantage be amended. I thereupon placed amendments on the notice paper. Unfortunately, the Crown Solicitor was unable to contact me to-day to discuss those amendments and it was not until I came to the House that I was made aware of the fact that that officer had suggested an alteration to my amendments. The Crown Solicitor submitted an amendment—the amendment read by the Chairman. It was not my business to put that amendment on the notice paper, nor was it possible for the Honorary Minister to do so because it came

to hand only this afternoon. I have gone through the amendment and I think it covers what I desire to do. The form in which it is now presented is very fair.

Hon. A. Thomson: Can you tell me how a layman can understand it by merely hearing it read?

Hon. G. W. MILES: Mr. Thomson is quite right in entering a protest. Anyway, what is the idea of attempting to rush the Bill through? We should report progress and the amendment could then be placed on the notice paper, where it could be studied by everyone.

The HONORARY MINISTER: There is no intention to rush the matter through. As Mr. Nicholson explained, he placed several amendments on the notice paper and I referred them to the Crown Solicitor, who has suggested an amendment in the form read by the Chairman. I will move the amendment.

The CHAIRMAN: Not yet. I want to have a say first. As your Chairman of Committees I am here to do justice to all, to protect members. I consider this is about the limit in the way of imposition on the Chair.

Hon. F. H. H. Hall: That's strong language.

The CHAIRMAN: The first amendment suggested refers to "a new subsection." I can find nothing in the script handed to me that there is going to be more than one subsection.

The Honorary Minister: There is another coming along.

The CHAIRMAN: Where is it; on the way? I am looking for one on the notice paper. Only a couple of days ago I drew the attention of the Committee to the fact that members could not strike out words during one Committee and put them back again in the same Committee. Members ought to be aware of that. I have an amendment here to strike out a paragraph and to put back about 90 per cent. of that paragraph. The Parliamentary Draftsman should endeavour to conform to the Standing Orders and not ask us to knock out something and put it back again in the same Committee. All I will allow this Committee to do is to strike out paragraph (b) of Clause 2 of the Bill, but I will not permit it to be re-inserted, or 90 per cent. of it, in this Committee.

Hon. J. Nicholson: The Honorary Minister can place the Crown Solicitor's amendment on the notice paper.

The CHAIRMAN: The Honorary Minister will not be a bit for'arder to-morrow if he leaves the amendment as it is because I will endeavour to put a stop to it and I ask members to be with me, that is, if the Honorary Minister wants to strike out the paragraph and seeks to put 90 per cent. of it back again almost in the same breath. If the Honorary Minister wants to strike out the paragraph at this Committee he may move to do so, and then he can report progress and insert the new paragraph at the next sitting.

Hon. J. NICHOLSON: Would it not be better to report progress so that the whole thing might be recast? The amendment can be referred back to the Crown Solicitor and the procedure then can be in accordance with what the Standing Orders provide.

The CHAIRMAN: If the Honorary Minister is not prepared to report progress, he can move to strike out paragraph (b).

Hon. G. W. MILES: The Chairman understands the position and he does not need any help. Neither do we want half-a-dozen Chairmen to deal with a question like this. I ask the Committee to support the Chairman.

Hon. H. S. W. PARKER: The Minister is asking that certain words be struck out, but the Committee does not know what is to be inserted in their place. Would it not be better for the Minister simply to report progress, so that the matter might be put in order?

The HONORARY MINISTER: Would it not be better to strike out the clause?

Hon. J. Nicholson: No.

The HONORARY MINISTER: I ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Progress reported.

BILL—FISHERIES ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. L. B. BOLTON (Metropolitan) [5.18]: I desire briefly to support the second reading. In common with several other

hon. members, I have been asked by interested bodies to support the measure. I am particularly pleased to do so, because, as was explained by the Chief Secretary, its object is to improve our fishing industry. While the Bill may perhaps be of greater interest to members representing the southern and northern portions of the State, still, as a representative of the Metropolitan Province, and as one who has taken interest in our industries, I am regarding the matter from the point of view of the State as a whole. The future of our fishing industry is of the utmost importance to the State, and I cannot understand why the Government has not done more to develop it. Personally, I am not a keen fisherman; in fact, were I to tell the House about the only two instances when I indulged in the sport, members would be amused.

Hon. C. B. Williams: You bought the fish.

Hon. L. B. BOLTON: No. The hon. member is mistaken.

Hon. C. B. Williams: You did not catch them.

Hon. L. B. BOLTON: I did. I cannot understand why the Government has not done more to develop this industry. Much money has been lent to and lost in industries not nearly so worthy of the same support. I have tried to obtain figures that would give members some idea of the value of our fish importations. Unfortunately, I have been unable to secure authentic information; but those who consume imported fish must be aware of the enormous sum paid for salted and tinned fish imported from other countries. From my limited knowledge of the fishing industry, I know we have an abundance of fish on our coast and therefore I feel that the money spent upon imported fish could, were the industry properly developed, be retained in the State. Until recently almost every departmental store—in fact, I think it prevails today—exhibited for sale Japanese crab, Japanese crayfish and imported tinned fish. In my opinion, the money spent on those goods should be retained in the State. I listened with interest to the remarks made yesterday by Mr. Thomson. He pointed out, and rightly, that when the war ends we shall probably have—as we had at the conclusion of the last war—thousands of men seeking employment. Here would be an opportunity to make some preparation to put those men

into an industry that must ultimately prove to be a great asset to the State. The Government should be commended for introducing the Bill, and I hope the result will be to place our fisheries on a better footing.

HON. W. R. HALL (North-East) [5.23]: I am not in a position to be able to debate to any great extent the subject matter of the Bill before the House; but in my opinion it is too drastic in its present form, and will adversely affect people obtaining a living by fishing. Notwithstanding that many foreigners are engaged in the industry, there are also large numbers of Britishers. At the present time it must be evident to hon. members that there is a shortage of fish and that the price of fish is high. On the goldfields fish is really a delicacy. It seems to be impossible to secure enough fish for goldfields to enable the residents to have fish more than once a week. I venture to say that in most cases they are not supplied with schnapper, but with gummy shark. We have to be thankful for the abundance of gummy shark at the present time.

Hon. G. Fraser: Many gummy sharks are not in the sea!

Hon. W. R. HALL: That may be so.

Hon. J. Cornell: The hon. member is a good advertisement for it.

Hon. W. R. HALL: The penalties provided by the Bill are too high. I do not like the provision for the confiscation of a man's boat, gear, engine and so on. That would have the effect of depriving him of his means of livelihood, and I cannot support a provision of that kind. The occupation of a fisherman is hazardous; he must go out to sea in all weathers. Recently I paid a visit to the Fremantle fishing jetty and saw myself what the fishermen have to put up with, especially if they catch undersized fish. I have seen 60 dozen fish tipped out of a boat at Fremantle and about one in every dozen measured $8\frac{3}{4}$ inches instead of nine inches. The undersized fish were confiscated; where they went I do not know. The fisherman who caught them was ultimately fined. I suppose the confiscated fish were consumed; if so, they might have been made available to the general public.

Hon. C. B. Williams: You don't suggest the inspector took them home!

Hon. W. R. HALL: The powers which the Bill proposes to confer on magistrates and fisheries inspectors are too great. Al-

ready they have too much power. Instead of improving the industry, the Bill will tend to cripple it to an extent that fish will be sold only at exorbitant prices and so will not be available to the ordinary consumer. As I said, I am not in a position to debate the question, but I feel that, in all the circumstances, greater leniency should be extended to the fishermen of the State. I shall support the second reading, but will oppose several provisions of the Bill.

HON. E. H. H. HALL (Central) [5.27]: I listened with great interest yesterday afternoon to Mr. Tuckey's excellent speech on this Bill. Members will realise that he was speaking on a subject of which he had first-hand knowledge. Personally, I think the benefit which this industry could be to the State has not been realised by those in charge of the destinies of the State during the past 10, 15, or 20 years. I regret that Mr. Heenan is unavoidably absent this afternoon, because he told me earlier in the day that he greatly desired to speak to the Bill.

Hon. C. B. Williams: He has gone to a wedding. He is fishing there.

Hon. E. H. H. HALL: I know where he has gone.

Hon. C. B. Williams: Do you?

The PRESIDENT: Order!

Hon. E. H. H. HALL: He is unavoidably absent. The hon. member could have given the House information on two aspects of the industry; firstly, from the point of view of the port of Esperance, with which he is well acquainted; and secondly from the point of view of the consumers at Kalgoorlie.

Hon. J. Cornell: What about members of the South Province?

Hon. E. H. H. HALL: Mr. William Hall lives at Kalgoorlie and has spoken on that point. It seems to me that the Bill principally applies to fishing in the estuaries and rivers in the southern portion of the State. As Mr. Tuckey was speaking yesterday afternoon, I thought I saw a smile creep across the face of the Minister when Mr. Tuckey claimed that Mandurah was one of the most important fishing centres of the State, if not the most important. I was also interested in the figures given by Mr. Tuckey. We know where the great bulk of the fish comes from.

Hon. G. Fraser: I was expecting you to mention that.

The PRESIDENT: Order!

Hon. E. H. H. HALL: I did not interject to that effect at the time, bearing in mind, Mr. President, that interjections are disorderly. The three members representing the North Province know all about the possibilities of the industry in the northern waters of the State. They know that hundreds or thousands of tons of fish are easily obtainable along the North-West coast. We often hear a cry from people who know nothing about the industry, "Why is the price of fish so high?"

Hon. V. Hamersley: Can you tell us?

Hon. E. H. H. HALL: They have only to make a little inquiry from those in touch with the industry to get an answer. I do not profess to know anything about fishing in the rivers and estuaries, but I am quite willing to afford the department all the assistance it can reasonably expect in endeavouring to protect those waters. Of trout acclimatisation, with which the Bill also deals, I do not claim to know anything, but there again I am prepared to assist in every possible way to further the very desirable object that the departmental officials, as well as the Fish and Game Society, have in view.

To my mind, sufficient recognition has not been given to the fact that there are two classes of fishing—commercial fishing and fishing as a recreation. Members should not disparage the claims put up on behalf of tourists; it was referred to by Mr. Mann. We want to cater for tourists from the goldfields and agricultural districts who desire to camp at places like Geraldton and Dongarra and enjoy a holiday at very small expense. People at Geraldton have put their hands into their pockets and provided cheap camps so that tourists might enjoy a holiday at the seaside. We like to think that they can catch fish to give them pleasant recreation and a welcome change of diet. If this can be done in my part of the State, there should be even greater scope for it in the garden of the State, the South-West. Many local authorities and local people are providing money in order to attract tourists, and their claim should not be brushed aside as a matter of little moment. The tourist trade

is one of considerable importance to such localities and I hope it will receive more attention from the department.

Coming to commercial fishing, this is carried on by means of line and net. Apart from the ordinary fish, we have a valuable asset in our shell fish. Mr. Bolton has taken considerable interest in the matter of furthering secondary industries, and if he was surprised at the lack of interest by the Government in an industry that people from other parts of the world tell us is neglected, how much more surprised must be the average individual! Mr. Bolton knows much more about industry than I do, but since I have occupied a seat in the House, members have continually asked, "Why does not the Government do this and that?" Yet immediately the Government proposes to do something, there is an outcry about the socialisation of industry. Anyone who voices two opinions such as I have described cannot claim to be consistent. To carry on the fishing industry is a costly business. Members know that an attempt was made to start it here some years ago.

Hon. C. B. Williams: Many times.

Hon. E. H. H. HALL: I am referring to one that cost a good deal of money. The question was asked, "Why not undertake trawling?" The "Bonthorpe" was secured, but it proved a very costly business for the people who engaged in the venture. The ex-Chief Inspector of Fisheries was an enthusiast in his work—I say nothing about the present occupant of the office because I have not met him—and I understood Mr. Aldrich to say that the sea bottom off our coast did not lend itself to trawl fishing.

Residents of Perth have to pay a high price for fish, but I should like to explain some of the difficulties confronting people who invest their capital in this industry. I speak from first hand experience, because I was one who put his hand in his pocket and foolishly entered the business, though only in a small way. Mr. Bolton referred to Japanese crayfish. We found a ready market in Adelaide, Melbourne and Sydney for local crayfish, until the Commonwealth and the Japanese Governments got at loggerheads. When the British Delegation came to Perth some years ago, a message was brought to the people of Australia that if we persisted in buying Japanese cotton goods, we could not expect Britain to pur-

chase so much of our raw materials. That was the burden of the delegation's song throughout Australia. The Commonwealth Government took heed of it and dared to make a small increase in the duty on certain goods imported from Japan. The little brown gentlemen replied by purchasing their wool requirements from South Africa. The Commonwealth Government retaliated. Although our fish imports, amounting to only £50,000 or £60,000 a year, did not mean much to Japan, an embargo was imposed. Our fishing venture had been operating for about 18 months and our agent in Perth had reported that he could not sell a tin of our crayfish in the Eastern States, but as soon as the embargo was imposed, we found a ready market in and secured repeat orders from Adelaide, Melbourne and Sydney.

Before allowing myself to be persuaded to float the venture into a company in order to cope with the demand, I was cautious enough to write to Sir George Pearce and ask him, much as I disliked the embargo, whether it would be continued. I realised that the wool trade was of more importance than our small export of tinned lobster. I was told definitely by the then Minister for Customs, Mr. White, through Sir George, that the Commonwealth would have to compose its trade differences with Japan as early as possible, and that the embargo would not be continued one day longer than was necessary. As to the question of an increase in duty, I was told that the Tariff Board had considered the matter and the request must be refused. Within six weeks of receiving that reply the embargo was lifted, and after that we did not sell another tin of our lobster to the Eastern States. That is my reply to Mr. Bolton's statement that Japanese crab was available to purchasers here and in the other States. What with the tariff and other high costs, how can we possibly compete with the cheap-trade countries? The whole question resolves itself into one of costs.

When Sir Hal Colebatch was Agent General for Western Australia, I was informed that there was a big demand for this product in England. I sent him samples of our pack and he was good enough to show them to some of the big houses in London. We received very favourable reports on it. Members might be interested to learn how near this little industry approached to suc-

cess. Tomato growers of Geraldton used to send large quantities of their produce to Melbourne every year, and Mr. Carson was sent to Melbourne to dispose of it. He told me that if I would give him a dozen tins of crayfish to show as a sample, he would see whether he could get any orders for it. Everybody in the fish business in Melbourne turned him down with one exception, the Australasian Jam Manufacturing Co. I was asked to send particulars of our factory to the manager of that concern. He wanted to know the size of the town of Geraldton. He said that if his company started operations there, it would need to employ a couple of hundred girls in the factory. Nothing came of the negotiations. Why, I do not know. I would not say that the reason was the high costs entailed. I would not care who undertook the industry so long as it was established, but a lot of money would be required to develop it. Had my puny efforts resulted in attracting to this State a company possessing capital such as the Australasian Jam Manufacturing Co. had at its command, I would have felt that I had accomplished something worth while.

Hon. A. Thomson: It is no use to start without capital. That is courting failure.

Hon. E. H. H. HALL: I wish to mention that a branch of the Australasian Jam Manufacturing Co., which is interested in fish, has a canning factory in Tasmania. Mr. Carson informed me that the supply there was giving out. That is what he was most concerned about—the supply. The main point about Geraldton is that those who have been fishing there for years say that practically unlimited numbers of crayfish are available in the vicinity. However, a lot of money is needed to start such an industry, and most people will not put their capital into problematical ventures. It has cost me a good deal of money to discover that what is needed at Geraldton is not a factory in Geraldton. Mr. Ackroyd Stuart put up there one of the finest factories in the Commonwealth, with refrigerating plant available; but he was obliged to close it down. My plant is on the island, and people have said to me that that fact accounts for the excellence of the product. I would go further and say that factories of that kind should not be stationary at all.

Hon. H. Seddon: They should be floating factories.

Hon. E. H. H. HALL: Yes. If one goes out during the spawning season one is unable to can for two months, because the fish are not then suitable for canning. Although supplies are plentiful, one cannot catch crayfish in rough weather, when, moreover, boats cannot go out. But at the Abrolhos one could operate a canning factory ship, and then one has not far to go to Shark Bay and other fishing grounds. A factory ship is needed, as Mr. Seddon interjected. I do not think a great deal of money would be required, provided one could secure experienced people and perhaps some assistance from the State. Manufacturers who have made a success down here—Plaistowe's and Mills & Ware—gradually established themselves. I remember a time when Plaistowe's chocolate stuck to the roof of the mouth; but Plaistowe's got experienced men from the Old Country, and as a result now make excellent chocolate. There was a company which lost much money in trying to do something with turtle. North-West members must know something about this. What was the cause of failure there? It was the fact that the people who went into the business did not understand it. I am told that turtle abound off the Montebello Islands. We now have a Chief Inspector of Fisheries who came from the Eastern States; and we know the Old Book says that wise men come from the East. Some members have rather resented the importation. I, as a former member of the Public Service, firmly hold the opinion that people who toil should be given the greatest encouragement. It is a sore point with me that they have not always received it. Let us not be blind to the fact that we need ability. Perhaps the gentleman occupying the position in question may possess some outstanding qualifications which will far and away make up for his lack of local knowledge. Let us hope so.

The Bill attempts to do, from this aspect, something that does not meet with my approval. We have now—we had not always—throughout the State, as magistrates, men of whom we may well be proud. It used to be thought that magistrates should necessarily have legal qualifications; but in view of the general satisfaction with our present magistracy, why not give each magistrate the discretion which he should have? Especially in connection with a measure such as this, a magistrate should be allowed full exercise

of his discretion. If an amendment in that direction is moved, I shall support it. I agree with Mr. Tuckey that certain other provisions of the Bill stand in need of amendment.

Next I wish to deal with an aspect that has been mentioned by several members, why the fishing industry employs so many foreigners or why so many foreigners are employed in it. There again, the answer is quite simple. Mr. Fox, speaking elsewhere, said the work was very hard and most hazardous. He spoke the truth. I am referring now to naturalised British subjects up my way. They are in Western Australia, and what do we intend to do with them? Those men go up to the North-West and to the Abrolhos in little boats and craft, risking their lives in all weathers. They come back with loads of fish. I have pointed out before—Mr. Heenan kindly reminded me of it this afternoon—that we are out to support the fishing industry. How do we lend it support? I speak now of my own end of the State. What action do we take to enable the people of the metropolitan area to obtain a plentiful and cheap supply of fish? It matters not whether the supply comes from Geraldton or from Albany. The railway freight on fish is £5 per ton; and if one wants the fish to arrive in proper condition, one must send half a ton of ice with every ton of fish consigned from Geraldton to Perth. Whether the consignment consists of ice or fish matters not; the rail freight is £5 per ton. That represents a total of £7 10s. per ton of fish. I have raised this here before. To make the business remunerative to the fishermen, that important item of diet, fish, must be railed as cheaply as imported stuff is carried to Geraldton. Why this differentiation? Why penalise the men who get their living on our coast? As you, Mr. President know, we have the cheapest railway rate in the world in our port-to-port rate of 50s. per ton. That rate covers all kinds of foodstuffs. I am told that fish go over the railway of a private company; but the Government rate and the private company's rate on fish are the same. That high rate, I feel certain, is maintained for no better reason than that fish has always borne a high rate of freight. We cannot get the people in authority to budge.

Recently I read in the Press that a man had been appointed commercial agent to go out and secure trade. But what

is the position with regard to the handling of fish? Any sort of old van is shunted on to the jetty—any kind of van—no refrigeration. Then chaff and bran and oats are swept out of the van, the ice is put in, and the fish are packed on top of it. We send a Minister of the Crown to the Eastern States to induce people to come here and start industries. The manner in which our fishing industry is handicapped by high railway rates, what time the residents of the metropolitan area are crying out for cheap fish, makes one wonder. The truth must be told. I do not know about the big money foreigners engaged in the fishing industry of the South-West are said to make. The low remuneration, the many hours of hard work, and other adverse conditions do not attract the average Australian to the fishing industry. Thank God he can find something better to do!

Member: Can he?

Hon. E. H. H. HALL. As a rule he can. Deep-sea fishing is impracticable without suitable boats. At Geraldton there are two ice works—one owned by the Geraldton Ice Company and the other by the old Kalgoorlie Winter Brandt Company. Those two companies own most of the fishing vessels. The fishermen take them out and work them on a commission basis. Some few of the fishermen have boats of their own, but mostly the boats are owned by those companies. I realise that you have been patient with me, Mr. President, and that I have commented on many things not covered by the Bill. In that respect I have perhaps imitated other members. I am taking this opportunity to try to bring home to the Government the necessity for taking a long view on this subject. There is another consideration. We are constantly asking the Government to do this, that and the other; and the Government, with justification, says, "Where is the money to come from?" It is all a question of money. I can just imagine the Chief Secretary, the Honorary Minister and other members of the Government saying to us, "It is all very fine to get up and talk, but where is the money to come from? So many things require attention, and where can we find the money?" That brings me back to the point that we have been told by the Premier that the State has not sufficient money with which to do justice to our great North-West. I believe

that applies to other parts as well. Capital, for instance, is required to explore our fishing industry. Reference was made to the visit of an officer from the Council of Scientific and Industrial Research. That officer may have visited Geraldton, but if he did I heard nothing about him. I do know that the services of a man who has done some very fine work in carrying out an extensive survey of the fishing industry could have been availed of. I refer to Mr. Gregory. I happen to be aware that his services were available to the Government, but he was not employed because money could not be found for what Mr. Gregory suggested was necessary.

Hon. H. Tuckey: You could not expect the Government to inaugurate fish canning works. That is not its job.

Hon. E. H. H. HALL: I do not suggest that, but I do believe we should have some reciprocity in such matters. For instance, take the suggested establishment of canning works at Geraldton. Not everything should be centred in the metropolitan area. That is not what the Government requires or desires. How ridiculous it would be to endeavour to start canning works in view of what we have to pay. Take the position regarding tin plate, the best of which is procured from Wales. Just imagine the sales tax and other costs that are charged on such imports. Everything required for the packing, including cases, solder, and so on, would have to be railled, and that means the payment of freight charges.

Hon. A. Thomson: There is no encouragement for the establishment of undertakings in the country districts.

Hon. E. H. H. HALL: One has only to recollect that if one catches fish, treats and cans it and packs the output in cases, the output can be railled to the city at 50s. per ton. On the other hand, if one catches the fish and sends consignments down to the metropolitan area so that the people can have the benefit of the fresh supplies, the cost of transport is 150s. per ton. I support the second reading of the Bill and shall reserve the right to deal with further phases when the measure is being considered in Committee.

HON. T. MOORE (Central) [6.4]: I have been intensely surprised at the manner in which the Bill has been handled by some

members who have indicated most weird ideas. I wonder if those members are capable of realising just how much time of the House they have wasted. The Bill has relation to our river and estuary waters and has nothing whatever to do with turtles or trips to the North-West. That was the absurd idea indicated by the member who has just resumed his seat. Because the penalties mentioned in the Bill happen to be large, one would imagine that magistrates who will deal with breaches of the Act are not permitted to use any discretion. Because the penalty is £100, that does not mean that the magistrate of necessity has to impose a fine of that amount. The provision merely means that a fine up to that amount may be ordered by the magistrate. I am really surprised that a man who has been here as long as the last speaker is not even yet able to understand that phase of our legislation. Most decidedly the magistrates will be able to exercise discretion. From time to time, the necessity may arise for the imposition of extremely heavy penalties as a means of preventing certain individuals from continuing to break the law. The magistrate in his discretion will impose a fine in the first instance commensurate with the offence, but if the culprit continues to break the law, the Bench will be able to impose heavier fines.

Hon. A. Thomson: In one clause £5 is set out as the penalty for a first offence.

Hon. T. MOORE: That means a fine up to £5.

Hon. A. Thomson: I suggest that you look at the clause, which refers to a fine of not less than £5.

Hon. T. MOORE: At any rate that is not £100. We should deal directly with the provisions of the Bill and not waste time discussing other matters quite foreign to the Bill. One point raised during the debate was that the estuaries should be closed for a time. I believe they should be closed. That is merely a commonsense point of view. As to the fish available along our coast line, I know many of those engaged in the industry at Geraldton, and they have pointed out to me that when they were first associated with the fishing industry, plentiful supplies were available. But the experience at Geraldton has been similar to that mentioned by Mr. Tuckey in relation

to Mandurah. The supply has fallen away, with the result that the fishermen at Geraldton have to go farther away for their catches. One would almost imagine that fish possess certain powers of reasoning.

Hon. J. M. Macfarlane: They are migratory.

Hon. T. MOORE: I do not view it from that standpoint because at one time the fish used to appear in Geraldton waters with the utmost regularity, but that is no longer so. Let members consider the position regarding bird life. If we interfere with birds, they leave our vicinity and do not return. So it is with fish. That phase must be taken into consideration, and I certainly think we should close some of our estuaries so that the fish will not be molested and will be able to breed up again in great numbers. I hope the House will not be led astray from the main issue merely because of the penalties mentioned in the Bill. I trust members will agree to the measure and so foster the interests of the fishing industry and help to ensure as plentiful a supply of fish as we enjoyed in former years.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West—in reply) [6.9]: Without doubt the Bill has been well discussed but I confess I had anticipated still more discussion. As usual, when we discuss fish—

Hon. T. Moore: We get a lot of fish tales.

THE CHIEF SECRETARY: In such circumstances we hear all sorts of stories. We can perhaps accept some with a grain of salt, but there have been others to which we may not be prepared to give any credence whatever. The legislation under discussion has been necessary for many years past, notwithstanding which it certainly does not touch on many points that have been introduced by speakers during the course of the debate.

Hon. T. Moore: Many points raised had nothing whatever to do with the Bill.

THE CHIEF SECRETARY: Quite so. On the other hand, some members dealt with various phases which, I think, are worthy of attention in replying to the debate. Mr. Tuckey certainly gave the House some interesting information based on his experience at that most important place—Mandurah. While he claimed that Mandurah was most important, I do not think he would suggest it is the most important fishing port in the State.

Hon. H. Tuckey: I was talking about estuaries and inland waters.

The CHIEF SECRETARY: I do not think he would claim Mandurah to be the most important fishing centre. Then we had the remarks of Mr. E. H. H. Hall. Geraldton has been the centre from which large quantities of deep-sea fish have been sent to the metropolitan area and to the gold-fields. But the Bill includes nothing dealing with that phase of the industry. The measure concerns estuaries and inland waters. Naturally, that gives rise to a discussion as to whether it is proper to close the estuaries for all time, or to leave them open. The discussion has indicated a difference of opinion even amongst men who have been associated for a lifetime with our inlets and estuaries and the fishing industry in our coastal waters. Some members have suggested that the object of the Bill is mainly to increase penalties. That is true, so far as it goes. The reason for that move is that penalties imposed in the past, more particularly upon habitual offenders, have been altogether too small, and have had no deterrent effect whatever. The desire is that where the Fisheries Department considers it necessary to take action, the penalties following upon successful prosecutions shall be such as to at least deter offenders from committing repeated breaches of the law. Mr. Tuckey gave us the impression that he was very anxious to do what he could to assist the department and the industry, but at the same time he indicated that he was not prepared to agree to the penalties mentioned in the Bill. The fines inflicted in the past have not been sufficient to accomplish what the departmental officials have set out to achieve.

Hon. H. Tuckey: I am not opposed to all the penalties mentioned but only to some of them.

The CHIEF SECRETARY: That is so, and I contend there is justification for every increased penalty indicated in the Bill. Mr. Tuckey's contribution regarding fishing nets was rather interesting, and in dealing with them he will understand that I am going on information supplied to me by the department. I am supposed to know a little about fishing but I do not profess to be an expert, and certainly when it comes to a question of using nets, I confess it is a subject about which I know very little. I certainly prefer the hook and line.

Sitting suspended from 6.15 to 7.30 p.m.

The CHIEF SECRETARY: Referring to the remarks of Mr. Tuckey concerning the mesh of fishing nets, which are proclaimed as lawful in Mandurah, the department points out that it would be useless for a fisherman to set about catching garfish with a net suited only for the capture of mullet. I think the hon. member will agree with that. The mullet is a much more substantial fish than the garfish and to use a mullet net would mean that a fisherman would have no luck. The $1\frac{3}{4}$ inch mesh net can be used all the year round. At the same time, the department tells me that it is definitely unlawful for that sized net to be used for the capture of any fish but whiting.

Hon. H. Tuckey: While it can be used you cannot prevent the fish from getting in.

The CHIEF SECRETARY: That is so and there is no penalty for that. I suppose the same position arises in regard to the use of other nets. A fisherman may use a net for a particular variety of fish and with that net will secure other fish, but he is not penalised on that account. Regarding Mr. Tuckey's comments on proposed new Section 35 (B), there is a provision in the Bill for the issue by an inspector of a license to fishermen living within the boundaries of closed waters to take their nets by the shortest route to open waters. The department contends that no bona fide fisherman will be penalised by the provision, though any fishermen who continually flout the provisions of the Bill will perhaps be refused a license.

Hon. H. Tuckey: You are referring to Section 35B.?

The CHIEF SECRETARY: Yes. That would be a special license in addition to the ordinary license giving him authority to use his boat to go through those waters. If a fisherman used his net in those closed waters as he went through them to reach the waters in which he was allowed to fish, the department would strongly object.

Hon. H. Tuckey: He could still use his boat in any waters provided he did not net there.

The CHIEF SECRETARY: That is so. I think members will realise that the inspectors are not likely to exercise their powers unreasonably. Past experience is a sufficient guarantee for the future. With

regard to Mr. Tuckey's remarks relative to the sale of fish, there is nothing in the Bill dealing with that. The matters of which he complains are at present controlled by local authorities and not by the department. They are controlled by local governing bodies under powers conferred upon them by the Health Act. For instance, regulations dealing with the sale of fish at the metropolitan market can be made only by the Metropolitan Market Trust and interference with that power is not considered necessary. There is no intention of dealing with that phase of the subject in this Bill.

The fishing industry is of great value to Western Australia and so is the tourist traffic. I suppose there will always be a difference of opinion between people advocating a particular place as a tourist resort and professional fishermen who desire to have the right to follow their calling in the waters at those particular centres. We must endeavour to hold the scales fairly and evenly between the two parties and I think the department, within the limit of the opportunity presented to it—a limit arising mainly from lack of finance—has done its best in that direction. Personally, I consider we do not sufficiently realise the value of the tourist trade to this State.

Hon. W. J. Mann: Quite true.

The CHIEF SECRETARY: At the same time, we must remember that the fishing industry is of very great importance. We should do all we can to devise means whereby the quantity of fish available to the people of this State can be increased, without injuring the tourist resorts. In this connection the department is working in the right direction. Reference was made by Mr. Mann to the size of the nets permitted at Bunbury. Judging from the information supplied to me by the department, I have an idea that the hon. member must have received wrong information from Bunbury regarding the position there. I have received the following advice from the department—

The minimum legal size of mesh for the Swan River and Mandurah waters is $2\frac{1}{4}$ in., while at Bunbury it was raised in 1931 from $2\frac{1}{4}$ in. to $2\frac{1}{2}$ in.

The three localities are similar in character, extent, and classes of fish, and it is not considered equitable that the size of $2\frac{1}{2}$ in.

be applied to Bunbury alone. The $2\frac{1}{4}$ in. mesh is therefore being permitted in Bunbury also.

Nowhere else in the State than in Bunbury is net fishing restricted to certain nights in the week, and in the past this restriction has limited operations to three nights per week in the estuary. A further night, making a total of four nights, is being permitted in view of additional waters (Victoria Bay) in the estuary being declared open. This portion has been closed to net fishing in the past in consideration of the claims of anglers, but is of little use for amateurs by reason of its shallowness. In view of the quantity of fish available in the estuary and the shortage of supplies to the public, prior consideration must be given to the professional fishermen.

Previously the permitted fishing hours were—

4 p.m. Monday to 8 a.m. Tuesday	} In practice, 3 nights.
4 p.m. Tuesday to 8 a.m. Wednesday	
4 p.m. Thursday to 8 a.m. Friday	

This has now been altered to—

8 a.m. Monday to 8 a.m. Friday	} In practice, 4 nights.

Referring to Mr. Mann's statement about the mesh allowed at Bunbury, the department states—

While the mesh prescribed for all three estuaries is now $2\frac{1}{4}$ inches, the following also prevail in Bunbury—

Set Net	$3\frac{1}{2}$ inches	} 1st April—30th September only.
Pilchard Net....	$2\frac{1}{2}$ "	
Whiting Net....	2 "	
Garfish Net	$1\frac{1}{2}$ "	} 1st April—31st July only (Koomana Bay; really mullet net).
Garfish Net	$1\frac{1}{2}$ "	
General Net	$2\frac{1}{2}$ "	

Hon. H. Tuckey: The $2\frac{1}{4}$ inch mesh will catch under-length mullet.

The CHIEF SECRETARY: The smaller the mesh, the greater the possibility of fish being caught other than those for which a man is fishing. That would apply at present in Bunbury. The $3\frac{1}{2}$ inch mesh would miss certain fish which the $2\frac{1}{4}$ inch mesh would catch. A fisherman will not be penalised because, through using a smaller mesh net, he happens to get a few fish in his net that he is not entitled to catch with a net of that kind. The department states further—

The majority of our estuarine fishes do not breed in the estuaries, as is claimed, but at sea.

That is something upon which I would not like to express an opinion. I have heard many arguments on that particular subject at various times, but what I have just stated is the opinion of the department.

I hope the House will agree to the Bill as it stands, with the addition of an amendment appearing on the notice paper. That amendment has been requested by the Forestry Department and is thought to be necessary on account of the provisions in the Bill giving certain rights to members of fish and game societies. The amendment speaks for itself and I will deal with it during the Committee stage.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. Cornell in the Chair; the Chief Secretary in charge of the Bill.

Clauses 1 to 3—agreed to.

Clause 4—New section; inspector may requisition boats:

Hon. H. TUCKEY: I move an amendment—

That in line 5 of Subsection (3) of proposed new Section 7a the word "five" be struck out and the word "ten" inserted in lieu.

This will have the effect of raising the maximum fee that can be paid by an inspector for the hire of a vessel from 5s. to 10s. an hour.

The CHIEF SECRETARY: A fee of 5s. should be sufficient for the hire of any launch that might be required by an inspector, for the vessel might not have to travel more than half-a-mile. I do not feel inclined, however, to raise any strong objection to the amendment.

Hon. H. S. W. Parker: The cost of petrol might be added to the cost of the boat.

The CHIEF SECRETARY: Possibly the words "the use of" might be said to include petrol, oil, and anything else. On the other hand, if the hire did not include the fuel we might be better advised to let the maximum fee stand at 5s.

Hon. C. F. BAXTER: I do not think petrol would be part of the hire. The department need not necessarily pay out 10s. an hour for the hire of a boat, but, on the other hand, it might be reasonable for that to be done, especially if the vessel happened to be a big one.

The CHIEF SECRETARY: The department would also be responsible for any damage that was caused to the vessel whilst under hire to the inspector.

Amendment put and passed.

Hon. H. S. W. PARKER: I move an amendment—

That the following words be added to proposed Subsection (3):—"and the cost of any petrol or other fuel and oil so used."

Some large vessel might be commandeered by an inspector at Rottneest and be called upon to make a long journey. In such event the department should pay for petrol, oil, etc.

The CHIEF SECRETARY: No doubt if the inspector wished to take a motor launch like the "Pollyanna" or some other equally magnificent craft, considerable expense would be involved. Should an inspector be called upon to travel a long distance, he would ordinarily go in the fisheries' launch.

Amendment put and negatived.

Clause, as previously amended, put and passed.

Clauses 5 to 7—agreed to.

Clause 8—Amendment of Section 16 of the principal Act:

The CHIEF SECRETARY: I move an amendment—

That in line 10 of Subsection (1) of proposed new Section 16, after the word "furnish" the words "or furnishing any false or inaccurate information in any" be inserted.

The sentence will then read, "Any person furnishing any false or inaccurate information in any such statement shall be liable to a penalty not exceeding £2."

Amendment put and passed.

Hon. H. TUCKEY: The position has now become even worse. There is a possibility of the new provision not being complied with. It is set out that all fishermen and those receiving fish must furnish a report disclosing the quantity and the species, and the waters in which the fish were caught. Some fishermen cannot write, and I do not know how they would manage to prepare a report, bearing in mind also that most of the fish are caught at night and boxed and sent to Perth market before daylight. This is something that cannot be expected of fishermen. The easier way would be for the fishermen to furnish the department with account sales at the end of the month, which would disclose not only the variety of fish but the prices actually obtained. Furthermore, the

auctioneers would have no knowledge of the waters in which the fish were caught, and so it would be difficult to supply that information. Again, a lot of work would be entailed. As it is, inspectors are put to considerable trouble in getting fishermen to apply for their licenses. I suggest the further consideration of the clause be allowed to stand over until tomorrow so that we might draft something that will be acceptable.

The CHIEF SECRETARY: I am advised that this provision will not be difficult to comply with. It is in force in other States and it is necessary that the power should be given to the department. The department is engaged in a fair amount of research work in connection with our fisheries and it is highly desirable that the information which will be obtained should be available to the department. The existing Act contains certain provisions in relation to the furnishing of returns, and the amendment of the Bill simply extends the existing provision by adding to the list, licensed fishermen, as persons who are required to send in returns. Forms will be provided, and the fishermen should not experience any difficulty in giving the information required. This is really the basis of the work on which the department is engaged at present.

Hon. T. Moore: Which section in the Act does this propose to amend?

The CHIEF SECRETARY: Section 16. The department is engaged in research work in collaboration with the Commonwealth, and no doubt members saw the announcement in to-night's paper to the effect that the Commonwealth Government had agreed to provide a boat to carry on research work on the Western Australian coast. A laboratory is to be established in the vicinity of Woodman's Point, and the provisions relating to the supplying of information are considered to be essential, if we are to make the most of the work to be performed by the department in conjunction with the Commonwealth.

Hon. H. TUCKEY: What is proposed will be all right where deep-sea fishing is concerned but not so with fishing in estuaries, where there are many small varieties caught and all fish are put into boxes and sent to the market during the night. It is too much to expect those who fish in estuaries to supply this information. Hawkers or auctioneers could account for the quantities

supplied, but nothing more. The returns that would be supplied by the deep-sea fishermen in the form of account sales would be authentic. I suggest again that the matter might be deferred until the next sitting so that we may have an opportunity to adjust it.

Hon. C. F. BAXTER: The proposal will give a certain amount of power which is really very necessary for the departmental inspectors to have, but I think it goes a little too far. The proposed new subsection says that all persons selling or exposing fish for sale shall furnish in writing to the chief inspector a monthly statement of all fish caught or consigned to or received by them and shall state the quantity of each species of fish and the waters where they were captured.

Hon. H. Tuckey: Where would they get all that information?

Hon. C. F. BAXTER: How would it be possible to say in which waters all the fish were caught?

Hon. T. Moore: What is now proposed is in the existing Act. Look at Section 16.

The CHIEF SECRETARY: The information which the department is able to obtain under the present system is insufficient, and the Government cannot afford to appoint the large number of additional inspectors that would be required if the method proposed by the Bill is not adopted. By asking the fishermen themselves to furnish the information by way of a report, the department will be in possession of accurate information required for special purposes. Departmental inspectors are continually obtaining information of great value, but that information will be of still greater value if it is supplemented by the reports of the fishermen.

Hon. H. Tuckey: The account sales would overcome much of that difficulty.

The CHIEF SECRETARY: But account sales would not cover the total catch of the fishermen. Further, when account sales are issued by the auctioneer, the probabilities are that an inspector will be at the market and the department will have no difficulty in obtaining the information. Fish, however, are consigned direct to the goldfields; there are many channels through which fish are sold. While Mr. Tuckey is particularly interested in the estuary at Mandurah, there are other places where fish are caught.

Hon. H. Tuckey: I am interested in all the estuaries, not merely the estuary at Mandurah.

The CHIEF SECRETARY: Considerable quantities of fish are caught in estuaries in the south of the State and sent to the metropolitan market for sale, but considerable quantities are also sold privately to customers living along the Great Southern railway line.

Hon. H. Tuckey: You could make provision for such sales.

The CHIEF SECRETARY: There is no necessity to make any further provision than is contained in the clause.

Hon. W. J. MANN: I hope the Chief Secretary's statement that very little work would be involved in the furnishing of the returns which he mentioned will prove to be correct, but I would point out that large numbers of fishermen have been denied the advantage of a good education and many of them would rather walk a long distance than write a letter. I hope the department will make the returns as simple as possible.

Clause, as previously amended, put and passed.

Clauses 9, 10—agreed to.

Clause 11—New Part inserted in principal Act:

The CHIEF SECRETARY: I move an amendment—

That the following subsection be added to the proposed new section:—

(4) When any such proclamation includes an area of State forest, access to and the use of streams within such area for the purpose of fishing, or other activities of any society registered under the provisions of this Act, shall be subject to such conditions as the Minister for Forests on the recommendation of the Conservator of Forests may consider necessary for the protection of the State forest.

Nothing contained in this Act shall authorise entry on any portion of a State forest or timber reserve which is the subject of planting or regeneration and on which trespass is prohibited under the provisions of the Forests Act, 1918-1931.

I would like to state the reason for the amendment. This is what the Conservator of Forests says on the matter—

The use of streams through areas of State forests for trout fishing will not necessarily conflict with forestry interests, but their use for such purpose will involve traffic on roads constructed and maintained by the department and the entry of fishermen on areas where regeneration work is in progress.

Many of these areas are from time to time in a highly inflammable condition, and it is essential that the department charged with the protection and development of State forests should have some control over persons travelling through the forests with the intention of camping, fishing or any other activity associated with trout acclimatisation.

Members are aware that under the Bill certain authority is proposed to be given to members of the fish and game societies. We much appreciate the work which these members are doing, and I am pleased to say it has been accompanied with a fair amount of success. At the same time, however, it is necessary to protect our forests, especially where regeneration work is in progress. I think members will not object to the amendment.

Hon. W. J. MANN: I notice that in the letter from the Conservator of Forests quoted by the Chief Secretary, the Conservator said that from time to time forest areas were in a highly inflammable condition. That hardly reflects credit upon the Conservator. I thought creeping fires were lit in order to clean up the forest floor. I want it to be clearly understood that much of the charm of our tourist traffic consists in being able to go into forest country, camp there and fish in the brooks. There is a scenic value as well as other values.

Hon. J. J. Holmes: And campers would leave cigarette butts lying about.

Hon. W. J. MANN: I am not suggesting that campers should light fires indiscriminately. They are hardly likely to do so because they would lose their belongings. I hope the Minister for Forests will act reasonably and not close areas through which springs run.

The CHIEF SECRETARY: In my own opinion the Conservator of Forests is to be commended for having noticed this particular point. Notwithstanding all the precautions taken by the Forests Department, during certain periods of the year some sections of our forests are in what he describes as a highly inflammable condition.

Hon. W. J. Mann: They would not be if they were burnt regularly.

The CHIEF SECRETARY: The hon. member does not know quite as much of the subject as I thought he did. Provision is made in the Bill for proclamations to be issued defining the boundaries of the areas

concerned, and such definition may be by reference to roads or otherwise.

Hon. W. J. Mann: Streams run through all State forests in the South-West.

The CHIEF SECRETARY: People who fish in the streams for trout should at least observe conditions to be laid down by the Conservator of Forests with a view to the protection of our forests from fire.

Hon. J. Nicholson: The Conservator is very reasonable in these matters.

Hon. C. F. Baxter: He must be, if Mr. Nicholson backs him up.

The CHIEF SECRETARY: Yes. I am anxious that nothing shall be done to injure or damage our forests.

Hon. J. Nicholson: They are growing more valuable every day.

The CHIEF SECRETARY: That is so. The Conservator of Forests should have power to lay down conditions upon which these areas may be used.

Hon. J. J. Holmes: This is an authority he is entitled to have.

The CHIEF SECRETARY: That is so.

Hon. H. TUCKEY: I can well understand Mr. Mann's concern, because it would be better not to stock our streams if, later on, conditions are imposed by the Conservator of Forests which will prevent anglers from making use of the streams. The matter is one for co-operation; and, after hearing the Chief Secretary, we might perhaps agree to the amendment.

Hon. T. MOORE: In fairness to the Conservator of Forests, I point out that there are times when men are employed cutting and stacking in readiness to put a controlled fire through a forest. A forest could reach a condition that would be highly inflammable, and it would be disastrous if somebody else started a fire in the bush thus prepared for burning. While we seem to be giving autocratic power to the Conservator, I am prepared to agree to it on the principle that the end justifies the means.

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

Clauses 12 to 15—agreed to.

Clause 16—New sections:

Hon. H. TUCKEY: I move an amendment—

That the proposed new Section 35A be struck out.

Under this provision, anyone in possession of fish may be required to explain how he got them. To put the onus of proof on the defendant is too drastic. It would not matter where a man was found with fish in his possession, he would be liable if he could not satisfy the inspector as to where he got them. There would be no danger if we could be sure that every inspector would act fairly, but an inspector might have a grudge against a fisherman, who might be convicted although he was not guilty. In view of all the other penalties provided in the measure, this provision is not necessary.

The CHIEF SECRETARY: This is one of the occasions when I approve of the onus of proof being placed on the defendant. When I was in charge of the Fisheries Department, inspectors often reported that they were satisfied that fish had been caught in closed waters, but they did not have power to make a search of the vehicle in which it was being transported. The fisheries inspector has enough difficulties without including this one. When fishermen intend to commit a breach of the law, they have an organisation as nearly perfect as possible to assist them. The number of inspectors that can be employed is so limited that the difficulties will be insuperable unless we have drastic power of this sort. I cannot imagine any inspector using the power unfairly.

Hon. H. TUCKEY: Men in the industry feel greatly concerned about this provision. They are afraid that some inspector might prosecute a man who is not guilty. I admit that when a man is fishing alone, it is not easy to obtain evidence as to where the fish were caught. At the same time, if we adopt this provision, we shall be placing great reliance upon the inspectors.

Amendment put and negatived.

Clause put and passed.

Clauses 17, 18—agreed to.

Clause 19—New section:

Hon. Sir HAL COLEBATCH: The proposed new section is somewhat general and haphazard. There should be some definite method for the selling or disposing of boats, nets and lines that have been forfeited. Regulations will be necessary, and some principle would have to be followed in dis-

posing of forfeited gear. I move an amendment—

That after the word "Minister" in line 2 of the proposed new Section 37B the words "and in the manner prescribed" be inserted.

The CHIEF SECRETARY: I cannot take exception to the amendment, though it might be difficult to prescribe methods in the regulations. Nets and lines confiscated on the south coast would probably have to be sent to Perth for disposal under the usual conditions, but there might be a method of disposing of them in that part of the country.

Hon. Sir Hal Colebatch: If you contemplate selling or disposing of a boat, some sort of notice should be given.

The CHIEF SECRETARY: Usually such sales are made by the Tender Board or quotes are called for the articles. The proceeds from the sales would be paid into Consolidated Revenue.

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

Clause 20, Title—agreed to.

Bill reported with amendments.

BILL—TRAMWAYS PURCHASE ACT AMENDMENT.

Read a third time and *passed*.

BILL—MARGARINE.

Second Reading.

Debate resumed from the previous day.

HON. H. L. ROCHE (South-East) [8.44]: I support the second reading of the Bill which is long overdue. The Bill does not provide for a specific quota of margarine to be manufactured in Western Australia, but there is on the notice paper a proposed amendment to overcome this weakness. I do not know that members of this Chamber need be concerned regarding some objections voiced the other evening with reference to the powers to be conferred on the Minister and his inspectors. Many of those powers are already included under the Dairy Industry Act, and in any event, the inclusion of those provisions will bring our legislation into con-

formity with that operating in Victoria and New South Wales, which was introduced as a result of the recommendation of the Australian Agricultural Council. The restriction of the manufacture of margarine in Australia is obviously for the protection of the dairying industry in which millions of pounds are involved. In Western Australia alone over £15,000,000 has been invested in that industry. The object also is to afford some protection to those engaged in the industry including those servicing it in transport, manufacturing and other subsidiary activities. We can learn something in our desire to protect the dairying industry by taking cognisance of what has been done in countries such as Canada, Switzerland, and Italy, where the manufacture of table margarine is prohibited. I do not recollect that the term "Hitlerism" was used in the course of the debate, but at any rate the suggestion was there. We certainly have some distance to go before reaching that stage, and I would prefer that in a State like Western Australia the manufacture of table margarine was forbidden, even if it involved conferring extensive powers on the Minister and his officers. I found some difficulty in understanding Mr. Craig's attitude.

The Chief Secretary: He was in a capricious mood.

Hon. H. L. ROCHE: He may have been somewhat capricious or even facetious. Maybe he intended to support the Bill in its present form. If that is so, then I think his support went further than the facetious and became almost farcical. If his intention was to convince people, who, he suggested, were prepared to hang, draw and quarter politically anyone who would refuse to support such legislation, that he would support it regardless of what he thought of the Bill, I trust he will succeed. If Mr. Craig is actually opposed to the legislation in its present form, then in view of his speech, I really congratulate him on his effort.

If I can sum up correctly what he said regarding the menace of margarine and what should be done for the protection of the dairying industry, I imagine that it was that those associated with the dairying industry and those who should have been active in protecting it against the menace of margarine, have not been as wide awake to the possibilities as they should have been.

If that is a correct assessment of what Mr. Craig's remarks amounted to, I am quite safe in saying that if he had been as well informed regarding what has taken place in connection with the organisation of the dairying industry and the work carried out in recent years to combat the menace of margarine, as he was positive in the assertions he made, he would not have fallen into the errors of which he gave such clear indication. For years Mr. Ross McLarty, M.L.A., has been closely connected with the organised butter producers, and during the last two years at least has been much concerned about the effect of margarine. Mr. Noakes of Brunswick and Mr. McCormick and Mr. Norton of Capel, all intimately connected with the dairying industry in which they have considerable interests, have been vitally concerned with the organisation of the industry itself. During the last two or three years they have been working to the limit of their ability in their endeavour to secure the passage of legislation in either the State or Federal Parliament to protect butter producers against the margarine menace. Those associated with the industry are not deserving of any criticism from that standpoint.

The introduction of the legislation has been delayed in consequence of the limitations imposed by the Federal Constitution. There may be some objection to this class of legislation because cheap synthetic food-stuffs will be made somewhat more difficult for everyone to obtain. I suggest seriously that in a country like Australia, where we have adopted a policy of protection, it is just as important to protect the dairying industry against an artificial foodstuff produced largely from edible oils, much of which is produced by black labour in countries where the standard of living bears no relationship to that enjoyed by the workers in Australia, as it is to conserve the interests of the manufacturers of boots and shoes or of jam or of other commodities, who are afforded protection against unfair foreign competition. The Bill seeks only to extend protection to an industry that is purely Australian and in which the welfare of thousands of our own people is involved. I was not much impressed with the objections raised by Sir Hal Colebatch, who seemed to think we would have to be prepared in the near or distant future—I am afraid it will be in the very distant

future—to accept world prices and conditions. That attitude has been maintained in certain quarters willy-nilly, in season and out of season, and yet we do not seem to be getting any nearer to that stage. I do not think the butter industry can afford to wait indefinitely for that time to arrive when the relationship between the countries of the world will be such that we shall have internal free trade or some condition approaching that state of affairs. This is the only method I can visualise under which Sir Hal's objective would be attained. The business of butter production will have to be protected if the industry is to be fostered, and protection against table margarine is a vital necessity. For that reason I support the second reading of the Bill, and commend it to hon. members.

HON. W. J. MANN (South-West) [8.55]: I feel sure there are very few members, if any, in this Chamber who really object to the aims of the Bill. We are all agreed that we should protect one of the most important primary industries we have in Western Australia. While perhaps we do not view the Bill with all the enthusiasm possible, we are perfectly satisfied that it represents an honest attempt to meet a situation that has become exceedingly difficult. One could speak at length regarding the history of the manufacture of margarine and if one proceeded far enough afield, could show what has happened over the years. Obviously, some very cleverly directed propaganda has been developed with the object of establishing margarine on the markets of the world. Fifty years have elapsed since the first margarine factory was established in Great Britain. The man who launched the undertaking turned out a very good product of its kind. I understand that as soon as that product commenced to make a little headway, a lot of other people tried their hands at it, with the result that the most extraordinary emulsions and concoctions, under the guise of margarine, were made available to the public, and names were given to those products to indicate that they were a substitute for butter. It has taken all these years for chemists, biochemists, bacteriologists, and other technical experts to enable margarine to reach the position it now enjoys in the market.

Members will view with interest the statement that not one person in a hundred can tell the difference between first-class butter and margarine. I will not pretend to be an expert, and I do not propose to say that the chemist could not produce an article that would be very difficult to identify as margarine. I do say, however, that, in my opinion, there is much yet to be proved to establish the claim that margarine possesses anything like the food value that those interested in its manufacture would lead us to believe.

The most virile, the healthiest and the strongest of our people are those who have had generous supplies of butter, an almost perfect food. From that point of view, if from no other, we would be unwise to encourage the manufacture of a product which, although it may be put on the market at a slightly reduced price—indeed it is being put on the market at a price just below that of butter—is not necessarily of equal food value with butter. It has been shown that the cost of manufacturing table margarine is somewhere between 5d. and 7½d. per pound. On the other hand, we know that the product is being retailed at 1s. 1d. and 1s. 2d. per pound. That shows that the people behind its manufacture are merely out for profit and have no other idea in their minds. For a long time the sale of margarine was practically stationary in Australia, but as a result of propaganda and wide advertising through the radio and other media, those interested in the manufacture of margarine and in making a profit far beyond what they are entitled to, have been able to induce the public to use more of the commodity. I have not the figures for this State but I understand that the sale of margarine in Victoria increased from 520 tons in 1935 to 1,521 tons in 1939, an increase of 300 per cent. When that increase is mentioned, the claim is made that margarine is cheap and is as good a food as butter. I have yet to be convinced that even if it is cheaper than butter it is as good a food.

Hon. V. Hamersley: I suppose the Victorians are eating margarine themselves and exporting good butter.

Hon. W. J. MANN: Possibly they are doing that. They may be doing what I am given to understand some people in this State are doing. Although I

cannot vouch for the truth of the statement, I was told recently that a well-known caterer very often uses margarine in the sandwiches, rolls and scones which he sells, and that if it were suggested to him that such was the case, the statement would be immediately denied. However, that is by the way. As has already been stated, the dairying industry is being threatened through the methods pursued by the manufacturers of margarine, whose one idea is to make profit. They have no qualms or worries as to what is going to happen to the country. They have no thought for the welfare of Australia, and I make bold to say they have not much idea of doing a service for the poorer people of the land. They are simply exploiting those people, and I do not know that we should assist them in that direction to any degree. If my vote would prohibit the sale of margarine in Australia, I would gladly cast it in that direction, because as I think the previous speaker pointed out, total prohibition of the product exists in other countries. One of those countries, Italy, is extremely poor—or was, and I think still is—but the authorities there do not seem to be impressed with the idea that people eating margarine are being supplied with a cheap and perfectly good food and a commodity equal to butter. Canada took action after very exhaustive inquiries. I have not had an opportunity to peruse the report on this subject that I believe is in existence. I understand that the decision was reached after a very complete survey of the facts and a careful examination of the synthetic product.

Hon. J. J. Holmes: What was the decision reached?

Hon. W. J. MANN: Total prohibition. Margarine cannot be manufactured or sold in Canada, Italy or Switzerland. In the United States the manufacture of margarine is not viewed with enthusiasm, but at the same time it is not prohibited. However, the authorities have imposed an excise duty on it amounting to half a cent. per pound. They take the view that if margarine is to be consumed, it must make some direct return to the State coffers. In Australia we are very fortunate in not having had to consume much synthetic food up to date, and I do not think there is any necessity for us to do so. The statement has been made that scientists have declared the value

of margarine. My opinion is that if one looks sufficiently far afield, he will be able to persuade any number of scientists to say anything they are paid to say. I am not sure that some of the scientists who have made extravagant claims for margarine have not been well remunerated for their statements. I am reminded of some of the testimonials we see advertised in regard to certain patent medicines. When I am told that scientists say that margarine is as good a food as any other, my reply is that until that is definitely proved I do not propose to accept their statements.

Recently I took an opportunity to discuss the question of cooking margarine with a lady who is a very excellent cook. I thought that would be one way to gain information. I asked whether she had used margarine in cooking, and was told that she had; that she had used both cooking and table margarine. Asked with what result, she said that the best margarine at 1s. 1d. per pound was nothing like equal to pastry butter at 1s. 3d. a pound. It was rancid. Cakes manufactured with margarine would pass muster, she said, provided they were eaten almost as soon as they were cooked. If they were kept for a day they would be such as would tempt few people, and if they were kept for two or three days they would show a distinct deterioration compared with cakes made with butter. My informant assured me that provided a reasonable quantity of pastry butter was available, it was preferable every time. That opinion was given quite honestly by a lady with considerable experience, and I consider is an opinion worth quoting.

The Honorary Minister interjected.

Hon. W. J. MANN: I have to disagree with the Honorary Minister. I know he is an expert on bread, and probably in some other directions.

The Chief Secretary: He used to be a pastrycook.

Hon. W. J. MANN: I am pleased to hear that the Honorary Minister specialised in pastrycooking and had experience with margarine, but I should have thought he would be an advocate for pastry butter. However, with all due respect to the Honorary Minister, I prefer to accept the testimony of the person to whom I referred. As has been stated, a lot of money has been spent on the dairying industry in this country. It

is estimated that between £200,000,000 and £300,000,000 has been invested in dairy farms and stock in Australia. Although we are getting into the habit in these times of war of airily talking of millions, that amount represents a considerable sum of money. It also represents a tremendous asset. The figures show that at least another £6,000,000 has been expended in dairy factories, land, buildings, etc., throughout Australia. I have not been able to ascertain how much is paid to dairy workers throughout the year, but I have learned that for the year ended 30th June, 1938, no fewer than 163,511 persons were employed. The estimated annual payments made by various factories to persons employed in them is about £500,000, quite an appreciable sum. I understand that the production of butter in a normal year is equal to something like 35,000,000 lbs. These are only a few of the many figures I have, but they are sufficient to indicate the necessity for preserving an industry that is providing employment for hundreds of thousands of persons. We cannot afford to allow it to be menaced by a mere handful of people who have little thought for the general welfare of Australia. If we are going to sit by and watch these things going on, we shall find this product—a good deal of it is the product of black labour—brought into consumption whilst white men are gradually losing their business. Some criticism has been levelled at the quota allowed to Western Australia. I think it is on the generous side, and believe the quota should be somewhere about five tons per week in lieu of seven tons.

Hon. J. J. Holmes: On a population basis that should be so.

Hon. W. J. MANN: I have, however, discussed the matter with the Minister, who said a number of factors had influenced him in agreeing to the quota of seven tons. The position at one time was fairly delicate. This Bill is something that probably goes outside the Constitution, and the legislation could not hope to be effective unless all the States were in agreement. There had to be, therefore, a little give and take, and it seems to me that we were the givers. Some of the other States have had the benefit. I think the Victorian quota was varied by a reduction rather than an increase, but to what extent, I cannot recollect. Most of us dislike the Bill because, as Mr. Roche said,

it is the result of a refusal by the people of Australia to amend the Constitution so that cases of this kind could be dealt with effectively. We have to accept the measure as it stands, and for that reason I propose to vote for it with as glad a heart as possible. I would have been happier in supporting a Bill for the total prohibition of margarine, but that does not seem possible. The Bill contains one difficulty, namely, that it does not stipulate the quota of margarine to be manufactured. I have a copy of the Victorian Act which definitely lays down the quantity to be manufactured. I understand the department has some objection to putting into the Bill the amount agreed upon, but I think we should insist upon that being done. We do not want people to come along afterwards and say that owing to unforeseen circumstances, or because Smith is not getting as good a deal as is Brown, the output had to be increased. We ought definitely to say that it shall be seven tons and no more. That should be the maximum.

Hon. E. H. H. Hall: Why did the department say that?

Hon. W. J. MANN: The reason was given to me in brief, but I did not understand the full import of it.

The Chief Secretary: There is a risk attached to fixing the quantity.

Hon. W. J. MANN: I fail to see where the risk comes in.

Hon. G. B. Wood: If the quantity were fixed it could only be altered by Parliament.

Hon. W. J. MANN: If the principle was good enough in Victoria it should be good enough for us.

Hon. J. J. Holmes: Would you allow manufacturers to export the commodity?

Hon. W. J. MANN: That could not be prevented. If we do not manufacture for export other people will do so. I am chiefly concerned with table margarine. The position is not at all satisfactory but it is the best that can be devised. I was in Melbourne when the Bill was debated in the Victorian Parliament. I did not hear the discussion but I talked afterwards with the people concerned. When I last visited Melbourne the Bill had been passed, but I was assured by Victorian dairy representatives that they considered it an excellent measure

and that it covered the producers fully. It was also conveyed to me that if Western Australia would pass a Bill that dealt with the position as fully as the Victorian legislation had done, the situation would be largely met. I understand the Bill before us is modelled on the Victorian measure, and for that reason seems to be a satisfactory compromise. If we do not pass the Bill it will mean that Parliament will be abandoning the dairy farmer. That would be too disturbing to contemplate. It would mean the gradual decline of an industry which has cost a great deal of hardship and a lot of money to establish, and continuous labour on the part of the very patient and self-sacrificing people who built it up.

Hon. J. J. Holmes: You have no doubt about the House passing the Bill?

Hon. W. J. MANN: No. I am merely pointing out what the result would be if we did not pass it. It would mean the disappearance of a large proportion of our national assets, particularly our Agricultural Bank assets, and the disappearance ultimately of the people's savings which have been put back into the industry. It is necessary that dairying should be fostered for other reasons. Associated with it is the manufacture of cheese, condensed milk, dried milk, powdered milk, table cream, milk products, etc. All these things are bound up in the industry. We must be careful to see that we do not countenance anything that will hinder the industry in any way. Those connected with it have been very much perturbed about this challenge, and are extremely anxious that Parliament shall do nothing that will disadvantage them in any way. I support the Bill.

On motion by Hon. H. S. W. Parker, debate adjourned.

MOTION—RAILWAY SERVICE SUPERANNUATION.

Debate resumed from the 5th November on the following motion by Hon. Sir Hal Colebatch (Metropolitan)—

That in the opinion of this House it is desirable that the Government give consideration to the cases of those railway employees who were in the service prior to 1905, several of whom are in straitened circumstances.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [9.27]: The subject matter of this motion has raised almost endless discussion from time to time during the last few years. I am a little troubled lest the resuscitation of the subject in this form will have the effect of raising the hopes of the people concerned in a way which I do not think is justified. The motion moved by Sir Hal Colebatch is most indefinite. It certainly asks the Government to give consideration to the subject to which it has already given consideration on many occasions, and on which it has expressed its decision in Parliament. When introducing the motion, Sir Hal Colebatch said—

It does not even reach the complete honouring of the decision of the select committee as adopted by the Legislative Assembly.

He went on to support his remarks by statements which, I am sorry to have to say, were not correct. In the first place he submitted as a reason for the motion that he had known some of these men for 35 years, knew them to be active citizens and servants of the Government, and was surprised and distressed to find that some of them were in somewhat straitened circumstances. Of course that may be so; but no one has questioned the standing of these men in the community, and no one is likely to question the services they have rendered to the State. I am sure that we can all, with Sir Hal Colebatch, feel highly sympathetic towards them, and regret that any of them should have reached a stage where they find themselves in straitened circumstances. But while we might feel sympathy for them in that direction, surely that cannot be put forward as a reason why the Government should, at this stage, again revive the question with the idea of departing from the decision which was arrived at some two years ago, a decision for which the Government gave, in my opinion, fully adequate reasons.

Of course Sir Hal did not traverse the legal arguments which have been used in this matter and have been discussed on so many occasions, and I do not propose tonight to go over them again. Sir Hal did say that the legal right of the railway men to pensions was no longer contested by the Government, and that the Government was relying on an overriding decision of the Governor in Executive Council. That statement is entirely incorrect. The Gov-

ernment has never, to my knowledge, admitted that these men have a legal right to that which they were claiming. I believe I have a pretty fair knowledge of the Government's attitude on this question; and I have certainly made inquiries to discover whether the Government at any time, through its Ministers, has acknowledged that the men have a legal claim. I assure the House that at no time has the Government recognised that these men possess a legal right. The position is that the Government has rigidly followed the legal advice tendered to it with regard to the interpretation of the material provision of the Superannuation Act of 1871 by Mr. Septimus Burt. That was in the year 1902, and that same advice has been tendered to the Government ever since by its legal advisers. Not only has that same advice been tendered to the Government on this question, but it has been repeatedly confirmed by the Public Service Appeal Board, the Chairman of which is invariably a judge of the Supreme Court. What is more, the advice which has been tendered by these various people has been accepted and followed by every Government, irrespective of its political complexion. Apart from the modification which was imposed by Section 83 of the Public Service Act of 1904—the amendment which deprives every person entering the Public Service after the 17th April, 1905, of the ability to qualify for superannuation under the Superannuation Act of 1871—there has been no change whatever. So that when the hon. member makes the statement, and repeats it several times in moving the motion, I have to ask him exactly what justification there is for a statement of that kind. We know that the select committee appointed by another place brought in a recommendation, and that that select committee did not agree with the interpretation of the 1871 Act upon which this Government and all other Governments have acted; but surely it cannot be contended that a Government must accept the interpretation of a select committee as against the interpretation of its legal advisers. That is the position in which the present Government has found itself. The claim of wages men to receive pensions under the Superannuation Act of 1871 has not been recognised by any Government, not because of the fact that the men were wages men, but because by reason of the nature of their

employment they were not, in the light of the legal advice tendered to the Government and also in the light of the decisions of the Public Service Board, and also because of the application of Section 83 of the Public Service Act of 1904, qualified to receive pensions. It was in 1937 that the select committee appointed by another place dealt with this question; and, as I have said, although the select committee did not agree with the legal interpretation upon which all Governments have acted, and brought in the report recommending that the Government should recede from the attitude it had adopted, surely it cannot be contended that is proof that the legal interpretation was wrong, or proof that the Government had admitted that these men were right.

The question of cost is, naturally, a very vital factor in the matter. I may interpolate that it is quite correct that at no time have these men in the Government service had under the Act of 1871 an absolute right to pensions. It has always been within the province of the Government, if it felt so disposed, to refuse pensions even under that Act.

Hon. E. H. H. Hall: Did it ever feel so disposed?

The CHIEF SECRETARY: Not where there was a legal right. But that is the position of any Government. When Sir Hal says that what he is asking for would not impose any undue financial strain on the State, it makes one wonder just what it is that he means; because these men would either be entitled to consideration in the form of pensions such as they have asked for, or not entitled to anything at all. We cannot make distinctions between those men, some of whom may be in straitened circumstances, and other men who have been in the Public Service in other departments and who may now be in straitened circumstances. Members are well aware that any action of the Government in a matter of this kind almost inevitably must be applied to all those persons who are in a similar position. I recognise that Sir Hal Colebatch is perhaps supported in his argument by the finding of the select committee, which took a highly sympathetic view of the position of these men and did, of course, recommend that the Government should recede from the position it had taken up; but even there I do not think the select committee recommended that the Government should

provide the particular pensions which these men were claiming. There has always been some dispute regarding the number of men who would be involved in this matter. A year or two ago the men concerned supplied certain figures as to the number who, they considered, would be affected. Even if the figures thus supplied were accepted as exhaustive—that is, covering the whole of the men who would be involved—the average total cost for each of the following 10 years would be about £100,000 per annum, and the total amount payable in 20 years would be £1,500,000. So that it will readily be recognised how difficult it would be for any Government to undertake an obligation of that kind unless there was an absolute legal right supporting it. Again, the hon. member referred only to ex-employees; but I take it that he would not discriminate between ex-employees and even those employees who are at present in the service of the Government. Some have retired since that select committee sat, but I understand there are still some servants of the Government who can claim to be in the same position as the men claiming contend they are in.

Hon. H. Seddon: There are not any left in the service now.

The CHIEF SECRETARY: Just let the hon. member listen to this; it may surprise him. With regard to those employees affected who were still in the service at that time, a detailed examination was made of all service cards, and a careful calculation obtained which could be subject to only a very small margin of error. For those men alone the annual liability would reach a maximum of £74,500 in 1948-49, and the total payment in 20 years would be £1,103,000. That, it must be remembered, does not take into account those men who have already retired. So that it is a much bigger question than Sir Hal Colebatch would have the House believe; and this indicates the necessity for any Government to be particularly careful when dealing with a matter of this kind on the recommendation of a select committee. As stated by the Premier when dealing with the question in another place, the position boils itself down to this, that in order to give effect to the resolution the Government would have to reverse the practice invariably followed by all Governments since the Act of 1871 was passed, jettison the advice of all Government legal advisers, ignore innumerable de-

cisions of the Public Service Appeal Board presided over by a judge of the Supreme Court, give the men something which for many years they did not expect to seek, and which in many cases they did not even imagine they were qualified to receive, and of course at the same time incur a liability of certainly nothing less than £100,000 a year. I would like to point out that for seven years Sir Hal Colebatch was a member of a Government of this State, and before that period was a Premier of this State. If he considers an injustice is being done to those men now, is it not strange that he did not take steps to deal with the matter while the Government of which he was a member was in power? I presume the reason is that because at that time the agitation had not arisen. The agitation having arisen—and having been dealt with in the way in which all members thought it ought to be dealt with—I feel sure the House will agree with me when I say that the Government cannot accept the verdict of the select committee against all the legal advice that it and other Governments have received ever since this matter has been a subject for discussion. Furthermore, while we might be sympathetic towards these men—personally I am sorry to learn that some are so situated that assistance of some kind would be extremely welcome—nevertheless no Government could discriminate in their favour without at the same time being prepared to treat in the same way other men who have been in the Government service and who are in a bad position to-day. Without spending more time on this subject—we could discuss the legal aspect of it for hours—I have to say that, in view of all the circumstances, I must oppose the motion, while at the same time expressing my sympathy for the men to whom Sir Hal Colebatch has referred.

On motion by Hon. L. B. Bolton, debate adjourned.

BILL—MONEY LENDERS ACT AMENDMENT.

Second Reading.

Debate resumed from the 31st October.

HON. SIR HAL COLEBATCH (Metropolitan) [9.49]: I do not propose to say much on this Bill. When it was first presented in another place, I read all that was

published with regard to it and it appealed to me very strongly. It seemed to me to be the right thing to do; but now the Bill has made its appearance before us, I do not know whether to support the second reading or not. If I do, it will be in the hope that some amendment will be made to the schedule. I certainly should not like to be associated with the passing of a Bill which deliberately contemplates the charging of interest up to the rate of 60 per cent. If that is not usury, I do not know what is. It is useless to tell me that at the present time some money lenders charge even higher rates. They may, and there may be means of bringing them to book through the court; but deliberately to place on our statute-book a provision that a money lender may charge up to 60 per cent. is, to my mind, unthinkable. And those charges are to be made against people who can least afford to pay them! There would be no charge of 60 per cent. against a person who had some reasonable security; the charge is to be made only against those people who obviously have nothing. The assumption no doubt is that the lender will make up, by this excessive interest paid by those who do pay, the losses that he makes in the case of those who are unable to pay.

I do not intend to go into the details of the schedule, but as the Bill was introduced originally I think it contemplated a maximum rate of 20 per cent., and even that to my mind is excessive. I know that recently a class of institution has grown up in this State. It is called the cash order business, and the interest it charges runs to something like 30 per cent. In my opinion, that business has always represented an attempt to induce people to buy things they do not want with money they have not got. I make bold to say that in every community in which the business has been introduced, it has done far more harm than good. We all know that it started for the purpose of enabling people to acquire such necessary and useful goods as sewing machines, or goods of that sort by which people might effect some saving in their domestic economy or perhaps make some money by doing work for them. The business gradually developed until now it has become a sort of accepted practice that people shall be encouraged to buy all sorts of things on extended terms of payment, and without realising they are paying the

exorbitant rate of 30 per cent. It was in America that the system developed to the largest extent. I remember hearing many years ago a very learned professor of one of the American universities deliver a long and informative lecture on this whole subject of "consumer credit," as it is called in the United States. At the conclusion of his address, the professor said: "There are two things I can tell you with absolute certainty. One is that we have gone so far with this business that we cannot stop." He explained his remark by saying that, having enabled people to buy to-day with what they were going to earn next week, or next fortnight, they must subsequently be enabled to buy next fortnight or next month goods with what they were going to earn still further ahead. If that were not done, then the stimulus that had been given to all sorts of business by this method would be withdrawn and there would be a general collapse. The professor continued: "The other thing I can tell you is that, as surely as night follows day, it will bring our country to ruin." His prophecy was amply fulfilled. Prior to 1929, when this priming of industries by the giving of credit stimulated all sorts of businesses to an extraordinary extent, there was brought about, among other things, the greatest stock exchange boom the world had ever known. But in 1929 the collapse came, and then exactly what the professor said would happen did happen. Hon. members know as well as I do the effect it had not only upon the United States, but upon the world. If the idea of permitting the high rate of interest to be charged is in any way associated with the intention to encourage, assist or keep alive these cash order businesses, then I can say the Bill will have no support whatever from me. The general idea of the Bill is excellent, but I should certainly raise my voice against putting on our statute-book any Act including a provision for a rate of interest exceeding 20 per cent.

Hon. H. Tuckey: Even that is too high.

HON. G. FRASER (West) [9.55]: Although I shall support the second reading, I am in agreement with the view expressed by Sir Hal Colebatch upon the schedule. I

do not think we should sanction the charging of interest at the rate of 60 per cent. which appears to me to be extortionate. When we reach the Committee stage, perhaps the schedule will be amended by cutting down the rates. My reason for supporting the Bill is that to-day there is no control over the charging of interest; even higher rates than this Bill proposes to permit may be charged.

Hon. J. Cornell: Why should it be left to a private member to introduce this legislation?

Hon. G. FRASER: Unfortunately, many things are left over and would not be dealt with at all if private members did not take action.

Hon. J. Cornell: The Money Lenders Act has been in force since 1912.

Hon. G. FRASER: That is 28 years ago, so an amendment is long overdue. I also find myself in agreement with Sir Hal Colebatch's observations on cash order businesses. As I said, I support the second reading of the Bill, because I think that when we reach the Committee stage we shall be able to mould it into conformity with the wishes of this Chamber. I for one would not like it to be placed on record that I voted for a measure which would allow the charging of a rate of interest as high as 60 per cent.; but, as I have said, we shall have an opportunity of dealing with that matter when we reach the Committee stage.

HON. E. M. HEENAN (North-East—in reply) [9.57]: I must admit I find myself somewhat in agreement with the remarks made by Sir Hal Colebatch. I do not altogether take pride in being responsible for a measure that permits of the charging of 60 per cent. interest. But we have to face facts as they are, and we know, from the numerous examples that have come under our personal notice, that rates vastly in excess of 60 per cent. have been charged in the past. One instance was quoted of where a man borrowed £9 for six months and paid £3 12s. interest. If we worked out the rate charged, we would find it so high as to make Sir Hal Colebatch and other members shudder. Unless we cope with this matter, we shall only be permitting such abuses to

continue. Members must bear in mind, however, that the rate of 60 per cent. applies only to loans under £10.

Hon. T. Moore: Only to the very poor people.

Hon. E. M. HEENAN: Yes. Of course, there are two ways of looking at the matter. There are occasions, unfortunately, when it is essential for people to borrow small amounts, from £1 upwards.

Hon. J. Cornell: Should the necessity arise for a poor man to pay 60 per cent. for a loan of £10, it would be about time to deal with the matter.

Hon. E. M. HEENAN: We have to make a virtue of necessity. Sometimes the necessity arises. Money lenders are available and they lend money to people in those circumstances.

Hon. T. Moore: They have elastic consciences.

Hon. J. Cornell: None at all.

The PRESIDENT: Order!

Hon. E. M. HEENAN: If we cut out the money lender, we shall be doing a disservice to a section of the people. When the rate of 60 per cent. is applied to small loans, the actual amount of interest paid is not much. Members who have worked out the figures in the schedule will realise that if a person borrowed £5 for one month, the amount of interest, at the rate of 60 per cent., would be 5s. We all realise that on occasions £5 might mean a great deal to a person and, for 5s. interest spread over a month, though the percentage rate is very high, he would consider it of great service to get the loan on those terms to meet dire circumstances. All will agree with Sir Hal Colebatch that it is objectionable to stipulate 60 per cent. in a statute and thus say we approve of that rate being charged, but we have to realise the present position when no rate is fixed and when rates as high as 300 or 400 per cent. are often being charged. I do not care very much what is done with the schedule, but I ask members to bear in mind the other side of the question. Unless we fix a scale that will make this class of business such that money lenders will continue to carry it on—

Hon. G. Fraser: They will not close up their businesses.

Hon. E. M. HEENAN: I wish to make it quite clear that my remarks are directed solely to pointing out that we ought to keep the rate of interest within bounds that will

serve a certain section of the people and at the same time allow money lenders to carry on the business. I am pleased that members have received the Bill as a measure intended to effect an improvement to the Act. As Mr. Cornell pointed out, the Act has not been amended for many years. This Bill was introduced in another place by a private member, but there are many private members' measures that are good and deserving of support.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. Cornell in the Chair; Hon. E. M. Heenan in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 3:

Hon. H. SEDDON: People on the goldfields borrow money in order to get homes, and if the rate is reduced from 12½ to 10 per cent., the money will probably not be made available. I think it would be desirable to leave the section as it stands.

Hon. G. Fraser: If 10 per cent. is the rate there, that is what the clause proposes.

Hon. H. SEDDON: The maximum on the goldfields is 12½ per cent., and if 10 per cent. is inserted, the money might not be made available.

Hon. E. M. HEENAN: I cannot follow Mr. Seddon's reasoning. The purpose of the Bill is to regulate the business of money-lending, and those who lend at 10 per cent. will not come within the scope of the measure. The Bill provides benefits for both parties and will prevent abuses. Anyone who lends money at more than 10 per cent. should lend under conditions set out in the Act. I fail to see how the clause will hamper or restrict borrowing in any way.

Hon. H. SEDDON: A person who undertakes that class of business will come within the definition of a money lender. People are quite content to carry on as at present, but if lenders are brought under the definition of money lender, they will not provide the money.

Hon. J. NICHOLSON: The clause will have the effect of labelling as a money lender everybody who lends money at a rate of 10 per cent. I do not think any member of this Chamber would like to be branded a money lender.

Hon. Sir Hal Colebatch: I hope there is no member who lends money at 10 per cent.

Hon. J. NICHOLSON: The difficulty on the goldfields is that money is not readily procurable for house building. The difficulty naturally creates a demand. Some people are prepared to run the risk of advancing money on that class of security at what would appear to be a higher rate of interest than would be charged in a place where the same difficulty did not obtain.

Hon. G. W. Miles: How will they be made money lenders if the rate is reduced from 12½ to 10 per cent.?

Hon. J. NICHOLSON: The Act provides that "money-lender" includes every person, whether an individual, firm, society or corporate body whose business—

Hon. G. Fraser: I would like to emphasise those words "whose business"—

Hon. J. NICHOLSON: —whose business is that of money lending, or who advertises or announces himself or holds himself out in any way as carrying on that business or who lends money at a rate of interest exceeding 12½ per cent. per annum. To pass a clause that would do injury to a large section of the community would be unwise. Section 5 provides that no person shall carry on the business of a money lender unless he is granted registration under the Act and is the holder of a current license. The rate of interest on a loan is regulated by the risk. Under the clause people who are a source of convenience to residents of the goldfields will be branded as money lenders, a term that is not the most desirable.

Hon. Sir Hal Colebatch: Do not you think 10 per cent. is quite enough?

[Hon. Sir John Kirwan took the Chair.]

Hon. J. NICHOLSON: That is not the point. Are we to be responsible for the passage of legislation that will brand as money lenders people who are prepared to take these risks? This will be most undesirable in the interests of the people on the goldfields. Section 5 of the Act imposes many restrictions upon those who may lend money.

Hon. L. B. Bolton: There is nothing degrading in the lending of money.

Hon. J. NICHOLSON: I do not think the hon. member would like to be called a money lender.

Hon. J. J. Holmes: I would not mind if I had the money to lend.

Hon. J. NICHOLSON: Instead of proving of advantage, the clause will be harmful, and I oppose it.

Hon. E. H. H. HALL: Shakespeare exhorted people to be neither borrowers nor lenders. Personally I have good cause to regret having disregarded the advice from both standpoints. I fail to appreciate the objection raised by Mr. Nicholson to what Parliament has already agreed upon. If Parliament has declared that a person lending money and charging certain rates should be called a money lender, why should anyone object to that course? My experience has been so costly that I would be quite prepared to make it illegal to borrow or to lend money at any rate of interest whatever. I shall certainly support the clause which will provide for a reduction in the rate of interest, and if anyone desires to go further and go to the full extent I have indicated, I shall support him. I think Mr. Nicholson took his cue from Mr. Seddon with regard to the goldfields.

Hon. G. FRASER: Mr. Nicholson referred to the principal Act and the conditions under which persons lending money were to be described as money lenders. He failed to proceed far enough with his reference because Section 5 clearly indicates that people will be regarded as money lenders only when their businesses are primarily in connection with the lending of money.

Hon. J. CORNELL: On the surface, the provision for a charge of 10 per cent. interest would appear to be ample. I share the opinion expressed by Mr. Seddon with reference to the effect this legislation may have on the goldfields. If members were to go to Norseman they could see houses that are occupied for a rental of 35s. a week, and they would appreciate that in such circumstances residents of that centre would welcome paying 15 per cent. interest if they were able to secure money enabling them to obtain premises reasonably habitable. Some people on the goldfields are prepared to find the necessary money and they experience no lack of clients. If the interest rate is cut down to 10 per cent., the probability is that those people will not advance money on houses, and the Government will not provide homes for the people. I am afraid those who favour a reduction in interest will prejudicially affect those they seek to assist.

People who will be in a position to provide the finance required to enable others to procure homes will consider they may be classed as money lenders.

Hon. G. W. Miles: That is only in the light of the version submitted by Mr. Nicholson—and his contention was not right.

Hon. J. CORNELL: The hon. member is accepting Mr. Fraser's version.

Hon. G. Fraser: The version was not mine; I quoted the wording of the Act!

Hon. J. CORNELL: On the goldfields a few men have been prepared jointly to provide a certain amount of capital for the purpose of building houses. Are they not money lenders?

The Chief Secretary: Not within the meaning of the Act.

Hon. J. CORNELL: That is just drawing a red herring.

Hon. G. W. Miles: That is not so, because that is not their chief means of business.

Hon. J. CORNELL: I am afraid that if people in that category were to be faced with the cutting down of the interest margin suggested, then, as Mr. Seddon pointed out, they will not be prepared to advance money at 10 per cent.

Hon. H. S. W. PARKER: If the figure is reduced from 12½ per cent. to 10 per cent., any person who lends money at over 10 per cent. automatically becomes a money lender.

Hon. G. Fraser: Nothing of the kind.

Hon. H. S. W. PARKER: I stand corrected by the hon. member but regret to say that we are bound by the courts and not by the opinions of individual members.

Hon. G. Fraser: I am telling you what the Act stipulates.

Hon. H. S. W. PARKER: Perhaps I read the Act differently, but as I see it, if the Bill is passed and a man lends money at more than 10 per cent. he will be a money lender. He will have to register as such and he will be given a tremendous advantage because when the payment of taxation is under consideration he will pay on personal exertion income rather than on income from property. Some wise people who have lent money out on mortgages at ordinary rates of interest and live on that interest have registered themselves as money lenders for the sole purpose of ensuring that they will be taxed on a personal

exertion instead of on a property basis. This will play right into the hands of the money lenders and I cannot see any reason for altering the figure from 12½ to 10 per cent.

Hon. E. M. HEENAN: I think all members will agree that the Money Lenders Act is a very wise and beneficent piece of legislation. It provides safeguards for people who borrow money. It applies penalties and restrictions only to money lenders, that is to people who lend money at a rate above 12½ per cent. That means that people lending money at 12½ per cent. and under have a "free go" and people borrowing from them have no protection. Mr. Nicholson's reference to Kalgoorlie indicated that he did not know very much about the subject. I know many people who have borrowed up to £300 and more and the money lender from whom they have borrowed has immediately docked a procuration fee, a fee for inspecting the house on which the money was borrowed, and also insurance; so that the person who asks for £250 actually receives only £160 or £170. That happens repeatedly.

The Chief Secretary: And the borrower has still had to pay 12½ per cent.

Hon. J. J. Holmes: Will this Bill stop that?

Hon. E. M. HEENAN: Yes, because under the Act that sort of thing cannot occur. A person who is a money lender cannot do that, but a man who lends money at 12½ per cent. or less is not bound by the Act and cannot be prosecuted. If a money lender charges a procuration fee he commits a breach of the Act. As the law stands a man charging 12½ per cent. plus those fees I have mentioned cannot be prosecuted. The virtue of the Bill is that it will bring people who charge 10 per cent. and over within the scope of the Act.

Hon. H. S. W. PARKER: But if a man charges 9½ per cent. he can also charge those other fees.

Hon. E. M. HEENAN: He would be outside the Act.

Hon. H. S. W. PARKER: There should be some provision to stop that sort of thing altogether.

Hon. E. M. HEENAN: I was astounded by some of the remarks made by Mr. Cornell. I am afraid he did not read the Bill, which

allows money lenders to charge interest up to 20 per cent. A man who lends money to people who want to borrow to build a house at Norseman or Kalgoorlie can charge up to 20 per cent., so there is nothing to fear in that respect. Mr. Nicholson is terrified at the thought of someone being dubbed a money-lender. But if people lend money at over 10 per cent., what are they? They will have to pay a registration fee of £5 a year and that is about all there is to it.

Hon. G. B. Wood: Suppose a man makes only one loan for a few months?

Hon. E. M. HEENAN: If he charges over 10 per cent. he will have to register.

Hon. T. MOORE: I have had occasion to bring up matters of this sort in the Chamber and have received a very poor hearing. I know of cases where no risks have been taken and the property has been worth considerably more than the amount advanced, and yet excessive rates of interest have been charged. I want people who charge 12½ per cent. to be known as money-lenders. The individual money lender is the trouble. The snide lender who advances money in the dark is the individual I have been after for a long time. If many of those people would go out of business by being branded money lenders, I regret that the rate has not been made lower. How many people can afford to pay 10 per cent. interest? I hope that next session the rate will be reduced.

Hon. H. S. W. Parker: Bring in a Bill in accordance with the report of the Royal Commissioner.

Hon. T. MOORE: Yes. If a man charges 10 per cent. interest, he should be prepared to be known as a money lender.

Hon. H. SEDDON: Many people with a few hundred pounds use it to help others to buy homes. Houses cannot be obtained on the goldfields unless money is forthcoming for their purchase. If people can borrow the money and repay it in the form of rent, they are only too pleased to get a home under those terms. On this security, banks and friendly societies will not lend. Building societies do not exist on the goldfields and the city building societies will not lend there. Private people, however, are prepared to advance the money. In view of the risk, a rate of 10 per cent. is not excessive.

Hon. E. M. Heenan: The Bill recognises that.

Hon. H. SEDDON: But under the clause a person charging 10 per cent. would have to register as a money lender.

Hon. E. M. Heenan: No, only if he charged over 10 per cent.

Hon. H. SEDDON: The rate of 12½ per cent. should be retained.

Hon. E. M. HEENAN: If 10 per cent. is substituted for 12½ per cent., people lending money at 10 per cent. will not be regarded as money lenders.

Hon. J. Cornell: Suppose the mortgage contains a penal rate of 1 per cent.?

Hon. E. M. HEENAN: The hon. member is raising a point not contemplated by the Bill. Anyone charging over 10 per cent. would have to register as a money lender.

Hon. J. CORNELL: My fear is that the effect of the clause would be to dry up the sources of money now available.

Hon. E. M. Heenan: Why?

Hon. J. CORNELL: Because the people who lend will be designated money lenders. A penal rate of ½ per cent., which would bring the rate above 10 per cent., would necessitate a lender registering as a money lender. Mr. Heenan would think long and often whether he would build in Kalgoorlie as a speculation or in the metropolitan area. The risk attached to building on the goldfields was a matter of grave concern to the Government and the Workers' Homes Board. The application of a flat rate all over the State is likely to be detrimental to the housing problem there.

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

Ayes	..	..	..	..	8
Noes	..	..	..	..	10
Majority against					2

AYES.			
Hon. Sir Hal Colebatch		Hon. W. H. Kilson	
Hon. E. H. Gray		Hon. G. W. Miles	
Hon. E. H. H. Hall		Hon. T. Moore	
Hon. E. M. Heenan		Hon. G. Fraser	(Teller.)
NOES.			
Hon. J. Cornell		Hon. H. S. W. Parker	
Hon. L. Craig		Hon. H. Seddon	
Hon. V. Hamersley		Hon. H. Tuckey	
Hon. J. J. Holmes		Hon. G. B. Wood	
Hon. J. Nicholson		Hon. L. B. Bolton	(Teller.)

Clause thus negatived.

[Hon. J. Cornell took the Chair.]

Clause 3—Amendment of Section 10 of the principal Act:

Hon. S. W. PARKER: What will be the effect of this clause? It appears to me an error has crept in. The proposal is to extend the period governing the lending of money, the charging of compound interest and so on from 1937 to 1940. What does the clause mean?

Hon. E. M. HEENAN: This relates to the prohibition against the charging of compound interest. Any contract made after the passing of the 1937 Act for the lending of money by a money lender is illegal insofar as it provides for the payment of compound interest, or for the rate of interest being increased by reason of any default in the repayment of sums due under the contract. The clause merely extends the operations of that Act to 1940.

Hon. H. S. W. Parker: In other words, that which has been illegal during the last three years is now to be made legal. Why not report progress?

Hon. E. M. HEENAN: The hon. member has raised an interesting point, and it might be as well that I should inquire into it.

Progress reported.

House adjourned at 11.1 p.m.

Legislative Assembly.

Wednesday, 20th November, 1940.

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

QUESTION—SUPERANNUATION.

Deductions.

Hon. N. KEENAN asked the Treasurer: 1, Is he aware that the Superannuation Board follows the practice of deducting sixpence out of the two pounds per week paid as superannuation allowance under the Act? 2, Is such deduction made pursuant to any portion of the Income Tax (Rates for Deduction) Act Amendment Act, 1940? 3, If not, under what authority is such deduction made? 4, Will he ensure that the deductions made are certified by the Superannuation Board, so as to enable the pensioner, if so entitled, to recover the payments from the Commissioner for Taxation?

The MINISTER FOR WORKS (for the Treasurer) replied: 1, Deductions are not at present being made from superannuation payments under the Superannuation and Family Benefits Act, 1938-1939. 2, Pensioners have been notified that deductions at the rate of 6d. in the £ on payments of 37s. per week or over will be made in pursuance of the Income Tax (Rates for Deduction) Act Amendment Act, 1940, unless certificates of exemption from the Taxation Department are produced. 3, Answered by 1 and 2. 4, Yes.