

Possibly only a small proportion of them will be taken in. The provision in this Bill is already in the Health Act. The member for Brown Hill-Ivanhoe asked, "Why do you not put it into operation?" If the money were available I would not hesitate to put the Health Act into operation immediately and send these people to places where they could be treated. Where these men are to be treated must be decided by the medical profession. Some will probably be at Kalgoorlie. They will be handed over to some local doctor under the instructions of Dr. Henzell and Dr. Muecke. Other cases might go to Wooroloo. If this amendment is carried we might as well drop the whole Bill.

Mr. STYANTS: I hope the Minister will not insist upon the compulsory clause, which is objectionable. As he says, the power is already vested in the Minister under the Health Act to compel anyone to take treatment, but that power is not exercised.

The Minister for Mines: There are good reasons.

Mr. STYANTS: Yes, there are in many instances. In the majority of cases a man would not be in a position to go into an institution for treatment and at the same time make financial provision for his wife and family, and we do not compel him to go in. I do not think we should compel a miner to undergo treatment. It should be optional for him. If he elects to take the treatment and makes a start then I am in favour of the compulsory clause to make him continue. Many of the men shifted from Coolgardie to Wooroloo would have preferred to stay in Coolgardie and die rather than go to Wooroloo on the off chance of being cured; and that is the attitude of many of these people today. If we were enforcing the provisions of the Health Act I would be agreeable to miners being compelled to undergo treatment.

I am doubtful whether these people are a particular menace to the public. If they are they should not be permitted to move around in public as they do. People are permitted to visit Wooroloo Sanatorium and mix with patients, and certain patients are allowed to leave the institution so there cannot be great danger to the public. Therefore the miner who does not wish to go to the sanatorium would not be any greater menace to the community if he remained at home. The Bill affords a wonderful oppor-

tunity for an affected man to take the treatment if he feels so inclined. If he does not wish to take it, we should not compel him. I believe that 99 per cent. of the men would be ready to undergo the treatment.

Mr. F. C. L. SMITH: The Minister rests his case on men of 30 to 35 years. A miner on the Lake View recently retired at the age of 75 suffering from T.B. What interest would he have in going to Wooroloo for five years' treatment? My stepfather died at the age of 65 of tuberculosis contracted in the industry, and he would not have had much interest in going to Wooroloo on the chance of being cured. It would be interesting to know the ages of the miners found to be suffering from T.B. The Minister said that 60 per cent. of the men in the industry in 1942 were under 40 years of age, but the tendency will be for the average age to increase. What interest would old men have in this curative treatment? Is any exception proposed in their case? I suppose if treatment is compulsory for one, it will be compulsory for all. If that is so, the miner should be able to elect whether he will undergo the treatment.

Progress reported.

*House adjourned at 10.46 p.m.*

## Legislative Council.

*Tuesday, 21st September, 1943.*

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

### ADDRESS-IN-REPLY.

#### *Presentation.*

The PRESIDENT: This morning, in company with the officers of the House, I waited on His Excellency the Lieut.-Governor and presented to him the Address-in-

reply agreed to by the House. I have received the following reply from His Excellency:—

Mr. President and hon. members of the Legislative Council—I thank you for your expressions of loyalty to His Most Gracious Majesty the King, and for your Address-in-reply to the Speech with which I opened Parliament. (Sgd.) James Mitchell, Lieut.-Governor.

### **MOTION—FREMANTLE HARBOUR TRUST ACT.**

*To Disallow Bagged-wheat Charges Regulation.*

**HON. C. F. BAXTER (East)** [4.36]: I move—

That new regulation No. 148 made under the Fremantle Harbour Trust Act, 1902, as published in the "Government Gazette" on the 4th June, 1943, and laid on the Table of the House on the 10th June, 1943, be and is hereby disallowed.

I am moving for the disallowance of a regulation which will increase the cost of handling wheat in bagged form by 2d. per bag. It is a strange fact that every time producers generally, not wheatgrowers alone, receive an increased price for their product, an imposition of further charges on them takes place. There have been several instances where such additional charges have taken away all the increase in price. Undoubtedly the products of our primary industries are the lifeblood of the State. They produce the revenue on which the State depends to provide interest on loans abroad as well as on those floated internally, and the credits for our commerce, which are very extensive. Viewing the position thus we find that the primary products of our important industries are all governed by their values on the world's markets. In those circumstances Australia has to compete with other countries which work on much cheaper lines than those obtaining here.

With increasing costs there naturally comes reduction of output, and to such an extent that the revenue of the State is seriously affected, if not immediately, yet in the near future. Mounting costs mean a continual stream of producers leaving their ordinary avocations to come into the cities, where life is far more comfortable and lucrative than it is in the pursuits to which they have applied the best part of their lives. The cost of farming increases continually, and the net result is poverty, more

especially in the wheat industry which this regulation affects. Looking back to last season's harvest, one sees that while the farmer was paid 3s. 10d. per bushel for his first 1,000 bags, for any balance he received a price that meant a heavy loss. The Harvester Award was applied to farming, setting up a wage of as much as £9 per week, which no producing industry can carry in competition with other countries that work very cheaply. Our wheat goes on the world's markets, and we receive the value ruling in those markets.

As a result of the one-third reduction of the acreage under cultivation, farmers realised that under war conditions they would have to crop an area they could handle themselves without employing labour. That is a very serious position, particularly so far as this State is concerned, since Western Australia has such a large output of wheat in comparison with its population. Another feature of this problem is that, with the cessation of hostilities, we want to have every possible avenue of employment open to absorb the surplus men who will be thrown on the employment market. But our wheat industry has gone to pieces. There is the Harvester Award which I have just mentioned, and on top of that all the other increased costs that have been imposed on the wheatgrowing industry. In addition, superphosphate now costs double what it did formerly. That is not the worst feature. The quality has been lowered, as well, and that is another very heavy burden on the industry. With regard to the outlook for the supply of superphosphate in the coming season—which is a very important matter—it appears to me there will be a fairly good flow of phosphatic rock from Egypt. If 10,000 or 12,000 tons of rock arrived every month, that would be equal to 17,000 tons of superphosphate.

We have seven months to go before seedling takes place. In all the circumstances—considering the small area under fallow in preparation for the succeeding year, the land that will be sown without fallowing, and the top-dressing—I say advisedly that I consider we will have enough superphosphate to meet the position, but, as I have said over the last few years, one of the most foolhardy and stupid policies ever introduced in any country was the restriction of wheat acreages. That was followed by the superphosphate restrictions. But why that

should have been advocated, carried out and applied to this State has always worried and puzzled me. We knew before the reduction in acreage was applied that the wheat stored in bulk was not suffering to any great extent from the inroads of weevils. We were sure of being able to store that wheat in a fairly satisfactory condition for years, and would thus have been placed in a somewhat similar position to that in which we found ourselves after the last war. At that time it was not a matter of price, because the price was good—better than it will be after this war when, so far as I can see, the price will be controlled by agreement amongst the Allied Nations.

The price after the last war was good, ships flowed in too fast to be loaded, and all the surplus wheat disappeared in a short time. Unfortunately, we now have not nearly the quantity of wheat in this State or in Australia that we should have, not only to meet the demands of the starving millions of Europe and adjacent countries, but also to bring in revenue to carry Australia on, revenue which will be badly needed when hostilities cease. There is another matter. Agricultural machinery has now reached such a price that—taking into consideration the figure offered for wheat—it is not sound business for any wheatgrower to think of purchasing it. Any industry should be in such a position as to warrant those engaged in it purchasing necessary machinery to carry out their operations successfully on a commercial basis. Nobody can tell me that farmers can pay the present prices for machinery in addition to meeting other extra costs, and yet make wheatgrowing pay. The added burdens imposed on the industry are crushing it out of existence. The 2d. per bag increase represented in this regulation does not seem very much. In view of the small amount of bagged-wheat held at the present time—the majority being in bulk—it might be said that the matter is so small as not to be worth bothering about. But that is not the position; far from it. In the first place, the Fremantle Harbour Trust shows a substantial surplus each year.

Furthermore, it could be said that there will be very little bulk wheat exported from Australia in the future, for this reason: The countries that will require our wheat have no bulk handling facilities. Take South Africa; no bulk handling facilities

exist in that country. In case anybody who has seen the silos there proposes to contradict that statement, I point out that South Africa uses those silos for maize alone. So far, no attempt has been made—and, from what I can see, no attempt will be made—to use those silos for the storage of wheat. I have information to the effect that the South African trade will be very valuable. The Mediterranean countries will want large quantities of wheat, but will want bagged-wheat. The whole of the Mediterranean ports, with one or two exceptions, will want bagged-wheat because they have no bulk-handling facilities. That applies also to North African ports. Then again, there is the matter of the purchase of corn-sacks which will be a charge against the Wheat Pool, and thus against the wheatgrower, just as in the case of this extra 2d. per bag.

The amount of 2d. per bag would be a very substantial sum to extract from the Wheat Pool of Western Australia, and the extraction of that sum would mean that the farmers would have to suffer. Were the industry flourishing one would not mind, but when the industry is down and out and struggling to keep operations continuous, why should such charges be increased? It will be said, "You have the benefit of free wharfage on the wheat." Directly, that is so; indirectly, it is not so. I say that for the simple reason that the shipping people who pay the harbour dues naturally pay for the free wharfage of the wheat, so I can see little merit in such an argument. The policy of any Government should be to do all it can to avoid the imposition of any increased charges on an industry in a parlous condition such as that in which wheatgrowing has continued for so many years. In some districts the crops will show no return at all; in other parts the return will be merely a few bushels to the acre and will not be payable; and in some parts the crops are fairly satisfactory. If we take the average, year in year out, the returns are not such as to warrant the imposition of increased charges by the Government, which should see to it that primary industries are given every opportunity to operate on at least a payable basis.

Although the actual increased charge may seem small, the impost in the aggregate will certainly represent an appreciable sum. Who knows what will be the

value of wheat under the altered conditions that will obtain when hostilities cease? If the regulation is permitted to stand, the extra burden, taken in conjunction with other imposts, may well be the last straw that will break the back of the industry. I hope the House will agree with my contentions and disallow the regulation. Before concluding my remarks I wish to express my appreciation of the privilege accorded me by the House in allowing me to give notice of this motion. Unfortunately, owing to my illness, I was not in attendance here at the commencement of the session, and did not realise that the 14 days stipulated in the Standing Orders had almost elapsed. Hence my appreciation of the action of the House in allowing me to proceed with the motion.

**HON. G. W. MILES** (North): I have great pleasure in supporting the motion. The increased levy imposed by the Fremantle Harbour Trust represents just another tax. In fact, the trust is a taxing machine and has been such for a number of years. As Mr. Baxter pointed out, it has again recorded a surplus and the return, if the regulation is allowed to stand, will mean an addition to its revenue of at least £15,000 a year. Supplementing what Mr. Baxter has said regarding the Fremantle Harbour Trust being a taxing machine, I remind the House that all the implements required by the farmers are taxed by the trust. I can cite one experience. On the recommendation of the Minister for Agriculture and Dr. Sutton, my son imported a clover plant from South Australia. The charge imposed for getting the plant off the wharf at Fremantle was over £6. The wharf charges in South Australia were under £1. There is a concrete instance of what happens under the regime of the present Commissioners of the Fremantle Harbour Trust. The same position arises regarding all agricultural machinery that is imported, and the farmers have to foot the bill. I hope the House will agree to the motion without opposition.

On motion by the Chief Secretary, debate adjourned.

#### **BILL—TOWN PLANNING AND DEVELOPMENT ACT AMENDMENT.**

Received from the Assembly and read a first time.

#### **BILL—ELECTORAL (WAR TIME).**

##### *Second Reading.*

Debate resumed from the 16th September.

**HON. C. F. BAXTER** (East) [4.57]: There can be no more important Bill placed before Parliament than that which deals with the most consequential Act on the statute book—the Electoral Act. Under that enactment electors return representatives to Parliament and according to the strength of the party representation a Government is formed. That Government has the major portion of the work to do from a parliamentary standpoint inasmuch as the whole of the administration is in its hands, and very little parliamentary control can be exercised over its actions. Regulations are framed and these number, it is safe to say, between 150 and 160 annually. Further than that, there are proclamations and by-laws all emanating from a Government source. Certainly Parliament can challenge regulations on the floor of the House, but the fact remains that the system that applies not only in Western Australia, where its effects are very apparent, but throughout the whole of the Commonwealth, means that government is proceeding not in accordance with the ideals of democracy, of which we hear so much prated today, but rather in compliance with those of bureaucracy. The Commonwealth is under bureaucratic control and so is Western Australia.

During a session on an average about 60 Bills may be introduced, and of those 58 will in all probability be for the purpose of amending existing Acts. In those measures we will have great difficulty in finding anything of a democratic character. The remaining two Bills may be introduced to deal with some fresh principle or objective. On the other hand, we have more than double the number of regulations brought down. These are just as important as is any section of an Act of Parliament, but we have a certain measure of control over them. In the case of proclamations and by-laws we have no control. The Government is practically free to administer the affairs of State on sound lines with the exception of a rebuke in cases where Parliament may disagree with the action taken. Now we have amendments brought before us to the Electoral Act, and these are of a very vital and far-reaching nature. When these innovations are brought down it is well that they

should be thoroughly analysed to see what the result is likely to be. We should know whether the giving of additional voting strength is going to improve the standard of Parliament and of Government generally, or whether it is going to work in the opposite direction. We must know whether these additions to the list of voters will embrace persons who have the requisite knowledge and competence to vote in a sound manner. These are points the House is called upon to consider in addition to other queries which I will come to later.

In recent years there have been two Bills to amend the Electoral Act to extend the life of Parliament for 12 months, and owing to the critical period through which we were passing there was some justification for the first. During the last 12 months, however, there has been not a shred of justification for prolonging the life of Parliament for a further year. The second alteration gave the Government the right to hold an election at any time, and now we have before us a Bill that will enable it to bring on an election within the next two months. As with the other two Bills to which I have referred, this one had a speedy passage through another place. The Government saw to that. The measure finds a place at the top of the notice paper in this House, and apparently the Government desires that it shall have a speedy passage here. I want to know why there is this indecent haste to bring on an election. It is the most inopportune time that could have been selected. Surely the electors of this State are entitled to some consideration! What consideration are the producers of this country receiving under this Bill?

If the elections are held in November—I have heard that suggestion—a worse time could not have been chosen for those people who are providing the revenue with which to carry on the State. From the middle of October to the middle of February is the worst period that could be chosen. That is neither right nor just, and affords scant consideration to the electors of the country who are providing a part of the wherewithal with which to enable the Government to carry on. This Bill cannot be classed as part of the policy of the Government. It is a Bill for the electors, whom it very seriously affects. The people of this State have just passed through the elections for the Commonwealth Parliament. The maj-

ority in this State have not yet recovered from those elections or from the shock they received as a result thereof. Many electors voted in a way they are now sorry for. I am basing that remark on the opinion of people who have frequently told me what the position is.

When I read this Bill I marvelled at its passage through another place, because there are so many parts of it about which more information should be forthcoming than we have received up to the present. In the first place I want to know whether the ordinary postal voting facilities will be available to soldiers in Western Australia. In view of the provisions of the parent Act will those facilities be available? I should like the Chief Secretary in his reply to inform the House on that point. Another question is whether sufficient care has been taken to ensure that members of the Forces from the Eastern States but resident in this State for over three months, which would entitle them to be enrolled, (a) are not enrolled under the principal Act, or (b) cannot be so enrolled so that they are enabled to vote. That is another important matter about which we should have full information. This House has always taken a stand in connection with experimental legislation to ensure that it shall only have a life of 12 months.

This Bill provides that it shall endure for the term of the war and for some months after. Who can say when the war will end? It would be a different matter if we provided that the measure should terminate when hostilities ceased. So far as that portion of the Bill is concerned the House should be very careful to see that a tenure of only 12 months is provided. At the end of a year we should have had some experience of it and would know whether it was necessary to amend it or reject it altogether. To place such a measure on the statute book for such an indefinite period is asking too much and savours of the ridiculous. The definition of "member of the Forces" includes any person in uniform.

Hon. J. Cornell: Or out of uniform.

Hon. C. F. BAXTER: No.

The Chief Secretary: And discharged soldiers!

Hon. C. F. BAXTER: That is not the point. An 18-year old person in uniform is entitled to be enrolled, but a person between 18 and 21 who is engaged in a munitions

factory or other war effort is not entitled to be enrolled. That is another point upon which an explanation is required. I say advisedly that there is need for consideration of the methods adopted regarding the counting of votes taken outside the State so as to avoid prolonged delay. We are asked to pass the Bill without knowing what preparation is going to be made to meet that situation. Frequently postal votes are held up for a very prolonged period. How long a delay is likely to occur in this instance? What is there to show the method that will be adopted or how long a delay is likely to ensue? Apparently the Bill makes no provision to safeguard soldiers from being canvassed in camps or in the field. Circulars might well be sent to them but canvassers should not be allowed to mingle with them. That is not right. Let the soldiers use their own judgment. I agree that those who have seen active service anywhere should be enrolled.

We are asked to consider extending the franchise to 18-year old people. The question we must ask ourselves is whether it would be of any benefit to a person under 21 to be given the right to vote. Is that going to be beneficial to the State in any way? What has been our experience in the past? I think members will agree that long after they have passed the age of 21 many young people know insufficient of the political situation to enable them to record an intelligent vote. Notwithstanding that, we are asked to give boys who in many cases do not want to vote the right to do so. I know of many instances in which young people have said, "We do not care for whom we vote, but we are going to vote."

Hon. G. Fraser: Many adults hold the same view.

Hon. C. F. BAXTER: Yes. Many people vote in order to avoid being fined. I am doubtful whether the Act should have been amended to force people to record their votes. We have these reports of an undesirable state of affairs, and we had an opportunity to learn what is likely to occur when the last elections were held on the 21st August. Information should be placed before us from those people who conducted the last election. We know the pitfalls that are likely to occur, and we have had experience of the dangers that arose as a result of the amendment to the Commonwealth Electoral Act. That amendment

worked out very unsatisfactorily. The whole Bill needs careful scrutiny, but such a scrutiny will not give us the information we require. I urge members to agree to refer the measure to a Select Committee. I want an inquiry into every clause so that we may know what we are placing on the statute book. Such an investigation would not take many weeks. Why rush in to a State election now? Why bring before Parliament a hybrid measure with the object of having an election a few weeks earlier than the normal time? When the Bill to prolong the life of Parliament for a further 12 months was brought down there was haste to get it through, but why the haste now? I shall state seven points why there should be a thorough investigation made by a Select Committee into this Bill. They are as follows:—

(1) Soldiers voting under postal vote facilities, and the position under the Act.

(2) Enrolling of members of the Forces from the Eastern States, and how this will affect the Act.

(3) The period for which the amending Bill shall remain in force.

(4) The advisability of the provision for those of 18 years of age in uniform being enrolled, and why munition workers should be excluded.

(5) Consideration of methods to be adopted by the Electoral Department in order to avoid long delays in counting.

(6) The necessity to safeguard against canvassing soldiers.

(7) Regarding what took place in the recent Federal election as to extending the franchise to those of 18 years of age and upwards.

We are asked to pass an extremely important Bill, having far-reaching effects. I hope we shall not do so without giving it the due consideration that is so necessary. I trust the House will agree to the appointment of a Select Committee, which will take evidence from people closely associated with electoral matters, such as Commonwealth and State electoral officers and any others who can assist in placing a sound measure on the statute book. We should be wanting in our duty if we allowed a Bill of this nature to pass without giving it the most careful scrutiny. If the second reading is carried, then I shall move that a Select Committee be appointed to inquire into the matters to which I have referred.

**HON. H. S. W. PARKER** (Metropolitan-Suburban): I shall vote for the second read-

ing, but shall certainly oppose very strenuously in Committee any extension of the franchise to persons below 21 years of age. I am afraid I must agree that men on service should have the right to vote if they so desire; but I cannot see any wisdom at all in lowering the age for the franchise to 18. It has been said that a man who fights for his country should be entitled to vote. That sounds all right; it is a very good catch-cry, but what does it mean? For many years the question of the age at which a person acquires the necessary discretion to cast a vote has been a matter of argument. I think the age at present fixed is as low as we can possibly go. I understand that in Russia and Turkey the age is 18; but I am also given to understand that in those countries a person can only vote one way—it is nominal voting. In other advanced countries the age varies. In Norway, the age is fixed at 23; in Finland, 24; and in Denmark, Holland and Sweden, 25. My personal opinion is that our country would be governed far better if the age were raised, not lowered. The effect of the Bill is to give a large number of young people, boys and girls in uniform of the age of 18 years, the right to cast a vote. That is entirely wrong. I have had personal experience of this matter during the 1914-18 war. Two polls were taken while the men were then on service. My experience shows that no soldier cared two straws about the voting, although some of them did vote. They did so with some feeling, because it was on the conscription issue; but the vote went according to the weather and the conditions of fighting at the time. One poll was taken in France when the conditions were exceedingly bad; the men were in mud and slush and had suffered some unpleasant reverses. They voted against conscription on the ground that they would not force anyone else to get into the mess they were in. There was no reason for their taking up that attitude. A soldier on service is more or less deprived of his reasoning faculties. He is not allowed to act independently and does not take the slightest interest in politics.

Hon. T. Moore: All of them?

Hon. H. S. W. PARKER: Yes. Those who do are neglecting their job as soldiers. I say that advisedly.

The Honorary Minister: What about the debating classes for the soldiers?

Hon. H. S. W. PARKER: I am speaking of the fighting soldiers, not soldiers behind the lines. Anyone who has had experience of actual warfare knows that men in the fighting line have no time for debating. The soldier does not want to vote; as I said, he does not care two straws about politics. He does not care who becomes a member of Parliament or who does not; he does not know anything about the candidates, and yet we are solemnly asking him to cast a vote. What we will do is to cause disruption in our Fighting Services if we pass this measure in its present form, because there will always be someone anxious to secure votes for a candidate he is supporting. He will be going around arguing politics, and where such arguments take place there will always be a row. Is it right that we should allow anything of that sort to enter into our Fighting Services? Surely we people who are behind the lines should have intelligence enough to vote correctly for the welfare of our country without casting upon our men in the firing line the burden of selecting a Government. They have their job to do. When all is said and done, whatever Government is returned is elected for a term of only three years, and then the people will have another opportunity to vote.

I strongly oppose the reduction of the age to 18 years. I am pleased to note that the Bill does not propose to make voting compulsory for the soldiers, although I think it only right and fair that our fighting men desirous of voting should have an opportunity to do so, especially when so many of them will be out of the firing line simply awaiting events. They should not be deprived of the right to vote.

The Bill only refers to soldiers outside Western Australia, because soldiers within the State are on the roll. Some of them may have attained their majority after enlisting, but provision is made for them to vote as though they were actually enrolled. I have no objection to that provision. As I have said, it is wrong to say that a person of 18, because he is fighting for his country, should be entitled to vote. Why should we not go further and say that a person of 18 years should not be obliged to obtain his parents' consent to his marriage? Why should we not say that a youth of 18 years in civil life should be given the right to earn the basic wage? The most important

function that a man can exercise in his civil life is to vote intelligently for the welfare of his country, and I submit that no person under 21 years of age has acquired the necessary experience of life to cast a vote correctly. When we reach the Committee stage I shall submit several amendments in accordance with the views I have expressed.

**HON. J. CORNELL** (South): In offering a few remarks on this measure, may I say that it concerns the Legislative Assembly and not this Chamber? I understand another Bill has been brought down that does affect this House. Whatever this House does with this Bill, I hope it will not agree to it until such time as we can ascertain what is going to happen to this Chamber. I hope the Bill affecting this House will not be a replica of the measure now before us and provide that because a man or a woman is in the Forces he or she ought to have a vote for the Legislative Council, as that would be merely shooting at the moon. The Bill bristles with difficulties so far as its application is concerned. It is all very well to say that we should adopt the Commonwealth law and put it into shape to suit this State. That might read well on paper, and it might seem to be an easy matter, but it will, in fact, prove to be anything but easy.

The Commonwealth law is, so to speak, universal, but this measure will affect only a very small fraction of the Commonwealth. For example, let us consider a battalion of, say, 1,000 men. The Commonwealth law makes it mandatory on the battalion commander to provide facilities for all those men to vote, not merely some of them. The commander has to see that that is done. He may pass the duty on to a subordinate officer, but it is his obligation to see that every facility is given to the whole battalion. Take that battalion, and apply this Bill to it. The Premier has given an assurance that the services of the commanding officers shall be at the disposal of the State for the purposes of taking the votes of Western Australian members of battalions. Is this assurance going to be implemented by a National Security Regulation saying that a battalion commander must do this under Commonwealth law; or is he going to be asked to do it, and the matter remain there? That is the fundamental difference between this

measure and the Commonwealth Act. Mr. Moore, Mr. Roche, Mr. Parker or Mr. Craig could bear me out when I say that Western Australians were in every unit of the A.I.F. during the last war.

Hon. H. L. Roche: It is happening this time, too.

Hon. J. CORNELL: It is generally conceded that while no Eastern States personnel reinforce Western Australian units, Western Australians reinforce units from all States of the Commonwealth. There is another field of research. I have been told on the best authority that more than half of the 32nd Battalion is composed of Western Australians, and that is not a Western Australian unit. If we go right through the piece we will find that Western Australians are in every A.I.F. and Militia unit. How can we say to the commanding officers of practically every Australian unit that they shall provide facilities for every Western Australian to vote? I am not drawing the long bow, but am stating what will prove to be a fact. I have given this illustration because the same position did not arise in the Commonwealth elections. It is not going to be a simple matter to take the Western Australian vote at the coming election. The Bill also is circumscribed, when compared with the Commonwealth Act, because it does not go outside the celebrated goal-post of the South-East Pacific line, where the Militia units are compelled to serve. Western Australians are scattered throughout the length and breadth of the globe, fighting with the Allied Forces, but only in the South-East Pacific zone, and within Australia are servicemen to get the vote. Is any provision made for the Navy? No! Neither is any made for the Air Force personnel. That was not the position under the Commonwealth Act.

The difference between this Bill and the Commonwealth Act is that not only were the commanding officers compelled by law to provide facilities for their personnel to vote, but the latter measure also prescribed the manner in which the votes should be taken and counted and returned to the respective electoral officers throughout the Commonwealth. The proposal in this Bill is that every vote shall be returned to the Chief Electoral Officer for counting purposes. That is a very tall order. First of all, the commanding officer must ask a soldier if he wishes to volunteer to vote and then, according to

the Bill, he has to fill in a declaration. That declaration is to be returned, I assume, with the vote, to the Chief Electoral Officer for counting purposes and for distribution to the candidate for whom the vote is recorded. What I want to know is this: What check will the Chief Electoral Officer have on those votes? By that I mean, what method of comparison will he have to satisfy himself that the person is a Western Australian resident, in accordance with the declaration? Such a vote as that will take six months to count, and it is open to fraud. It is much more open to fraud than was the case under the Commonwealth system, because in that election all the men voted; they were all members of the unit or battalion, and they voted for their respective candidates—a vote more or less checked on the spot. But here the votes are to be checked in Perth by the Chief Electoral Officer.

There is only one logical way in which these votes can be properly checked, and that is, in addition to asking the Commonwealth Government to allow commanding officers to take the votes of Western Australians who want to vote, to request the Defence authorities to supply our Chief Electoral Officer with a nominal roll of every Western Australian in the Defence Forces. If he had that roll he could check every vote with it, in the same way as he checks every postal vote with the electoral roll, because people who are not on the roll may vote. I come now to the question of all-in-all voting. I have never heard a more specious argument than was put forward in this proposal. I have heard people argue that because men and women are in uniform they should be entitled to vote. I heard the same people years ago saying the same thing. By what stretch of imagination can we say that, because men and women are in uniform, they should have the vote? I can mention my next-door neighbour, a boy, who within the last month turned 18 and has qualified in the A.T.C. He has now joined up. He will have a vote. I know women who will have it. There are not thousands, but hundreds of thousands, of people—men and women—now in uniform, who will never go out of the city. I agree, because the Commonwealth has set the example, that those persons who served or are serving in an actual battle zone, where they take a definite risk, should be given the vote. That

happened at the Commonwealth elections of 1940 and again at the last Commonwealth elections. They are the only persons under the age of 21 years who have had the vote.

Hon. E. M. Heenan: That is not correct. I had a vote here in 1918, when I was eighteen.

Hon. J. CORNELL: No vote was taken then. Was it in 1917?

Hon. E. M. Heenan: It was in 1918 or 1919.

Hon. J. CORNELL: Was that on a referendum?

Hon. E. M. Heenan: I cannot recall.

Hon. J. CORNELL: I cannot place any reliance on what Mr. Heenan says.

Hon. H. S. W. Parker: It shows the value of a vote at that age!

Hon. J. CORNELL: Yes, it does. Under the Commonwealth law, very few people of the age of 18 would have served in a definite battle or danger zone, because it is laid down that no man is to be sent to such places before he is 19. I venture to say that the men under 19 returned to Australia from either the Middle East or elsewhere overseas are as rare as hen's teeth. I consider that this House is within its rights in sticking to the Commonwealth law. I have yet to learn that the Labour Party lost anything by it at the last election. Why the State Government wants to go beyond that and bring in all and sundry I am at a loss to understand. My vote will be directed to keeping this Bill, so far as the vote is concerned, within the bounds of the Commonwealth law. I am justified in doing that because this Government itself has departed from what the Commonwealth provided by denying some service men and women the vote because of their geographical position. It then specifies a circumscribed area and says, "Because you are within that area, although you are only 18 years of age you shall get the vote."

I was in Victoria during the last State elections there, and the Victorian Government did not attempt to go outside the State in the matter of taking the votes of soldiers, and the machinery used was that provided in the Electoral Act. If some enterprising gentleman cared to set to work, he could pack our rolls. Members of Eastern States units who have been in Western Australia for six months—and there are many of them—are entitled to be enrolled under our Electoral Act by reason of being domiciled here. I believe in giving a vote to service men

or in giving them an opportunity to exercise their vote, but I do not consider that everybody in uniform should be placed on an equal footing.

One of the most vexed questions exercising the R.S.L is as to whom it will admit to membership. Will it admit every man and woman who is in uniform, or will it confine its membership, as in the past, to persons who embarked and went oversea or served in a definite battle zone? Today the R.S.L. goes no further than to admit such persons to its membership, and I think a majority of the States approve of that.

Hon. G. W. Miles: That is a non-political organisation.

Hon. J. CORNELL: Yes, and it is also non-sectarian. When we find an organisation of that sort admitting to its membership only persons who have served in a battle zone, this House would be perfectly justified in adopting a similar attitude.

Hon. E. M. Heenan: The R.S.L. will admit a boy of 19 who has returned.

Hon. J. CORNELL: Of course it will.

Hon. E. M. Heenan: Why not give him a vote?

Hon. J. CORNELL: I am prepared to extend the franchise to every returned man, but I am not prepared to give it to a boy of 18 who has never been out of Australia.

Hon. G. W. Miles: Or to all those girls running around town in uniform.

Hon. J. CORNELL: Quite so. I hope the House will hold the Bill over until we see what another place proposes regarding the franchise for this House. This Bill will definitely amend the Constitution and, if the Government has the requisite majority in another place to reject vital amendments, it has not the majority in this House to pass the measure into law. It has to get the votes of eight members other than its own supporters in order that the Bill might be passed into law.

Hon. G. W. Miles: Was it passed by an absolute majority in another place?

Hon. J. CORNELL: Yes. While the Government considers that it has certain rights, I point out that this House also has certain rights; and the country should be told plainly that, while a constitutional majority in one House approved of the Bill, the Government had to rely upon the support of at least eight other members in another place before the Bill could become law. I support the second reading.

HON. G. FRASER (West): I support the second reading. From the trend of the debate, it appears to me that members are making too many comparisons between the present war and the 1914-18 war in judging who should be given a vote. In the other war, there was no doubt as to who were the men in the fighting areas.

Hon. L. Craig: And there is no doubt this time.

Hon. G. FRASER: That is not so. In the other war a man had to leave Australia to reach the battle zone, but he has not to do so this time. There are many people in Australia who have been under fire.

Hon. J. Cornell: Then why not give the vote to civilians under 21?

Hon. G. FRASER: There are people not many miles from Perth who have been under fire as a result of enemy action. Being bombed by plane is being under fire, just as much as if a man were at the battle front. We have been told that, because quite a lot of people in the services have not been in the firing line, they are not entitled to a vote. We have also been told that nobody under 21 years of age should have a vote. Quite a number of persons under the age of 21 are holding important positions in the Fighting Services—in the Air Force, for instance.

Hon. L. Craig: They do not want the vote.

Hon. G. FRASER: Men of under 21 are fighting. If a man can be trusted in a bomber or a fighter, is not he entitled to a vote? If members want a man to show a higher spirit of citizenship or more common-sense than one who has reached the stage of being able to take his place in a bomber or a fighter, they are hard to please. A man who has got to that stage should have enough sense to know how to record a vote.

Hon. L. Craig: Special cases make bad law.

The PRESIDENT: Order!

Hon. G. FRASER: I am not speaking of special cases; there are thousands of such men, and they are more entitled to a vote than those who have stayed behind and done nothing. Unless the Bill becomes law, we shall be giving the vote to people who are here and denying it to those who are fighting for us.

Several members interjected.

The PRESIDENT: Order!

Hon. G. FRASER: I do not care what a man's age might be. I do not judge his sense by his age. Many people of 50 have not as much sense as some of the boys of 18 or 19 in the services have shown themselves to possess.

Hon. G. W. Miles: Speak for yourself.

Hon. G. FRASER: Fortunately, I happen to be over 21. Members should appreciate that this war is different in type from the other. Unless the Bill is passed, many of those in the services who have remained here will be able to record a vote and it will be denied to those who have been sent outside the State. Is that fair or reasonable? It is necessary that the Bill be passed in order that our fighting men should have an opportunity to exercise the vote. We have been told that, if the Bill becomes law, many who have not been out of the State and have not done any fighting will be entitled to vote. There again we ought to remember the difference between this war and the war of 1914-18. Thousands of people here are doing jobs quite as big as are those of the men who are carrying rifles.

Hon. G. B. Wood: Why give a vote to girls in the munition factories?

Hon. G. FRASER: Those workers would be residing in their own districts and could record their votes. If the hon. member is agreeable, I would be prepared to concede them the vote at the same age.

Hon. J. Cornell: What about the merchant navy men? They will not get a vote.

Hon. G. FRASER: If the hon. member sees an omission there, he should move in Committee to have a provision inserted. Members should not adopt the attitude that because Jim is here and John is not, neither will get a vote. In our criticism we should be constructive and not destructive. I have referred to the fact that there are many men in the city who are not handling rifles, but are doing as good a job as the men who are. Take my own section; we do not carry rifles, but we have to stay at our posts and take it.

Hon. G. B. Wood: Take what?

Hon. G. FRASER: Whatever the enemy likes to drop on us.

Hon. C. F. Baxter: There is not much danger in that.

Hon. G. FRASER: We have to go wherever we are sent, just as do many others to whom the vote is to be given. They have enlisted for service anywhere but,

owing to the way in which the present war is being waged, quite a lot of people have to be retained in Australia.

Hon. L. Craig: That applied in the other war.

Hon. G. FRASER: Not to the same extent, because the fighting then took place thousands of miles away. Many members of the Forces have been retained in various parts of Australia, not through any fault of their own, but because the powers that be consider they should be held here for the defence of Australia. Thus there are thousands of Australians who have not been in the fighting line, but I maintain they are entitled to a vote and provision should be made for them to have it. I mentioned earlier in my remarks that I have no objection to a person who has enlisted, whether 18 or 21 years of age, being given the right to vote. In fact I think it only right that he should have it.

Hon. H. S. W. Parker: It was the Premier who said, "If they can fight, they can vote."

Hon. G. FRASER: Yes. Many people are placed in the occupations where they will never be called upon to fight, but they are in as much danger as the men who are fighting.

Hon. H. S. W. Parker: No.

Hon. G. FRASER: Quite a lot are in the battle areas and perhaps are in greater danger than the fighting men who have means to protect themselves, whereas the others have not. And quite a lot of those young chaps between the ages of 18 and 21 who, up to the present have not been in the fighting area, may be there any day. They have shown their citizenship, and have sufficient sense to record their votes; and that is all we need worry about. Why did we not make the age 18 years originally? I suppose that, as a start must be made somewhere, we took 21 years. But since that age was taken, the world has progressed quite a deal.

Hon. J. Cornell: Or has it gone back?

Hon. G. FRASER: Education has advanced. The person of 18 years knows a lot more today than did the person of 21 years when that age was adopted. In many respects the person of 18 today is better qualified to decide how to cast his vote than was a similar person previously. Twenty-one years is merely a start-

ing point. I consider that today 18 years is quite reasonable for those who have joined the Forces, and that we should extend the franchise to them. I trust that the one or two deficiencies pointed out by Mr. Cornell will be rectified, so that every person who under the principle of the Bill will be entitled to a vote shall have a vote.

**HON. G. B. WOOD** (East): I shall support the second reading, as I believe every other member of the House will. I regard this as a Committee Bill, and my remarks will be brief. The most contentious clause is that giving the vote to a boy or girl under the age of 21 years. There is also the question of the checking of votes. However, a person who goes to fight is trained to fight. He is not trained to vote. We might as well propose that aboriginals in the A.I.F. shall be given a vote. Our young soldiers have no idea of public affairs or matters of State. Yet this Bill proposes to give them the vote because they are in uniform! I believe there are many young people not far from the front holding jobs which should entitle them to a vote—munition workers, for instance; yet the Bill does not give them the vote. Why not bring them all in?

Hon T. Moore: Yes!

Hon. G. B. WOOD: The cry is, "Old enough to fight, old enough to vote." That is rubbish. I am glad that in the Committee stage an amendment is to be moved keeping the minimum voting age at 21. That amendment I shall heartily support. I may say that as a scrutineer at elections I have been amazed to see the way some people vote. For Heaven's sake let us not lower the present minimum age, which is too low now for many people.

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

## **BILL—TRADE UNIONS ACT AMENDMENT.**

*Second Reading—Defeated.*

Debate resumed from the 15th September.

**HON. J. CORNELL** (South) [6.7]: I understand that during my absence last week, my colleague hit the roof. Had I been here, I would have joined him. Mr. Williams referred to the fact that the Trade Unions Act has been on the statute book for 41 years. This Bill, boiled down, means that the provisions of that Act shall be ex-

tended to organisations which cannot register under the Industrial Arbitration Act. After 41 years those organisations are to be given the right to sue for arrears of dues, a right which has been almost universal since the inception of the Industrial Arbitration Act. I was in trade unions many years ago. The object of the Trade Unions Act was to give trade unions a legal status. A union registered under the Trade Unions Act had a better status 35 years ago than other trade unions have. The Industrial Arbitration Act was subsequently amended, and gave some trade unions rights under the Trade Unions Act. As a result the Act fell practically into disuse. That is the position now. For years the A.W.U. was refused an amendment of the Industrial Arbitration Act which would meet the special circumstances of that union. Eventually the A.W.U. conformed to the provisions of the Industrial Arbitration Act. The present position as regards the A.W.U., however, is that it flouts that Act. True, it is registered under the Act as an industrial union, but that is mere lip service.

The Chief Secretary: What is wrong with that?

Hon J. CORNELL: It is an infringement of the law. Now as regards the Eastern Goldfields Tributurs' Association, I would like the Chief Secretary, when replying, to tell me if that organisation is a trade union. My reading of the Trade Unions Act is that a body has to be one thing or the other, either a union of workers or a union of employers. It cannot be a mixture of the two. But that represents what the tributurs' organisation actually is. It comprises both employers and employees.

When a man takes a tribute in a mine, he employs workers. I understand that the Tributurs' Association has only about 25 members. Again, the Railway Officers' Union and the Electrical Trades Union are here proposed to be brought in. The three bodies I have mentioned are not trade unions, and the Minister has said that the measure will affect those three unions. The electrical workers are registered under the industrial law of Australia but not under the Industrial Arbitration Act of this State. All the Bill proposes to do is to give those three bodies the same right to sue for dues as the other 30 unions registered under the Industrial Arbitration Act have already. That right is to be given to the electrical

trades workers because their union cannot be registered under the Industrial Arbitration Act. The constitutions of the three bodies in question do not permit of their being granted registration. Now it is proposed, by this measure, to give the three bodies the right to chase members for dues. I shall vote against the second reading of the Bill.

**HON. H. L. ROCHE** (South-East): The Bill on its introduction did seem to me an attempt by the Government to enable executives of unions to keep control of their affairs and also to assist the executives in the collection of dues. I must own that I am not in any way hostile to the furtherance of legislation of that kind. Where benefits are being obtained for people, those people should be prepared to bear their share of the financial responsibility with other people. However, as the debate has progressed certain questions seem to have arisen—certainly in my mind—on which I should like a little more information. Apparently the Bill affects about 1,300 unionists. There are altogether between 40,000 and 50,000 unionists in Western Australia, according to Mr. Thomson's figures, which I do not think can be questioned. Most unions have thought it meet and proper to register under the State Industrial Arbitration Act, or at all events to bring their constitutions into conformity with the requirements of that Act. Why cannot the unions affected by this Bill do the same thing? The Industrial Arbitration Act is within the control of this Parliament. It is designed to preserve harmony in industry, and I regard the statute as of considerable use to both industry and the workers. If the three organised bodies referred to wish to avail themselves of the benefits of that Act then, if their constitutions require amendment, they should amend them so as to bring them into line with the constitutions of other unions in Western Australia.

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

**Hon. H. L. ROCHE:** Although this is only a small Bill and is not regarded as a major measure, I think a principle is involved. I should like to be convinced that the unions concerned have made application for registration under the Industrial Arbitration Act and that this Parliament would be justified in passing legislation apparently for the benefit of about one and a half per

cent. of the unionists of this State. It seems to me that the Electrical Trades Union wants it both ways, and I trust that when the Minister is replying he will be able to clear up some of the points that have been raised in the debate.

**THE HONORARY MINISTER** (in reply): I was surprised at the criticism of this Bill by Mr. Williams. I think that, before I have finished speaking, the majority of members will see that the measure will afford justice to a section of workers that cannot be registered under the Industrial Arbitration Act. The Crown Law Department has advised me that the statement made by Mr. Parker to the effect that originally trade unions were illegal but the Act of 1902 made it lawful to form them, is not correct. On page 459 of Volume 32 of Halsbury's Laws of England, 2nd Edition, there is the following correct statement of the law—

Trade unions are not the creation of statute, they existed and still exist at common law and at common law may be either unlawful or lawful accordingly as their objects and rules do or do not violate the general principles of law and in particular those as to restraint of trade.

In a loose way it is often thought and stated that trade unions are a statutory creation. The above quotation illustrates that they are not, and further, that they are not necessarily illegal.

**Hon. H. S. W. Parker:** Is that not what I said: Originally they were illegal but the statute made them lawful?

**The HONORARY MINISTER:** No; the hon. member said the opposite. Both Mr. Parker and Mr. Baxter are correct when they state that the deletion of the words "or a court of summary jurisdiction" should be made. These words were placed in the Bill in error and there is an amendment on the notice paper designed to have them struck out. The deletion of these words will not affect the spirit or the intention of the Bill in any way, and the amendment will bring it into line with the Industrial Arbitration Act on this particular point.

**Hon. J. Cornell:** Those words should never have been in.

**The HONORARY MINISTER:** That is so. Mr. Williams seems to doubt the statement that the Railway Officers' Union cannot be registered under the Industrial Arbitration Act. He says there is not in the State a trade union, if it is a genuine Western Australian trade union, that cannot be

registered under the Arbitration Act. His statement is wrong. In Section 4 of the Industrial Arbitration Act, which is reprinted in the 1935 Volume of Statutes, it will be seen that the term "worker" does not include any "officer" within the meaning of that word in the Railway Classification Board Act, 1920. That explanation will convince Mr. Roche that the Railway Officers' Union as an organisation cannot be registered under the Industrial Arbitration Act. Railway officers are covered by the definition of "officer" in the Railway Classification Board Act; therefore members of the Railway Officers' Union are not "workers" within the meaning of the Industrial Arbitration Act. As a consequence, the union cannot be registered under the provisions of Section 6 of the Industrial Arbitration Act.

Hon. J. Cornell: Why not amend the Industrial Arbitration Act?

The HONORARY MINISTER: This is an easier and quicker way. Section 6 states that any society consisting, in the case of "workers," of any number of workers not less than fifteen may make application for registration as an industrial union. As the railway officers are not "workers," their union or society does not come within the ambit of Section 6. Mr. Williams also seems to be inquisitive as to why the Eastern Goldfields Tributaries' Association has not been registered under the Industrial Arbitration Act. He states that this association is a union of employers and not of employees. That may be correct, but it should be pointed out that an association of employers can be registered under the Industrial Arbitration Act as a union, and, in fact, some such organisations are registered.

Again referring to Section 6 of the Industrial Arbitration Act, members will see that any society consisting, in the case of "employers" of two or more persons, etc., can make application for registration as an industrial union. I can see no relevance between this question, however, and the amendment to the Trade Unions Act. As a matter of fact, an association of employers can register as a union under the Trade Unions Act.

Hon. J. Cornell: That applies to both.

Hon. L. Craig: They cannot register.

The HONORARY MINISTER: Not under the Industrial Arbitration Act be-

cause they comprise both the employers and workers.

Hon. J. Cornell: They are not a trade union.

The HONORARY MINISTER: They are registered as one. This Bill is not brought forward to assist any particular union. Neither should it be rejected because the Tributaries' Association is concerned. As a matter of fact, membership of the Tributaries' Association at one time numbered many hundreds but it consists now of less than a score. The fact that the tributaries are concerned should not be an excuse for rejecting the Bill.

Hon. J. Cornell: You are trying to legalise what has been in operation for 20 years without any complaint.

The HONORARY MINISTER: The Electrical Trades Union has been refused registration under the Industrial Arbitration Act although it has made more than one application for registration. When a union applies for registration, the registrar may accept or reject the application. This body is outside the ambit of the Industrial Arbitration Act.

Hon. J. Cornell: It is registered under the Commonwealth Conciliation and Arbitration Act but cannot be sued.

The HONORARY MINISTER: That is so.

Hon. L. Craig: Why?

The HONORARY MINISTER: Because there is no union governing the activities of these men.

Hon. L. Craig: It is a Commonwealth union.

The HONORARY MINISTER: That does not provide an excuse for rejecting the Bill.

Hon. J. Cornell: Of course it does.

The HONORARY MINISTER: Under Section 20 there is an appeal from the decision of the registrar and the President of the Arbitration Court may confirm or alter the registrar's decision. This section has been availed of with respect to the Electrical Trades Union and its application has been refused on the ground that there are other unions in Western Australia already catering for the workers belonging to the Electrical Trades Union, and the court's decision has always been given against the registration of the Electrical Trades Union.

Hon. J. Cornell: You are giving the members of that union what the Arbitration Court would not give them.

The HONORARY MINISTER: This Bill gives them the same rights as are enjoyed by others registered under the Industrial Arbitration Act.

Hon. L. Craig: You are over-riding the Arbitration Court.

The HONORARY MINISTER: No. There is nothing sinister in this Bill.

Hon. J. Cornell: You are giving them a right the Arbitration Court would not give them.

The HONORARY MINISTER: No. If they were given the right of registration they would automatically come under the provisions of the Act. The fact that the court considers there is another union covering their activities prevents them from coming under the Industrial Arbitration Act and deprives them of the rights which should be specified in the Trade Unions Act and is not.

Hon. H. S. W. Parker: What is the object?

The HONORARY MINISTER: There are two objects.

Hon. H. S. W. Parker: I mean of the Act.

The HONORARY MINISTER: What Act?

Hon. H. S. W. Parker: The Trade Unions Act.

The HONORARY MINISTER: The object is to give them legal status.

Hon. H. S. W. Parker: Exactly. Yet the Crown Law authorities say I am entirely wrong.

The HONORARY MINISTER: I am not going to enter into a legal argument with the hon. member. The Bill simply amends Section 5 of the Trade Unions Act of 1902 giving the right—

(1) to the union to recover fines, levies and dues payable under the rules by its members, and

(2) to any member to recover benefits due by the union to him.

That should be carefully considered by the House. If the union unjustly refused to grant a man benefits due to him he would have no legal redress. That is the position at present. With the passing of this Bill the members of the union will have a legal right to sue a union. I think that is reasonable. Under the Trade Unions Act 33 unions

are registered. Of those, 30 are registered under the Industrial Arbitration Act. The remaining three cannot register under the Arbitration Act for the reasons I have given, and the Bill extends the same rights to those three unions as are enjoyed by the other thirty.

Hon. J. Cornell: Can a member of an industrial union registered under the Industrial Arbitration Act sue a union for benefits?

The HONORARY MINISTER: Of course! Members can claim their rights under the rules of their union in respect to any benefits the union may provide. The Act gives those unions rights denied to these other three unions, and I consider it would be difficult for the House justly to reject the Bill.

Hon. J. Cornell: Will not this Bill give them the right to recover political levies?

The HONORARY MINISTER: No.

Hon. J. Cornell: The Arbitration Act does.

The HONORARY MINISTER: I do not know about that. The hon. member cannot quote a case where a man has been sued for a political levy. I do not know of any case, nor does the hon. member.

Hon. J. Cornell: Yes, I do.

Hon. H. S. W. Parker: It would give the union the power.

Hon. J. Cornell: Of course it would.

The HONORARY MINISTER: That is only a bogey.

Hon. J. Cornell: The union makes the levy part of the dues.

The HONORARY MINISTER: I think the argument in favour of the Bill is reasonable. It gives rights to these unions which are enjoyed by other unions that can legally register under the Industrial Arbitration Act.

Hon. J. Cornell: I would support you in your objective if you were to amend the Industrial Arbitration Act.

The HONORARY MINISTER: I ask members to agree to the second reading of the Bill.

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

Ayes	..	..	..	..	10
Noes	..	..	..	..	11
					—
Majority against	..	..	..	..	1
					—

**AYES.**

Hon. L. Craig  
Hon. J. M. Drew  
Hon. F. S. Gibson  
Hon. E. H. Gray  
Hon. W. R. Hall

Hon. E. M. Heenan  
Hon. W. H. Kitson  
Hon. T. Moore  
Hon. G. B. Wood  
Hon. G. Fraser  
(Teller.)

**NOES.**

Hon. Sir Hal Colebatch  
Hon. J. Cornell  
Hon. E. H. H. Hall  
Hon. V. Hamersley  
Hon. W. J. Mann  
Hon. G. W. Miles

Hon. H. S. W. Parker  
Hon. H. L. Roche  
Hon. A. Thomson  
Hon. F. R. Welsh  
Hon. H. Tuckey  
(Teller.)

Question thus negatived; Bill defeated.

**BILL—EDUCATION ACT AMENDMENT.**

*Order Discharged.*

Order of the Day read for the resumption from the 16th September of the debate on the second reading.

The CHIEF SECRETARY: I desire to make an explanation regarding the Bill. A rather curious situation seems to have arisen in that I have been advised that it is extremely probable that a Message from His Excellency the Lieut.-Governor will be necessary before this Bill can be introduced in another place. That being so, it would merely be a waste of time to proceed any further with the Bill in this Chamber, and I therefore move—

That this Order of the Day be discharged from the notice paper.

Hon. J. Cornell: Is not this Bill similar to one introduced by Mr. Drew to amend and consolidate the Education Act?

The CHIEF SECRETARY: I cannot say.

The PRESIDENT: Order!

Hon. J. Cornell: I think the Minister will find that it is.

Motion put.

The PRESIDENT: Is it the wish of the House that the Bill be discharged from the notice paper? There being no dissentient voice the Order of the Day is discharged from the notice paper.

Motion thus passed; order discharged.

**BILL—COMPANIES.**

*In Committee.*

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

Clause 1—Short Title:

Hon. SIR HAL COLEBATCH: I move an amendment—

That at the end of Subclause (1) the following words be added:—“but not until six

months after the cessation of hostilities in the present war.”

One curious feature of the Bill is its size. I find it extremely difficult to believe it necessary that the measure should be of such a volume, and I think it will be admitted that a Bill of this size will require a great deal of consideration by those who are concerned with its provisions. During the war period, business people find it extremely difficult to look after current affairs and certainly have not the staff available to go through a Bill like this to satisfy themselves regarding the alterations in methods necessitated by the new legislation.

I do not think it is the intention of the Government to bring into operation all the provisions of the Bill at the present juncture. I am sure the commercial community would be satisfied if they knew they would have at least six months after the cessation of hostilities to put matters in order. I certainly do not think any harm would result if the amendment were agreed to. For very many years we have carried on more or less satisfactorily under the existing Companies Act, and I cannot see that it would be detrimental to continue doing so for the period of the war and six months afterwards. If the measure were to be proclaimed at an earlier date, a great deal of trouble might be caused.

The CHIEF SECRETARY: It is not the intention of the Government to proclaim the Bill immediately, if it should become an Act, but rather to wait the lapse of a satisfactory time before doing so. Certainly, sufficient notice would be given the commercial community in order that whatever arrangements were necessary in the circumstances should be made. The Bill has been under consideration for about three years. It received very exhaustive examination on the part of those who are particularly interested in legislation of this description. A Joint Select Committee, on which this House was well represented, inquired fully into the requirements of our company law and was responsible for a large number of the amendments included in the Bill. I believe that every section of the commercial community has had an opportunity to examine very thoroughly the portions of the legislation with which each was concerned. The Bill was introduced in another place, where it was the subject of lengthy debates covering a long period. It eventually reached this House and, when I moved the second reading, I made it perfectly

clear that if members desired to move amendments I would be only too pleased to give consideration to their proposals, provided the amendments were placed on the notice paper so that I could have an opportunity to examine their effect. That is still the position.

I have taken the Bill into Committee this evening with the object of making a further appeal to members and to make a short statement. The Government is very anxious that the work of the past three years shall not go for nothing, and that eventually, as a result of the deliberations in this Chamber, Parliament will pass a measure satisfactory to all parties concerned. I formerly asked that amendments desired should be placed on the notice paper, but unfortunately one only is before members. I understand that one or two members have given thought to this question and have a considerable number of amendments to move. However, they have not really had an opportunity to place them on the notice paper, but their proposals will be before members tomorrow.

In addition, I have been advised by the Government authorities that a number of amendments are necessary. I have not had an opportunity to examine them myself, but the Registrar of Companies desires them in order to facilitate the administration of his office should the Bill become law. Those amendments, which are fairly lengthy, will also be on the notice paper tomorrow. In order that members may assist me to help them—I want to be as generous as possible regarding the time available for discussion of the Bill and I am anxious that we shall reach a satisfactory conclusion to our deliberations—I trust that they will see to it that their amendments are placed on the notice paper. If they do so, I shall be only too pleased to have a full discussion on the points raised. In the meantime, I move—

That progress be reported.

The CHAIRMAN: Before putting the motion, I appeal to members, on behalf of the Clerk as well as myself, that wherever possible they will have their amendments properly prepared and put on the notice paper. The Bill comprises 357 pages, 432 clauses and 13 schedules. I trust members will not strain the generosity of the Chairman of Committees and the Clerk.

Motion put and passed; progress reported.

## BILL—LOTTERIES (CONTROL) ACT AMENDMENT.

### *Second Reading.*

Debate resumed from the 16th September.

HON. J. G. HISLOP (Metropolitan) [8.2]: I desire first to thank the Chief Secretary for allowing me the privilege of addressing the House at an hour later than both he and I had first intended. This is not the first occasion on which I have spoken against a similar Bill. I feel that so long as this measure is brought before the House as a continuance Bill, I must continue to oppose it and vote against the second reading. Once again I appeal to members either to reject the Bill altogether, or to amend it by an alteration in the date, as an intimation to the Government that this House is thoroughly dissatisfied with the way in which the money collected by the Lotteries Commission is distributed. I appeal to members to see that these moneys are distributed in a sane fashion, and I shall use all the facts at my disposal and what small powers of persuasion I may have, to convince members that the issue is very simple.

Either we desire this inequitable and unjust distribution of hospital funds to cease, or we desire the funds and the administration of hospitals to be placed on a sound basis. These funds are intended to be a very substantial contribution to the hospital function of our State. I realise that this is a continuance Bill, but I attack it again because I cannot amend it, as it is a continuance measure, nor can I, as a private member, introduce a Bill providing that the funds should be distributed in a different manner, because that would be a measure dealing with public funds. I therefore have no alternative but to ask members either to vote against the Bill or to vote for an alteration in the date up to which the measure can continue in force. It is for this reason that for the third time I ask members to give the whole question very serious consideration.

In order to make my point clear, let me examine the remarkable balance sheet of the Lotteries Commission for the last ten months. It appears that the Commission collected for distribution a sum of £94,000. Of this amount, £76,468 was the measure of assistance to hospitals. In itself

that is a magnificent proportion, but I draw attention to the fact that not less than £72,000 of this sum was set aside for interest and sinking fund in connection with the new Perth Hospital. I maintain that this was not the intention of the Legislature when the principal Act was passed.

Members: Hear, hear!

Hon. J. G. HISLOP: It was not the intention of the Legislature that the Lotteries Commission should be asked to provide funds to build the Perth Hospital. If the sum of £72,000 per annum represents interest and sinking fund in respect of that institution, then the Lotteries Commission is being asked to find 10 per cent. of the original estimate for interest and sinking fund. From my knowledge, I understand the actual cost of the hospital will considerably exceed £1,000,000, yet we are still being asked to find interest and sinking fund at the rate of seven per cent. on £1,000,000. One might term this continuance Bill a measure for "the continued plunder of hospital funds." The first occurred when the hospital tax was introduced, the proceeds of which were taken from the hospitals, which were expected to live on their income from the hospital tax. Now we have the remarkable statement which makes it clear that the hospitals are to be asked to live upon the proceeds of the hospital tax and to accept but very little from the Lotteries Commission.

I say emphatically that the responsibility for the building of the Perth Hospital rests upon the whole State, and not upon the members of the public who are contributing to the lotteries. Consolidated Revenue was, in my opinion, assisted last year to the extent of £72,000, being the amount plundered from the hospitals fund. The actual amount which the hospitals received over ten months was £4,468. Let us consider this point. The public has been subscribing to lotteries at the rate of £1,000 per day for ten months. Apart from the interest and sinking fund of the Perth Hospital, hospitals have benefited from the Lotteries Commission only to the extent of £4,468, less than five days' public subscriptions to the lotteries! These figures are staggering!

Hon. A. Thomson: Do you refer to country hospitals?

Hon. J. G. HISLOP: Hospitals generally, apart from the Perth Hospital. Now let us examine this diminutive sum. An amount

of £970 was paid to the Collie Hospital. I take it that sum was the share which the Lotteries Commission was forced to give by Government decision in order to transform the present infectious diseases block into a midwifery ward, which suits no-one. We come down to this fact, that £3,500 is the sum total distributed to hospitals in the last ten months out of the £281,000 which the public subscribed to lotteries. But the worst is to come. Of that £3,500, the sum of £300 goes to the St. John of God Hospital for a free ward. In all fairness to that hospital, I say as one who has always over the years been able to persuade its authorities to accept a patient who cannot afford to pay—provided I gave the hospital authorities the assurance that neither would I charge the patient—the institution amply deserves the £300 per annum which it receives.

But I would ask whether the Lotteries Commission has even a secret document from that hospital stating how much has been spent per year on the free ward. There is no free ward. Last night, at 10 o'clock, a medical man could not find a bed outside the public hospital for a patient who was dying. We do not, however, begrudge the St. John of God Hospital the £300 per annum. The authorities of that hospital have always been able to find a free bed when it was justified. Members will also be surprised to learn that the Mount Hospital also receives £300 per annum, nearly £6 a week, for its free ward. This hospital is run by shareholders. It may take in free patients, but I have never known it to do so and I doubt whether any member of the medical profession has known it to do so.

I am not doubting the honesty of the hospital authorities for one moment. If, however, we are going to arrange for everybody who does a charitable act to receive some assistance from the Lotteries Commission, is there anything to prevent me, or any other member of the medical profession, from asking the Lotteries Commission for assistance because of our charitable acts? I ask again, can the Lotteries Commission supply this House with a balance sheet, secret or otherwise, showing whether the Mount Hospital has supplied free beds to deserving cases? Personally, I doubt it. So we are left with a total of £3,000 which has been distributed to the hospitals of the State. If my arithmetic is correct, the £3,000 con-

tributed to the hospitals of the State, apart from those I have mentioned, looks to be very much less than  $\frac{1}{2}$ d. per 2s. 6d. of money subscribed by the public, and much less than 1d. per 2s. 6d. profit made by the Lotteries Commission. The remainder is either in reserve, or has been contributed to Consolidated Revenue for interest and sinking fund payments. I cannot for one moment think that this is what members thought the Lotteries Commission was going to do. Of £128,000 available, the Commission contributed £3,000 only to hospitals.

This House is aware, I think, of the statements I have already made about the condition of many of the hospitals throughout Western Australia. I cannot criticise the £10,000 commitments. I know not what they contain, but I do know that if they are made up in the same way as they were last year, the Commission is committed to £7,000 a month for interest and sinking fund payments in connection with the Perth Hospital. Is that another £7,000 out of the £10,000? Then there is a sum of £21,000 in reserve. At this stage of the proceedings we might look a little closer into the analysis of the Lotteries Account. I will read this paragraph which, although it is an extract from a newspaper report, I think correctly interprets the words of the Chief Secretary when introducing this Bill—

As this sum—

And this sum means the £72,000 which was contributed for interest and sinking fund charges—with what was already there, amounting to £158,000—and it is this £158,000 that has been spoken about.

—was considerably in excess of that required to meet interest and sinking fund commitments on the capital liability, it was decided, during the year, to apply £100,000 in reduction of the amount already advanced by the Government in order that the fullest possible use might be made of the money set aside for this purpose.

The questions I would like to ask are these: Having now taken away £100,000 of the money set aside for that purpose, is the interest and sinking fund to be reduced next year by £7,200? Or is this £100,000 just being placed back into Consolidated Revenue? In other words, was the whole of the 2s. 6d. that individuals subscribed to the lotteries another method of taxation? That £100,000 meant that some

of last year's money went back either into some reserve fund or into Consolidated Revenue. If that is so, the public has been grossly misled because the people contributed nothing whatever to hospitals last year. Even some of what was accumulated last year went back into Consolidated Revenue. These considerations make me feel that all is not well with hospital finance. I ask this House to consider whether the continuance of the Lotteries (Control) Act, in its present guise, is proper. I have no qualms about lotteries, and I would have no qualms in accepting twice, thrice or even ten times the amount from lotteries for the benefit of our hospitals. But I ask, first of all, whether this House ever thought it was the duty of the Lotteries Commission to protect Consolidated Revenue or to pay for the Perth Hospital. I suggest that not one member of the Commission is thoroughly competent to decide upon the distribution of these funds. Let me go a little further. What does worry me is that nowhere in the whole chain of hospital administration in this State is there any professional advice. I do not want members to be misled by the title of the Commissioner of Public Health, which does not imply government or administration of hospitals.

The department is divided into two sections—the Health Department and the Medical Department. The Chief Secretary, when replying, can tell me whether I am right or wrong, but I believe that the Commissioner of Public Health has little or nothing to do with hospital administration. I was interested when, on a recent occasion, Mr. Thomson felt reassured because the Commissioner of Public Health visited Wagin, a town in his district. I have no information on the subject, but I am willing to suggest that when the Commissioner of Public Health visited Wagin recently he did not visit the maternity hospital of that town, because hospitals are not within his jurisdiction. Therefore, from top to bottom we have no professional advice whatever on the conduct of our hospitals. In the distribution of the money we have the Lotteries Commission, and in our Medical Department we have no medical adviser. Even the Chief Secretary the other day, when replying to my question concerning hospitals, pointed out that very often the arrangements made at country centres were effected with the connivance of the doctor of the district.

The Chief Secretary: "Knowledge" is the word.

Hon. J. G. HISLOP: I am sorry if I used the wrong term. It simply means that when the call up comes from our country hospitals, no guiding hand is left to direct hospital administration throughout the entire State. The administration and distribution of this money and the administration of hospitals are not in professional hands. Nothing but lay advice is governing our hospitals. I am asking members to support me on this occasion. Last time when I appealed to the House to discontinue the Lotteries (Control) Act, as an intimation to the Government that we considered some new method was necessary in the distribution of moneys by the Lotteries Commission, the support I received was not adequate, because many members felt that the time was not ripe to amend the Act. That does not apply now.

When the continuance Bill was introduced last year we were close to the end of the session. I would remind members that on this occasion the Chief Secretary has had to bring in the balance sheet of the Lotteries Commission as a ten months' statement. There is, therefore, ample time for the Government to amend the Act. I consider that if—purely as a direction to the Government that we, as the Upper House, require a Bill providing for a different distribution of the money—we do not continue this measure, we shall be within our rights. On the last two occasions members hesitated to support me because they felt that the hospitals could not afford to lose the money. On this occasion the country hospitals have received less than £3,000 in the last ten months. Therefore I suggest that even if we do impose upon the hospitals some disability for a month or two, we cannot do them any great disservice.

Surely the time is ripe for us, as a House, to suggest that we have no quarrels with the people who collect this money, but we do want some proper distribution of it to the hospitals throughout the State; that we do not consider that the Lotteries Commission money should be returned to Consolidated Revenue but should be distributed among the hospitals throughout the State! Surely the time has arrived when we should protect the interests of the hospitals with respect to the moneys from the Lotteries Commission's fund.

The Chief Secretary: What right have you to say that this money goes into Consolidated Revenue?

Hon. J. G. HISLOP: I have already given my reasons for making that statement. I did so because £72,000 of that money goes towards the interest and sinking fund charges in connection with the Perth Hospital. Surely that is relieving Consolidated Revenue of some of its responsibilities. The third reason why members found it difficult to support me previously was that they felt there must be some body to distribute these funds and that if some alteration were made certain difficulties would arise. I have made it perfectly clear on this occasion that this body does not now distribute a very large proportion of its funds.

Hon. G. Fraser: Over £50,000.

Hon. J. G. HISLOP: Of the £128,000, £76,000 went to hospitals—£72,000 of that amount, I repeat, went to the Perth Hospital—and £21,000 is held in reserve, making a total of £97,000. We must realise that, in connection with the remainder, the Commission is again committed to the payment of a further sum of money over which it has no control. When the Chief Secretary introduced this Bill—I again quote from the newspaper—he made this statement—

In order that the requirements of country hospitals shall not be neglected it was recently resolved to establish a fund which the Commission proposes to apply to the purpose of financing its post-war obligations.

Having some two-thirds of its funds thus apportioned, and now having to form a new fund of what I estimate must be half as much as the amount set aside for the Perth Hospital, I think we can look forward to a charities commission which will have little or nothing to bestow. Therefore I suggest that members who support me and vote with me on this occasion can lose nothing whatever for their hospitals. This money must continue. The public—and I am one member of it—contributes its odd half-crown now and again to the lotteries. I have never won anything, but that does not matter; the other fellow has. That is the spirit in which we contribute to the lotteries. But we feel that when we contribute our half-crowns, something is going towards providing amenities for hospitals. In the last year nothing has been made available for that purpose. If I could be assured that the £100,000 the Government has taken over has gone into a

fund for the re-building of the Fremantle Hospital, the cost of which will be roughly £250,000, then I would feel satisfied. But I doubt whether that is so. The Fremantle Hospital is medieval and I think the chairman of the local hospital board will agree that nothing is more urgently in need of reconstruction. But we were not told so by the Chief Secretary. We were told that this £100,000 had been taken out so that the money could be used more wisely.

Hon. L. Craig: Would it be possible to provide amenities for other hospitals during the war?

Hon. J. G. HISLOP: Money has gone into a sinking fund to repair wastage and wartime damage to railways and various other things. We know quite well that the equipment at the Perth Hospital, the Fremantle Hospital, and in fact all the hospitals in the State, is in such a condition of disrepair that the instruments and equipment need immediate replacement. If I can get an assurance that this money has been placed in a separate fund so that this equipment may be restored, I shall be satisfied. But from my knowledge from the time the first plunder of hospital funds occurred years ago until—

Hon. A. Thomson: What do you mean by the first plunder of hospitals?

Hon. J. G. HISLOP: Before the introduction of the hospital tax, hospitals received from £150,000 to £200,000 a year. When the tax was imposed it was the belief of almost everybody, including members of both Houses, that the money was to be used to supplement the sum provided by the Government.

Hon. A. Thomson: That is so.

Hon. J. G. HISLOP: But the original amount that was contributed was deducted.

Hon. A. Thomson: I knew what would happen, and you will find on record that I pointed it out.

Hon. J. G. HISLOP: In fairness to the Chief Secretary, I must say that this did not happen during the time his party was in power. It occurred when members of the other parties formed the Government. Anyhow, I have little faith in either side as regards its interest in the hospitals of this State. During these years we have begun to realise that we did the wrong thing, and I hope I have impressed the Chief Secretary with the point of view that the wrong thing is still being done.

Hon. E. M. Heenan: Has any move been made by the B.M.A. to call the attention of the Lotteries Commission to the state of hospital equipment?

Hon. J. G. HISLOP: I know of one instance in which a member of the Lotteries Commission approached an individual in the profession and asked for advice on a particular subject. The advice was given, and it was suggested that the advice be given generally to the Commission. The individual is still waiting. Having seen one member of the Commission, he is still waiting an opportunity to give advice to the Commission.

Hon. E. M. Heenan: That does not answer my question. Has an official move been made by the B.M.A. to call the attention of the Lotteries Commission to the state of the hospital equipment?

Hon. J. G. HISLOP: It is not the part of the B.M.A. to ask that justice be done in all these matters. It is my duty as a representative, not only of the B.M.A. but also of my province, to bring to the notice of members the disabilities under which hospitals are suffering. I hope I have made myself perfectly clear. The question is: Do members desire the present inequitable distribution of lottery funds to be perpetuated or do they desire to intimate to the Government that they consider some body should be formed capable of distributing the funds wisely and equitably throughout the State? Those are the two points about which I am concerned. With them in mind, I am notifying members of my intention to vote against the second reading of the Bill.

**HON. SIR HAL COLEBATCH** (Metropolitan): I find myself in complete accord with the arguments advanced by Dr. Hislop. I should like to see these lotteries abolished entirely as being a wasteful and demoralising method of raising money, but members who take a different view and for one reason or another consider that the lotteries should be continued ought still to vote against the second reading. The original legislation was passed, I think, in 1932 so that for ten successive years continuance measures have been introduced. I ask the members who were in the House at that time and who, I consider, very wisely insisted that the Act should be limited in its operation to one year, why they were determined upon that limitation. Why did they want a 12 months'

limitation? Surely if there was not some sound reason, it would have been better to pass the measure without any limitation as to duration. I can see only one motive in limiting the operation of the Act to 12 months and it was that they might be able to see that it worked satisfactorily. Then, at the end of any period, if they were dissatisfied with its operation, they might express their dissatisfaction.

I ask members whether they are satisfied with the way in which the measure has operated? Are they satisfied with the method by which the money has been distributed? To call the lotteries a charities sweep is misleading, a sort of confidence trick. They are not a charities sweep at all. The money that goes to charities is about 1½d. out of each 2s. 6d. We have departed entirely from the original intention. Now we have an opportunity of saying that the original intention should be reverted to. If we reject this Bill, it will mean that the Government, if it wishes to continue the lotteries, will have to bring down a new Bill, and that measure will be subject to amendment in this House if we think amendment necessary. In the Bill provision could be made for a better distribution of the money. I can see no argument at all against rejecting this Bill, even on the part of those who consider that the lotteries should be continued.

If those members are completely satisfied with the way the Act is being operated at the present time, and if they are satisfied with the method of distribution, those are the only circumstances in which they are justified in voting for the second reading—not because they think the lotteries are established and that people would like them to be continued. That is no reason for voting for the second reading. The only sufficient reason would be that they are satisfied with the way the lotteries are being conducted and the manner in which the money is being distributed. Is there any member who can say he is satisfied with the method in which the money is being distributed?

All we have to do is to reject this Bill. Then, if the Government wishes to continue the lotteries, it will have to bring down fresh legislation, and it will be competent for us to see that the method of distribution is more in conformity with the original purposes of the Act. I see no reason why members 11 years ago should have insisted on limiting

the operation of the Act to 12 months except that they wanted to keep an eye on what was happening. They wanted to have an opportunity periodically to see that everything was being done in accordance with the policy at the time.

The Chief Secretary: What is your objection to the distribution?

HON. SIR HAL COLEBATCH: I object to the lotteries entirely as being a wasteful and demoralising method of raising money. Apart from that, I object to the manner in which the money is being distributed. I gave detailed reasons for my objection last session. I quoted from the Victorian Act and showed the method of distribution adopted there, which is far better than the method used here.

Hon. E. H. H. Hall: There is no method here.

HON. SIR HAL COLEBATCH: I consider that the distribution should be the duty of someone apart from the Commission that raises the money. If members are satisfied with the distribution, let them vote for the second reading. I am dissatisfied with the distribution and shall vote against the second reading in the hope that this will compel the Government to bring forward another measure in which the method of distribution can be set out and made satisfactory to members of this House.

HON. E. M. HEENAN (North-East): On a few occasions during my period as a member of this House, I have had an opportunity of speaking in support of the lotteries as the continuance measure has come forward each year, and nothing that Dr. Hislop or Sir Hal Colebatch has said will induce me to alter my previous attitude. We can regard lotteries from different points of view, but I consider that the argument as to the moral aspect was worn threadbare long ago. This method of raising money has proved highly acceptable and useful during quite a number of years. Speaking for the few hospitals in my province, I can say that the people on numerous occasions have had every cause to be grateful to the Lotteries Commission. Several times I and the other members representing the North-East Province have had requirements at different hospitals brought under our notice by the local doctors and hospital committees, and we have submitted their requests to the Lotteries Commission. On every occasion that

I can recall a generous response has been made. Dr. Hislop mentioned the position of St. John of God Hospital and the Mount Hospital.

I have not much knowledge of St. John of God Hospital in Perth, but certainly I have knowledge of St. John of God Hospital in Kalgoorlie, and I know for a positive fact that any number of indigent people are treated there every day of the week, and if they are unable to pay for their treatment that is the end of it. I assume that that position exists to a far greater extent in the larger private hospitals here in Perth, such as St. John of God Hospital and the Mount Hospital. I am sure that every member of the Chamber will feel satisfied that the Lotteries Commission makes adequate inquiries. Without wanting to see any reports or balance sheets, I know what my own experience has been—that the sum of £300 would by no means be an adequate recompense for the charity that those hospitals provide. Dr. Hislop's chief argument about the distribution of the money appears to be the amount going to the Perth Hospital. I do not know very much about that, but just on the surface it appears to me that the people of Western Australia have every reason to be grateful for that splendid building which has been erected, and which some day will prove a great boon and blessing not only to the people of Perth but to the people in all the outlying centres of Western Australia.

Hon. G. W. Miles: What has the Perth Hospital cost up to date?

Hon. E. M. HEENAN: I do not know. Every time I come to Perth I look at that building and I feel grateful to the authorities responsible for its erection and for the means whereby money has been raised to pay for it. If the lotteries do not pay for it, the public must pay for it in some other way; and if the lotteries have already contributed £72,000 towards establishing the Perth Hospital, I feel sure everyone will consider that a splendid job has been done.

No-one who has been to the Lotteries Commission throughout the 10 or 12 years of its existence will begrudge any ticket bought by him if some of the money has gone towards providing that splendid hospital. I asked Dr. Hislop a question about the equipment, and I am sure we were all sorry and surprised to hear that such a

state of affairs existed. I should have thought that the British Medical Association, which stands very high in the estimation of the public and which is the custodian of public welfare in matters such as those mentioned by Dr. Hislop, would have fulfilled a public duty by bringing that matter under the notice of the Lotteries Commission. If the B.M.A. had suggested that a sum of £20,000 or £10,000 was required to purchase new equipment that was badly needed, from my experience of the Lotteries Commission I feel sure that the sum would have been provided. I see no reason why we should alter our attitude towards this Bill, which I shall support.

HON. G. W. MILES (North): I thank Dr. Hislop for what he has done. I have never yet bought a ticket in a lottery. I know people cannot be made moral by Act of Parliament, and that is why I voted in favour of such Bills as this in previous sessions. Dr. Hislop pointed out that the only way in which we can amend this legislation is by refusing to pass the continuance Bill. As the hon. member explained, we did not in other years have the opportunity to deal with the Act, because rejection of the continuance Bill would have caused the Act to lapse at the end of the year; but on this occasion the continuance Bill has been brought in earlier. If we follow the advice of Dr. Hislop and Sir Hal Colebatch and defeat the continuance Bill, the Government will have to bring in another measure, and we shall be able to amend it as we think fit. I have said many times before that I think the Lotteries Commission is paying too much by way of remuneration for sale of tickets. I still hold that opinion.

The Chief Secretary: Do you quarrel with the distribution of funds?

Hon. G. W. MILES: I consider that the distribution could be in better hands than in those of the Lotteries Commission. With all due respect to the members of the Commission, and though the chairman and some of the members of the Commission are friends of mine, I think we could have a board to distribute the funds better than the body we have today. A new board should be appointed consisting of a medical man and the Mayors of Perth and Fremantle. I desire to quote Section 19 of the original Act which makes me doubtful whether the Commissioners are giving effect to the Act as its

provisions should be administered. Section 19 provides—

No sum of money exceeding £250 shall be paid out in distribution of moneys raised by any lottery conducted by the Commission under this Act to any one association, body, or institution where the purpose to which such money is to be applied comes within the provisions of paragraph (i) of the definition of "charitable purpose" in Section 2.

I do not know whether that means that not more than £250 shall be contributed to any one charitable institution or not. Presumably that would be out of one lottery.

The Chief Secretary: You need to read the whole Act.

Hon. G. W. MILES: The section is marked specially here by someone who has looked up the Act previously. However, if we reject the Bill now, the Government will be forced to bring in another measure should it want to continue the lotteries—which I think it does. As regards the amount of £70,000 handed over to the Perth Hospital, what is the amount that has been spent on that hospital up to date? Perhaps the Minister can tell me that.

The Chief Secretary: I cannot tell you.

Hon. G. W. MILES: I do not know, but I think there has been only about £500,000 spent up to date.

The Chief Secretary: I do not think that is right.

Hon. G. W. MILES: What happens to interest and sinking fund contributions? Does the money go into a special trust account?

The Chief Secretary: Of course it does.

Hon. G. W. MILES: Probably in dealing with a continuance Bill we are not entitled to discuss this point; but if we reject the Bill, the Government will be compelled to bring in another lotteries Bill, when we shall have an opportunity to discuss the subject from every angle. Therefore I shall vote against the Bill.

**HON. G. FRASER** (West): I have listened carefully to the debate, and have also carefully considered the definition of "charitable purpose" in the Act. In no part of this discussion have I heard any member assert that the Lotteries Commission has done anything it is not entitled to do. Before going to the length of defeating the Bill, we ought to show that the Commissioners have fallen down on their job. If anyone cares to go through the principal

Act, I do not think he will be able to show that they have done anything of the kind. What is the reason for the opposition to the Bill, apart altogether from objection to lotteries generally, I fail to understand. No suggestion has been made as to what alterations are needed in any new measure.

Hon. G. W. Miles: Dr. Hislop suggested some alterations.

Hon. G. FRASER: I cannot follow Dr. Hislop's logic at all. According to his analysis about 75 per cent. of the money has been going into hospitals. The only thing wrong with the Perth Hospital is that it is called by a wrong name.

Hon. J. Cornell: It is in the wrong place.

Hon. G. FRASER: The name should be "State Hospital." Dr. Hislop's objection appears to be that too much money is being spent on the Perth Hospital from lottery funds. Before we say that, we ought to show that other hospitals are being starved. I do not know of any applications by other hospitals being refused by the Lotteries Commission.

Hon. V. Hamersley: The hospitals in my district have had nothing, and have not asked for anything.

Hon. G. FRASER: Then the hon. member has no complaint to make.

Hon. V. Hamersley: Some of the hospitals in my district have been closed down.

Hon. G. FRASER: Was that before the institution of the Lotteries Commission?

Hon. G. W. Miles: It was the fault of the Government for not subsidising them as it should.

Hon. G. FRASER: I should like to hear where the Commission has fallen down on the job. If country hospitals have been closed down because there has not been sufficient money, I suggest the hon. member has not done his job.

Hon. V. Hamersley: I have personally paid more in hospital tax than my district has received.

Hon. G. FRASER: I say that it is a reflection on the member for the district if the hospitals in his district have been allowed to decline. The reflection is not on the Lotteries Commission.

Hon. J. Cornell: The trouble is that the voting strength is not there.

The Honorary Minister: I do not think that is fair.

Hon. G. FRASER: I do not think so, either. I have heard no complaints from

any member tonight nor at any time during the debate on this Bill regarding any shortage of any hospital in his district due to the Lotteries Commission.

Hon. W. J. Mann: The Lotteries Commission is not supposed to attend to hospitals alone.

Hon. G. FRASER: I am not referring to that, but to this measure. Every member knows that all hospitals in this State have at some time or another been assisted by the Commission. If any district is not getting its fair share, the duty of the member for that district is to let us know about it in this House.

Hon. H. L. Roche: What could you do about it?

Hon. G. FRASER: I could do nothing by myself, but, in conjunction with the hon. member and other members, it might be possible for me to do something. Nothing has been said during the debate to indicate that the Lotteries Commission has not carried out the provisions of the Act. I defy any member to point out where the Commission has departed from the Act for which this Chamber, together with another place, was responsible.

Hon. J. G. Hislop: Let us amend the Act.

Hon. G. FRASER: In what way? This idea of throwing the Act out and doing something else does not appeal to me. I would like to know what is proposed before I assist to get rid of the Act. If any hon. member desires information in connection with the Lotteries Commission, I am sure the Commission will be only too pleased to supply it. Before we go to the drastic extent of throwing out this Bill, let some good reasons be given. The only complaint I have heard advanced tonight is that too much is spent on the Perth Hospital. There has been no complaint that other hospitals have been neglected because of that amount being given to that particular institution.

I remember, when the first Lotteries Bill was introduced. Mr. Clydesdale, who was in the Chamber at that time, said that if the Act were placed on the statute-book it would be possible to raise £50,000 for the benefit of charities in this State. That contention was disputed. It was said that to raise that amount would be impossible. That was the ultimate goal of the original Lotteries Bill. Now we find that approximately £128,000 is raised. Even allowing for £72,000 being

given to the Perth Hospital, there is still more available for distribution than the amount set as the original goal. Dr. Hislop appeared to me to have in mind that the whole of the lotteries money goes to hospitals. That is not so. It is distributed to various charities. The money spent on the Perth Hospital is spent in the interests of the whole State and I have no objection to that expenditure, and I will have no objection until some member can show me that, as a result of the expenditure of that large amount each year, other hospitals are being neglected. If that can be shown I will assist members to have an alteration made. Until then, I am prepared to support the measure.

HON. G. B. WOOD (East): I would not have said anything about this measure but for the remarks of one or two members in regard to the maldistribution of this money. I am prepared to assert that country districts generally have had a very fair spin indeed from the Lotteries Commission. In my short Parliamentary career, I have been associated sometimes with the opening of hospitals and at times with the raising of money for them. I have been associated with seven or eight such country hospitals which have received money from the Lotteries Commission. If it had not been for that help additions to those hospitals would not have been provided.

Hon. E. H. H. Hall: That is not disputed.

Hon. G. B. WOOD: It has been disputed, because people have said that the country has not secured the money it should have received and that the money has gone into the Perth Hospital. I do not want that statement to go out without refutation.

Hon. E. H. H. Hall: Not all of it, but too much has gone to the Perth Hospital.

Hon. G. B. WOOD: I intend to support the measure. I am particularly interested in York, where I live. For many years that centre had a very out-of-date maternity hospital, and for a long time the hospital committee could not do anything about it. At last, however, we had a proposition from the Lotteries Commission and the Health Department. We were told that if York could find £1,000 those bodies would find the rest.

Hon. E. H. H. Hall: Was that done in connection with the Perth Hospital?

Hon. G. B. WOOD: I am not so much concerned about what happened in Perth as about our efforts to get our maternity hos-

pital in York. The local road board found £500, the municipality £500, the Health Department £1,500 and the Lotteries Commission £1,250. When I know that is going on all over the country, how can I do other than vote for the second reading of the Bill? Recently, a terrible storm occurred in York. Many of the old people had their houses blown down and could not afford to re-build them. We approached the Lotteries Commission for £750 and we were given £800 because the Commission knew that we had a just case. I was also associated with the provision of a new maternity hospital at Kellerberrin and with hospitals at Koorda, Corrigin, Merredin, Cunderdin and Wongan Hills. How, therefore, can I say anything against the distribution of the money or agree that there has been maldistribution when I know that all these things have happened in country areas? No case has been put up to persuade me to vote against the Bill and I hope the second reading will be carried.

**HON. L. CRAIG** (South-West): Mr. Wood said many things that I had intended to say myself. I have an open mind on this question, but would like to ask what Dr. Hislop would do with the money if he did not deal with it as it has been distributed in the past. It is not possible to improve country hospitals, make additions to them or provide equipment for them at the present time.

**Hon. J. G. Hislop**: It is not possible to repair engines, either, without money.

**Hon. L. CRAIG**: It is not the function of the Lotteries Commission to maintain hospitals and the maintenance aspect can hardly be brought into this argument. Sir Hal Colebatch does not agree with this measure on principle. I respect that view. I am not very enthusiastic about it myself, but there is a public demand for lotteries today. There is a lot of money available—more than ever before—and the lotteries provide an outlet for surplus half-crowns, which do good. My original objection to the Lotteries Commission has more or less disappeared and I think it is serving a good purpose. Then there is the question of what is being done with the money.

If there is one urgent work that should be carried out it is the provision of more beds at the Perth Hospital. I know that one of the chief aims of the doctors there is to get

rid of their patients as soon as they can, but they complain that they sometimes have to send people out before they are ready to go. My son is there and knows something about the matter and he says that the crying need is for a place for people who are never going to get better but who are occupying beds that should be used by people who are likely to be in and out of the hospital in a short time. I should like to find out something about the colossal cost of the Perth Hospital and its relation to the small number of beds. Dr. Hislop said it is going to cost over £1,000,000 and I understand there will be only 300 beds.

**Hon. J. G. Hislop**: More than that.

**Hon. L. CRAIG**: I am glad to hear it.

**Hon. J. G. Hislop**: There are to be over 600 beds.

**Hon. L. CRAIG**: I am pleased to hear it.

**Hon. Sir Hal Colebatch**: Is not the cost of £1,500 a bed enough for you?

**Hon. L. CRAIG**: I understand that cost includes administration and operating theatres and so on. However, it is a high cost. I think the figure used to be £1,200 for a bed in a modern hospital.

**Hon. J. G. Hislop**: It is £2,000 in the Adelaide Sanatorium.

**Hon. L. CRAIG**: The point I want to make is that I have not been convinced that this money is being badly distributed. If the money were taken out of the hands of the present Commission and handed to somebody else, in what different way and for what better purpose would it be distributed? Country hospitals are not in urgent need of funds for improvements or enlargement of buildings or for new equipment. I understand that the work at the Perth Hospital is being continued and that men have been put on the job recently.

**Hon. J. G. Hislop**: There is provision for post-war hospital work to be done in the country.

**Hon. L. CRAIG**: Yes, I understand there is a reserve being held for that purpose and if an over-payment is made in any one year in respect of the Perth Hospital it may be deducted in subsequent years. I do not think that any real complaint can be made about the distribution of this money at present.

**HON. H. S. W. PARKER** (Metropolitan-Suburban): I raised a question on one of these continuation Bills some time ago concerning the matter of expense. My objec-

tion to the Lotteries Commission is based on the waste of money that could otherwise be used for charitable purposes. Of course, when the Commission originally started, it had to be organised and put on a proper footing. For the raising of money, a manager or a secretary, or whatever he may be called, together with his staff, can control lotteries, but certainly a commission or a board is required for the distribution of the money. The Lotteries (Control) Act certainly needs an overhaul with a view to an alteration in that respect.

The Chief Secretary: What is wrong with the present members of the Commission?

Hon. H. S. W. PARKER: I think that the people who distribute the money should be public men and not paid officials. Those who distribute the money should not have to rely on the Government for their appointment.

The Chief Secretary: I think there is a nasty inference there!

Hon. H. S. W. PARKER: I have not finished what I propose to say. I am sorry the Chief Secretary should have jumped to such a conclusion, one that was not in my mind at all. I think it wrong that this vast amount of money should be distributed by people who have to rely on the Government in power for their appointment. It is wrong in principle. I say again, distinctly and definitely, that I cast no reflection on the persons at present holding office. It must be remembered that the present Commissioners will not always be members of the Lotteries Commission, and equally so present Ministers will not always form the Government of the State. A question of principle is involved. I would like the positions to be occupied by men holding some public positions, who would receive the appointments by virtue of the positions they hold and not be subject to individual appointment. For that reason I would like to see the Act completely overhauled.

HON. J. CORNELL (South): I had not intended participating in the debate, but I would remind the House of some consequences of this legislation. It was the means of the late John Scaddan losing his seat in Parliament and that applied also to the then member for Perth, whose object was to do away with crossword puzzles. Strange to say, the fact that the present Act is temporary in its application is due

to the action taken by Mr. Collier in another place, seeing that he moved that its operations should be restricted to one year. In consequence of that it is a temporary measure and re-enacting Bills have to be passed each year. I oppose the original legislation on lines similar to those adopted by Mr. Collier. I have opposed the legislation consistently and yet I have declared I would give it permanency if it followed the methods adopted in connection with the Golden Casket in Queensland and the whole of the proceeds were used for the purposes of a hospitalisation fund. I got nowhere with that proposal, and now we have before us merely a continuance Bill.

There is definitely only one way out, for we can get nowhere with a debate on the Bill before us. As it is a continuance Bill, if we deal with it in Committee we can merely extend or reduce the period of the operations of the principal Act. However, there are more ways of killing a dog than by choking him with butter. We could hold up this Bill and some member who is extremely anxious for the readjustment of the existing situation could introduce an amending Bill. That is within the province of a private member because the legislation would not involve the expenditure of public moneys but merely deal with the allocation of funds. We could pass that Bill and hold up the Government's measure until we saw what another place had to say about it. If another place did not see fit to agree to the amending legislation, then we could choose whether we would go on with the job or continue the Act for another 12 months. That is the only way by which we can get over the present difficulty. I support the second reading of the Bill.

On motion by Hon. A. Thomson, debate adjourned.

*House adjourned at 9.20 p.m.*