

be allowed to get a move on, instead of being forced out of existence by smaller factories.

Hon. J. J. HOLMES: I move—

That the Chairman do now leave the Chair.

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

Ayes	14
Noes	11

Majority for 3

AYES.

Hon. E. H. Angelo	Hon. W. J. Mann
Hon. C. F. Baxter	Hon. G. W. Miles
Hon. L. Craig	Hon. T. Moore
Hon. E. H. H. Hall	Hon. J. Nicholson
Hon. V. Hamersley	Hon. A. Thomson
Hon. J. J. Holmes	Hon. H. J. Yelland
Hon. J. M. Macfarlane	Hon. H. S. W. Parker

(Teller.)

NOES.

Hon. L. B. Bolton	Hon. W. H. Kitson
Hon. A. M. Clydesdale	Hon. R. G. Moore
Hon. J. M. Drew	Hon. H. V. Piesse
Hon. C. G. Elliott	Hon. C. B. Williams
Hon. G. Fraser	Hon. J. T. Franklin
Hon. E. H. Gray	

(Teller.)

Motion thus passed.

The Chairman accordingly left the Chair, and the Bill lapsed.

House adjourned at 11.8 p.m.

Legislative Assembly,

Wednesday, 12th December, 1934.

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

ASSENT TO BILLS.

Message from the Lieut.-Governor received and read notifying assent to the undermentioned Bills:—

- 1, Road Districts Act Amendment (No. 2).
- 2, Gold Mining Profits Tax Assessment.

QUESTION—LICENSING ACT,

Instructions to Police.

Mr. MARSHALL asked the Minister for Justice: Will the Government see that similar instructions to those issued to Sergt. Clements at Kalgoorlie in regard to the administration of the licensing laws there, are issued to the officer administering the licensing laws on the Murchison and each Murchison district, especially Wiluna?

The MINISTER FOR JUSTICE replied: No instructions were issued to Sergeant Clements by the Government.

QUESTION—"HANSARD" STAFF.

Accommodation.

Mr. NORTH asked the Acting Minister for Works: 1, Is it a fact that the "Hansard" staff are accommodated in a structure that was erected originally 30 years ago to serve

as a makeshift for 12 months only? 2, Would the work of providing suitable accommodation for "Hansard" reporters be a proper object for the expenditure of Federal interest-free relief works money?

The ACTING MINISTER FOR WORKS replied: 1 and 2, No.

QUESTION—ELECTRICITY SUPPLY, COUNTRY PLANTS.

Mr. SAMPSON (without notice) asked the Minister for Railways: Has his attention been directed to the opening of a new electric power plant at Waroona, and is he aware that the erection of such plants throughout the country districts involves greatly added cost? As Waroona is within the area that could be supplied profitably with current from the central generating station, does the Minister approve of the erection of such plants?

The MINISTER FOR RAILWAYS replied: Local authorities have power to erect such plants. The question raised has not been referred to me departmentally and, as far as I know, has not received the attention of the Government.

BILL—GERALDTON SOLDIERS AND SAILORS' MEMORIAL INSTITUTE ENABLING.

First Reading.

Introduced by the Minister for Justice, and read a first time.

Second Reading.

THE MINISTER FOR JUSTICE (Hon. J. C. Willecock—Geraldton) [4.35] in moving the second reading said: I will give members particulars regarding the Bill. I do not think there will be any objection raised to its provisions. I will move the second reading of the Bill, but will postpone the consideration of the measure in Committee to a later stage so that members may have an opportunity to look through it. The Bill concerns the trustees of the Geraldton Soldiers and Sailors' Memorial Institute. We have already passed an Act incorporating that body. Shortly after the close of the Great War, a considerable amount of money was raised in Geraldton and a large building was pur-

chased for use as a memorial institute. After a lapse of about 15 years, the trustees decided to erect another building. They secured permission from Parliament, by means of enabling legislation, to effect the necessary business transactions, and power was given them to mortgage or sell the property. Similarly a former resident of Geraldton donated 15 or 20 blocks to the trustees who held the land under an endowment. Some were sold at the time, but the remainder are in the hands of the trustees. Those blocks were not included in the earlier enabling legislation. Last year Parliament passed a Bill giving the trustees the right to deal in any way they liked with the land. During the present year the Government made available to the trustees a block of land in a more suitable position and the trustees of the institute desire to mortgage or sell the property under their control at present in order to erect a more suitable building on the block made available by the Government. The Bill merely seeks to extend the powers the trustees already possess to the additional land now in their possession. The matter has been referred to the Minister for Lands who has no objection to the measure. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

BILL—ROADS CLOSURE.

Second Reading.

Debate resumed from the previous day.

MR. DONEY (Williams - Narrogin) [4.39]: I have looked through the Bill, and am in accord with its contents. I have perused Part I. of the Schedule, which applies to a road closure at Narrogin, and, so far as I know, the particulars are correct. Naturally I am very pleased that this particular matter is to be finalised, and I support the second reading of the Bill.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Sleeman in the Chair; the Minister for Agriculture in charge of the Bill.

Clauses 1, 2—agreed to.

Clause 3—Closure of right of way between Kalgoorlie lots 3026 and 3072:

Mr. F. C. L. SMITH: We should have some more information regarding this closure. At the back of certain blocks that face Wittenoom-street in Kalgoorlie there is a right-of-way that runs between Keenan-street and Arthur-street. In the middle of its length it is interfered with by a block that runs from Wittenoom-street to the next street. To give access to several blocks at the corner of Keenan and Wittenoom-streets, there has been a right-of-way ever since those blocks were surveyed. It is proposed to close that particular right-of-way, and to open a right-of-way at the back. The owner of the block that extends right through from one street to the other, thereby blocking up the right-of-way, is to return to the municipal council that part of his land that blocks the right-of-way, and, in return, is to be given portion of the right-of-way that it is now proposed to restore to His Majesty. There is nothing in the clause to indicate that the owner of block 3072 will have that portion of the right-of-way given to him in return for the land he is to surrender, and, on the other hand, the Bill makes it clear that he will have no rights whatever. I have made inquiries about the matter, and there is another aspect regarding the rights of the owner of block 3026. He has held his property for many years. It has a right-of-way at the side and also one at the back. It is proposed to close the right-of-way at the side of the block. The owner has used that right-of-way for years and probably has on his block buildings that were constructed having regard to the existence of the right-of-way at the side of the block. I know that the Kalgoorlie council and their committees have agreed to the closing of the right-of-way and that a good many inquiries have been made, but the owner of lot 3026 has some rights. While the right-of-way at the back will afford him some facilities, he will not have the same facilities when the right-of-way at the side of his block has been closed. I should also like the Minister to explain the rights of the owner of lot 3072. The Bill provides that the land may be disposed of without consideration to the owner. The owner of that lot is the only one mentioned in the

Bill, but the owner of lot 3026 has some rights. If it is desired to make the right-of-way straight through, I should think the procedure would be to purchase the piece of land from the owner of the block running from Wittenoom Street to Piccadilly Street.

The MINISTER FOR AGRICULTURE: I have to accept the assurance of the Under Secretary for Lands that this arrangement has been approved by the municipal council, the Town Planning Board, and the owners of the lots concerned. The council and the Town Planning Board entered into negotiations with the owner, and she agreed to give up the land required for the continuing of the right-of-way, subject to the condition that she was allowed to acquire the land contained in the right-of-way which it is desired to close. Thus she has effected an exchange and the Lands Department say there is no objection.

Mr. F. C. L. Smith: What about lot 3026?

The MINISTER FOR AGRICULTURE: I understand that the only adjustment to be made concerns the other owner and she is satisfied with the exchange. If the hon. member desires to obtain further information, I am prepared to report progress.

Mr. F. C. L. SMITH: I am not worrying about the owner of lot 3072 who is making an exchange, but the Bill says she is to have no rights, whereas the proposal is to give her the land of the right-of-way proposed to be closed. What Bills say and what they mean seem to be entirely different things. The owner of lot 3026 has enjoyed facilities which have added certain value to his land, but apparently his rights are not to be considered. Should not he receive compensation for the closing of the right-of-way? The owner of lot 3026 previously objected to the closing of the right-of-way, but if the Minister assures me that he is now agreeable, I am satisfied.

Clause put and passed.

Clause 4, Schedule, Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

Bill read a third time and transmitted to the Council.

BILL—FINANCIAL EMERGENCY TAX ASSESSMENT ACT AMENDMENT.

Council's Message.

Message from the Council received and read notifying that it had disagreed to the further amendments made by the Assembly to the Council's amendments Nos. 1 and 2 and insisted on its original amendments, and also insisted on amendment No. 3 to which the Assembly had disagreed.

BILL—FINANCIAL EMERGENCY TAX.

Council's Requested Amendment.

Returned from the Council with a requested amendment.

BILL—FINANCIAL EMERGENCY ACT AMENDMENT.

Council's Message.

Message from the Council received and read notifying that it did not insist on its amendments.

BILL—RESERVES.

Second Reading.

Debate resumed from the previous day.

MR. SAMPSON (Swan) [4.57]: The Bill relates mainly to the transfer of reserves from control by trustees to control by local authorities, and is an essential measure. In former years it was customary for land vested or required to be vested for public use to be placed under the control of trustees. In the course of nature the trustees died, often without others being appointed, and great inconvenience was caused. Legal costs were involved and at times many difficulties arose. I support the Bill and hope it will not be long before all public lands held by trustees are brought under control of bodies such as local authorities or institutions which have a permanent existence by virtue of the fact that their officers are appointed from time to time and have continuity.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Bill read a third time, and transmitted to the Council.

BILL—KING'S PARK AND UNIVERSITY LAND EXCHANGE

In Committee, etc.

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

Bill read a third time and transmitted to the Council.

BILL—METROPOLITAN MARKET ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

MR. SAMPSON (Swan) [5.5]: It will generally be agreed that this is a desirable Bill. It is, however, unfair that a measure of this nature should be brought down at a time when members have not a reasonable opportunity of considering its provisions. The House sat until practically one o'clock this morning. There are others besides members who are particularly concerned, and I claim that an opportunity should be afforded them to study these amendments of the Act. The Minister made it clear that the request is by no means of recent origin. He stated that last January the Metropolitan Market Trust had recommended that legislation be introduced to provide that bonds be taken out to protect growers. The idea is an excellent one, but the House should have a better opportunity than is afforded in the present instance to study the Bill, which, although a small one in text, is great in importance. I do not know why the measure should not have been brought down some time ago.

Mr. Warner: About five years ago.

MR. SAMPSON: I agree with the hon. member, it might very properly have been brought down some years ago.

Mr. Raphael: Why growl about getting it now?

Mr. SAMPSON: I am not doing so. The hon. member would probably like the opportunity to discuss the Bill with the producers of Victoria Park and ascertain in what way their interests will be involved. Within three years of my entry into Parliament I visited Victoria and ascertained that there was on the statute-book there the Farm Produce Agents Act. I suggested in the House that something on those lines should be brought down here, thereby giving growers the protection which this Bill will afford. The measure is a good one, but we should have more opportunity to consider it. I should have liked to discuss it with some of the growers in my district, with agents and auctioneers, and others concerned. A measure to provide protection to growers is already in existence in certain of the other States. Generally speaking, the agents and auctioneers are reliable firms or companies. That does not remove from the Government the necessity for providing full protection to those who forward produce to the markets for sale. Recently we had a bad experience with two agents. The business of the old established agents is carried on along sound lines, and I believe there is no cause for complaint against them in respect to prompt payments. That may not always be the case. I shall support the provision which protects producers in respect to securing a return for the produce they send in for sale. The measure sets out that fidelity bonds not exceeding £1,000 in amount shall be provided. It is not clear whether that £1,000 is intended as a safeguard for payment to the producers, or whether it is put up merely as a penalty. Perhaps the Minister will enlighten the House on the subject. If it is to protect growers, the amount should at least be double. If it is not intended for that purpose, perhaps the Minister would provide for bonds whereby the producers forwarding goods may be protected. The Bill sets out that the trust may make regulations prohibiting the sale of goods in the markets other than for cash, unless the consent in writing of the owner of such goods is obtained. This is impracticable. There are some thousands of growers, and it would be almost impossible to obtain written permits of this nature. If goods were not sold on credit, the demand for them would be greatly reduced, and the price obtained would also

come down compared with what is paid where credit is given. Never yet have I heard of an agent passing on to growers any loss he may have made in regard to sales. When credit is given, the responsibility is accepted by the agent or auctioneer, and any loss incurred becomes his sole responsibility. The clause which makes it obligatory on those concerned to refrain from selling goods in the market other than for cash, except with the written consent of the owners, is impracticable, and the circumstances do not necessitate such a provision. Every producer desires that the sale of produce should provoke as much competition as possible, and that the price should be as good as can be obtained. If it is made illegal to sell goods except for cash, the returns will be very greatly decreased, and much injury will be done. We might well leave matters as they are, first of all ensuring that those who forward goods for sale are protected by means of an adequate fidelity bond. No object would be served in rendering illegal the sale of goods on credit. Business would be impossible unless credit were given. If a new order is brought about in this respect, no one will be pleased. The Bill prescribes the setting-out of maximum fees, charges, commissions rewards and other remuneration which auctioneers and agents shall be entitled to receive for their services in connection with the sale of any goods in the markets. That is satisfactory so far as it goes, but it should be done only after the matter has been considered by a capable and impartial tribunal. I want to know in whom the Minister will place his trust as regards determining what are to be the maximum charges. I wonder sometimes whether it is advisable to fix maximum charges. We know that in most cases when there is anything in the nature of price-fixing, those who have to pay, pay higher than would otherwise be the case.

Hon. P. D. Ferguson: I thought you were a producers' representative.

Mr. SAMPSON: I am a producers' representative; and the statements I have made are not in any way contradictory. If the maximum fees are to be prescribed, they must be prescribed by an impartial and capable tribunal. I hope that the Minister will make the matter a little clearer, or alternatively that the provision may be revised. I suggest that the

maximum prices and charges referred to could best be arrived at after consultation with all parties concerned; in other words, by a competent and independent tribunal. I support the second reading, but in closing I wish to say again that I do think a measure such as this should reach members but one day prior to its finalisation. I realise that the Minister is a busy man; but still, members of Parliament are not supermen, and they are unable to consult with those of their constituents who may be concerned, and to secure a full understanding of the matters brought forward, unless some little time is available.

HON. P. D. FERGUSON (Irwin-Moore) [5.18]: This is a Bill to amend Section 13 of the Metropolitan Market Act, 1926, and provides for considerable extension of the work for which the Market Trust can prescribe conditions. The Minister has said that every one associated with the marketing of primary products—including the Market Trust, the auctioneers and agents and producers—has approved of the measure. Up to a point that statement is quite correct, but I am not perfectly sure whether everyone concerned is prepared to approve of the Bill in toto.

Mr. Sampson: Apparently, beyond a point the Minister was not quite correct.

Hon. P. D. FERGUSON: Whilst I am definitely of opinion, as distinct from the hon. member interjecting, that power should be given to prescribe maximum fees, charges, commissions, rewards and so forth which auctioneers and agents shall be entitled to, in my opinion it would not be right to confer the prescribing power on the Market Trust alone. The members of the trust are in the nature of an interested party in the matter. To give them power as proposed might have just the opposite effect to that anticipated by the Minister. I take it the hon. gentleman's object is to get maximum charges and so forth reduced as low as possible in the interests of those who use the markets for the disposal of their products. The trust, however, being an interested party, might look at the matter in this light, that by increasing the maximum charges to the producer they would ensure a greater reward to auctioneers and agents, thereby placing them in a position to pay higher rents for the space occupied by them in the markets. One of the main

objects of the trust would be to make the markets a financially profitable institution. Therefore the effect of the provision might be the opposite of that intended; the producers might in the long run be penalised, instead of being benefited as indicated by the Minister when introducing the Bill. I suggest to the hon. gentleman that he agree to amend the proposed sub-paragraph (i) so as to set up a board who would have power to fix these charges, the board to consist of three members—one a representative of the producers, one a representative of the auctioneers and agents, and a third—possibly the chairman—a member of the Market Trust. That arrangement would obviate the possibility of the trust doing anything that might not be in the interests of the producers, who are their main customers. I am whole-heartedly with the Minister in his endeavour to provide a bond in the interests of users of the markets, who might possibly at some time or other, owing to a defaulting auctioneer or agent, slip pretty badly. The Minister has told us of two or three instances where something of that nature has happened in other walks of life. We do not want it to happen in connection with the State-owned markets. I wish to render the hon. gentleman all the assistance I can in that regard. I should not like a statement made by the member for Swan (Mr. Sampson), that a bond of £1,000 is not sufficient, to carry too much weight with hon. members. The suggestion might be all right from the aspect of the bigger auctioneers and agents carrying on operations at the markets, but we do not want to restrict people who are prepared to offer their services to those who have commodities for sale, by making the sum £2,000 instead of £1,000. In doing so we might conceivably keep out from operating at the markets people who could render good service there. However, any bond put up as security should be definitely at the disposal of the producers, who might possibly be losers by a defaulting auctioneer or agent. In my opinion it would be wrong to let that money go to the Government. It would be only right that in the case of a defaulting auctioneer or agent the amount of the bond, when estreated, should be available to the principals of the auctioneer or agent. I propose to move an amendment to that effect, and hope the Minister will

accept it. Subparagraph (vi) prohibits the sale of goods in the market otherwise than for cash. I am afraid the idea is not practicable. At present a large proportion of the goods sold in the markets are sold otherwise than for cash. It is not conceivable that the position should be otherwise. In these days of easy credit it is natural that most of the commodities sold in the markets should be sold on terms, even if the terms are ever so short. I am informed that big firms in the city like Foys and Boans, and vegetable people like Ali Sam and others, buy large quantities of stuff in the markets and in no instance pay cash. It is not practicable to do so. I believe that under the proposed subparagraph it would not be possible for any one of those firms to go to the markets and buy a small quantity of stuff and then get it away from the markets without first actually paying cash for it; that is, if the letter of the law is to be observed in that regard. I understand that something like 75 or 80 per cent. of the stuff that now passes through the markets is sold for other than cash. Thus it will be seen what a tremendous difficulty the subparagraph would place in the way of auctioneers and agents.

The Minister for Agriculture: What is the length of term given?

Hon. P. D. FERGUSON: That does not enter into the question, because under the Bill any length of term whatever would be illegal. If the term were only five minutes, or a day, still it would not be legal under the subparagraph. I suggest to the Minister that in view of the fact that by far the largest proportion of the trade in the markets is done on terms, it would not interfere materially with the usefulness of the measure if he agreed to delete altogether subparagraph (vi). I am afraid its retention would cause a great deal of inconvenience and dislocation of trade.

MR. THORN (Toodyay) [5.28]: I regard this Bill as a step in the right direction. The Minister said last night that he had consulted the Market Trust on the subject and that they had raised no objection to the Bill. Therefore the measure must to a large extent be satisfactory to the trust. As I go along I shall point out various clauses which are not entirely to my satisfaction. I consider it a good idea to have some control over charges such as commissions. I am also of

opinion that a bond of £1,000 should afford ample security. After all, the majority of our market proprietors are old-established firms, and have always played the game. As the Minister said yesterday, and quite rightly, the idea of this security is really to protect growers against smaller men of the type who started in business in later years and failed. It is only right that people entering into this business and handling the money of the producers should be regarded as being in a position of trust, and therefore should be required to furnish some security. After all, the money handled by the markets on sale days amounts to a very great sum, and it is necessary for any man to have a really good connection, for if he were to fail on one day's takings, the losses to the growers would be very substantial. It is the general practice in business that some security should be taken. So I raise no objection to that clause. As to the auctioneers and their servants purchasing goods, that provision requires looking into. The clause provides that they may do it with the consent of the growers. But in the past there have been servants and agents of the market proprietors who have bought in the producer's products at a fairly low figure, and I think it should be necessary for those people to have the consent of the growers. I agree with the member for Irwin-Moore on the question of cash payments to growers unless the market proprietors have provided otherwise in writing.

The Minister for Agriculture: You are reading that incorrectly. It is the owner.

Mr. THORN: It states that the owner should receive cash payments unless otherwise arranged.

The Minister for Agriculture: No, he must be paid cash except with the consent of the owner. The owner can give terms if he likes.

Mr. THORN: After all, with the reputable firms operating in the metropolitan markets at present there has never been any trouble over payments. Frequently those proprietors pay out money to the growers before receiving payment themselves. As soon as the auction is over, the proprietors if desired by the growers will pay up straightaway.

Hon. W. D. Johnson: The difficulty is to get the turn-over on a cash basis.

Mr. THORN: Any grower can always make arrangements to collect his return from the previous day's sale. My own account with the markets runs fortnightly, and I do not think there are any overdue accounts, unless it be that the grower has been neglectful. Arrangements may be made with large growers to accept monthly payments, but in my experience the money is always there when due. At times, of course, with certain individuals the £1,000 security is necessary. In this House I represent the growers, but at the same time I want to be fair to the markets. As I have said, there has never been any trouble with the old established firms, and therefore I do not think that clause is necessary, for it will impose a hardship on the market proprietors. In my 20 years' experience there has never been any trouble. The proprietors will go out of their way to make payment to the grower, if he desires it, long before they have collected for themselves. Generally speaking I will support the measure, for it is in the right direction. The member for Irwin-Moore has a doubt as to whether the Metropolitan Market Trust should have power to fix fees. Certainly I think there should be some power.

The Minister for Agriculture: It is done by regulation.

HON. W. D. JOHNSON (Guildford-Midland) [5.36]: There is just a doubt as to whether the market trust is really the body that should get these extended powers. It is difficult to make up one's mind about it. If we give the same body who are interested in the return received from the auctioneer, power to affect the income of the auctioneer there is the danger that the interests of the market trust will receive more consideration than those of the producer. There is just that danger, and we require to have a well-balanced organisation to protect the producer against anything like that. I have a good deal of confidence in the market trust, yet if I were Minister I should hesitate before agreeing to extend their powers in this direction. The Acting Premier a little while ago interjected that lately we had had an experience that would influence anyone to give protection to the producer. Sales of poultry farmers' products failed to return to the producers that which was due to them, for they had

put their products in the hands of an unreliable combination, and so their proceeds were lost. The Bill will not protect the producer in circumstances such as those, except insofar as the auctioneer is associated with the market trust. Actually I have heard rumours that others have failed to pay up; but they are not associated with the market trust. I am sorry the Minister has not amended Section 12 of the Act to bring in agents so that we might give the producer complete protection, whether those people are tenants or associated with the market trust or whether they are outside it. There are others close to the markets who will not be controlled by the Bill, and the Minister could have tightened up things in that regard. There are organisations which will not come within the scope of the Bill, but had we amended Section 12 of the Act, we could have brought them within the scope of the measure, and so provided a more essential protection than that proposed in the Bill. As to sales for cash, I am associated with a marketing organisation, and I remember that when we started it was definitely laid down that cash payments must be enforced. Those that were well entrenched financially were determined that we should take no risks, but should see to it that the administration was tied down to cash. I happened to be chairman of that organisation, and I immediately found difficulty in enforcing cash payments. We were really losing business under it, and when we analysed the position we found it could not be worked without some latitude, and so we fixed a seven-day period, strictly enforcing it. Since we introduced that, everything has worked smoothly. To-day at the markets the auctioneer does not strictly enforce cash payments, for he knows it will hamper trade and will not assist the business of the market trust. Sales are held on Mondays, Wednesdays and Fridays, and all payments must be made within seven days.

Mr. Mann: Very similar to the stock markets.

Hon. W. D. JOHNSON: Yes, practically the same thing. So I do not think there is any need for paragraph (vi) of Clause 2. We could leave that out without doing any injury to the producers, and allow the present arrangement to be continued. As to the £1,000 deposit, I think that essential.

The only question is as to giving to the market trust extended powers that may come into conflict with their other authority, and cause them to be judged as looking after their rents rather than arranging fees that will be just to the producers. I suggest to the Minister that one or two amendments could be made to the Bill in Committee.

MR. MANN (Beverley) [5.44]: The Bill is essential, but I regard the question of cash payments as very dangerous. The metropolitan stock market is on a cash basis of seven days, and the man who has his stock sold is paid cash on that basis. The man who sells by auction should not be responsible for payment; it is the auctioneer or his organisation that should be responsible. I hope the last paragraph will be deleted when the Bill is in Committee because the inclusion of the words "unless with the consent in writing of the owner" will have a serious effect. In other respects the Bill is satisfactory.

MR. CROSS (Canning) [5.45]: The Bill strikes me as being very important, but there has been left out of it something of greater importance than the amendment it contains. Since the principal Act was passed in 1926, there has arisen, in spite of the depression, an industry which has increased enormously. I refer to the export egg industry. In 1929 there was exported from Western Australia 4,500 cases of eggs and the business has increased until this year, up to the end of this week, we shall have exported 63,000 cases, and it is probable that before the export season finishes in a month's time we shall have exported not less than a total of 65,000 cases. There are employed in the export side of the business at the present time 38 adults and 138 females, and the girls are working full time from July well until the end of December for wages ranging from 15s. to 50s.

Mr. Thorn: What do you mean exactly by adults and females?

MR. CROSS: There are 138 girls in the industry and 38 adults, mostly males. What I want to draw attention to is that the eggs that are exported are graded eggs and the best that are produced in the industry, eggs that have been carefully examined.

Mr. Raphael: Any chickens in them?

MR. CROSS: Those that have chickens in them are sold to the people in the metro-

politan area. In company with the member for Middle Swan (Mr. Hegney) I visited practically every exporting firm and was astounded at the quality of some of the eggs sent down for export, particularly from the country. These eggs come even from the best producers, and up to 25 per cent. of them are rejected as being unfit for export.

Mr. Hegney: They keep those eggs for elections.

MR. CROSS: No; they are distributed amongst the people of the metropolitan area. One was surprised to see the quality and quantity of the eggs rejected, especially from country districts. In some cases they were in a dirty state. One firm in Perth—this information was not supplied by that particular firm—sells 7,000 dozen eggs per week. Those eggs must be up to a certain standard, but to obtain that number which must be guaranteed, the firm is compelled to purchase 10,000 dozen. Section 13 of the principal Act provides for the regulation of sales in the markets and the preventing of fraudulent acts in the sale of commodities, and I consider, remembering the conditions existing in connection with the egg industry, there should be amending legislation to provide that only graded eggs should be sold, not only overseas but to the people in the State. If it is good enough to sell eggs of a guaranteed standard to the people of Great Britain, the people in the State should also be guaranteed eggs of a similar quality.

Mr. Mann: They are quite all right here.

MR. CROSS: My friend has never seen what we saw to-day.

Mr. Hegney: Or smelt them either.

MR. CROSS: At Fremantle we saw cases of eggs opened and 40 per cent. of them were absolutely rotten.

Mr. Tonkin: Surely not at Fremantle!

MR. CROSS: Yes, at Fremantle. Some of those eggs came from the country and it was possible to smell them without even breaking the shell. In some cases the eggs were regraded and we were told that that was the class of eggs being sold in the shops in the metropolitan area to-day. When people buy these eggs they find that perhaps seven out of the dozen are good. If legislation were brought down to compel the grading of eggs and the guaranteeing of standard quality, it would not matter if people had to pay 2d. a dozen more so long

as they got a dozen eggs in good condition instead of only seven. I understand that new regulations have been gazetted with a view to improving the position, but it is not possible to police those regulations all over the State. The inspector, Mr. Shaw, is allowed a paltry £75 per annum for travelling expenses over the whole State. It must be realised that that amount is quite inadequate. I was informed this morning that already nearly the whole of that amount had been absorbed and only half the year has passed. When I asked the inspector if it would be possible, seeing that his duties embraced the educating of poultry farmers, for him to turn his attention in that direction amongst the poultry raisers in my electorate, he replied that he regretted there were no funds at his disposal. During the last few years quite a large number of people have embarked upon the industry, and from my personal observations I think it would be wise for those people to take every advantage of the advice that can be given by the experts of the department. I hope the Minister will see that the question of expense will not prevent this from being done. The export industry which has grown so rapidly in the last few years should be fostered and it must not be forgotten that the poultry farmers are amongst the big consumers of wheat, bran and pollard, and on that score they must be an asset to the State. What we really require are new industries, those which will bring new money into the State. I hope that what I have said will not be allowed to rest here, but that at a later stage steps will be taken to rectify the defects to which I have referred. Perhaps it would not be in order to introduce an amendment at this stage, but certainly the public should be assured that when they are purchasing eggs they will at least know the commodity is of a guaranteed grade.

THE MINISTER FOR AGRICULTURE

(Hon. H. Millington—Mt. Hawthorn—in reply) [5.57]: In reply to the member for Swan there is only one reason for introducing the Bill and that is to protect the growers. The Bill will empower the board to make further by-laws which will be subject to the approval of the Governor. Members have suggested that there should be a more comprehensive measure, but I assure

them that many of the matters to which they have referred are already provided for in the Acts regulating the sale of primary products. It has been suggested that the Market Trust will agree to the fixing of higher charges so the rents may be increased. Members know that the opposite has been the experience and that the Markets Trust have decreased rents. It will have been noted that the trust made a little profit. The policy regarding the markets is that they shall be operated so as to pay expenses, and that the users shall pay all just charges so that the financial position of the concern may be balanced. That is all that is required. It was never suggested that the markets had been established for profit.

Hon. P. D. Ferguson: All the other rents were reduced before the market rents were decreased.

THE MINISTER FOR AGRICULTURE:

There is very little to complain of regarding the charges levied at the markets. The members of the trust cannot be accused of being blood-suckers, and certainly their charges do not involve higher costs to the producers. With regard to subparagraph (vi) to which exception has been taken, I do not think there is any particular need for its inclusion. It certainly rests with the producers as to whether they shall demand cash. I think the position is sufficiently covered by subparagraph (ii), which reads—

The form and particulars of accounts to be kept and rendered by such auctioneers and agents under this Act, and providing for the prompt payment by such auctioneers and agents of sums due to their principals.

I do not desire the Bill to do anything that will interfere with the good working of the markets, or with arrangements between the producers and the agents. There is no need for that, but we should have power to say that those who are in control of such activities should be kept in order. If an agent chooses to give cash, that is his affair and his responsibility. I think it should be left to the producers to see that the agents accept their proper responsibilities. If it is suggested that the agents should have the right to trade and finance on the goods delivered to them, some restrictions should certainly be provided. Experience has taught us the present method requires tightening up. As to the responsibilities of the agents who trade in the mar-

kets, I do not know that we have much to complain about, but we must remember what has happened and prevent producers from becoming involved as they were recently with regard to two bankrupt firms. We should protect them in that respect. So experience has shown it is necessary to protect the producers who are not in a position to protect themselves.

Mr. Patrick: The provision of the fidelity bond will furnish the necessary protection.

The MINISTER FOR AGRICULTURE: That is so, and that is one of the main reasons for the introduction of the Bill. With regard to cash payments, it was pointed out that it was necessary for regulations to be framed so that matters could be finalised within seven days of the sale of produce. The arrangements that have been made in the past can be continued, and, by means of the Bill, the producers will be accorded necessary protection. There need be no interference with such arrangements because of the introduction of this measure. On the other hand, the producers will be given an opportunity to demand cash if they are not satisfied with an agent or, alternatively, it will enable them to stipulate the necessary period they need. However, if members strike out the objectionable subparagraph, I think the Bill will be quite as effective. Then the provision of the fidelity bond will do all that is necessary. An enormous quantity of valuable produce goes through the markets, and we must protect those who send the goods there. Regarding the point mentioned by the member for Guildford-Midland (Hon. W. D. Johnson), I think the Market Trust has wide enough power to deal with those who trade outside. I think Section 12 provides the necessary power.

Hon. W. D. Johnson: You could improve the measure considerably if you amended that section.

The MINISTER FOR AGRICULTURE: What agents does the hon. member suggest have been left out?

Hon. W. D. Johnson: Those who dealt with eggs.

The MINISTER FOR AGRICULTURE: Those working outside the markets?

Hon. W. D. Johnson: Yes.

The MINISTER FOR AGRICULTURE: I believe the Markets Trust have power to deal with that position.

Hon. W. D. Johnson: They say they have not, and that Section 12 should be amended to give them the necessary power.

The MINISTER FOR AGRICULTURE: If they have not, they should certainly be given that power. The whole object of the Bill is to protect the producers, and if their representatives think we have gone too far in the Bill, I do not object to them watering it down.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Sleeman in the Chair; the Minister for Agriculture in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 13 of the principal Act:

Hon. P. D. FERGUSON: I move an amendment—

That after "markets," at the end of subparagraph (i), the following words be added:—"such fees, charges, commission, reward or other remuneration shall be fixed by a board consisting of a member of the Markets Trust, one representative of the auctioneers, and one representative of the producers, such board to be appointed by the Minister."

I do not suggest that such a board will cost anything additional, for no remuneration will be attached to their work. It is not likely there will be frequent disputes between the trust and the auctioneers regarding the charges to be levied. Should such a dispute arise, it would be a simple matter for such a board to be appointed, and the dispute could be fixed up very quickly.

The MINISTER FOR AGRICULTURE: I cannot possibly agree to the amendment. I would draw the hon. member's attention to the constitution of the Market Trust, the members of which hold responsible positions, and we have every confidence in them. Already the trust comprises a representative of the producers, who was nominated by them. Does the amendment mean that there is no confidence reposed in that member of the trust, that such a matter should be taken out of his hands? The members of the trust are representative, competent, and experienced men who have administered the markets from their inception. How can it be suggested that the proposed board would be more competent than the trust?

Why should a representative of the auctioneers be included?

Hon. P. D. FERGUSON: The board would be representative of the three parties immediately interested.

The MINISTER FOR AGRICULTURE: We cannot have busybodies coming in and interfering with the affairs of the market. I would take strong exception to anyone doing the work that the members of the trust are so well qualified to undertake.

Sitting suspended from 6.15 to 7.30 p.m.

Amendment put and negatived.

Mr. SAMPSON: I move an amendment—

That in paragraph (iv) “exceeding” be struck out and the words “less than” inserted in lieu.

The trust may prescribe the conditions of and form of security in a sum not exceeding £1,000, but I think the amount should be not less than £1,000. In one instance where trouble occurred recently I believe £1,000 would have been insufficient. I have no desire to suggest an unreasonable sum, but the amount mentioned in the Bill is not enough to cover the risk.

The MINISTER FOR AGRICULTURE: The extent of the power that I think it advisable to give the trust is £1,000, which amount should be sufficient. Under the amendment there would be no limit and a much greater amount could be demanded.

Mr. Sampson: It would be fixed on the merits.

The MINISTER FOR AGRICULTURE: I do not think the trust should be given a free hand. Agents do not object to the provision in the Bill, but they might object to a bond for a larger amount. We are trying to tighten up and regulate the manner of business. I see no reason why the agents should finance on the produce of their customers. The goods are perishable and sold immediately, and the idea of extending credits over a long period should be foreign to the trade. The practice is to pay promptly and there is no large carry-over. The bond would be required only where there was laxity in doing business.

Mr. SAMPSON: The case of the company who recently got into financial difficulties warrants our affording the protection proposed. Such companies pay up promptly until they get into difficulties and there is

a possibility of their then carrying on for some weeks and of the producers suffering.

Amendment put and negatived.

Hon. P. D. FERGUSON: I move an amendment—

That after “pounds” in paragraph (iv) the words “for the protection of the principals of such auctioneers and agents” be inserted.

I wish to ensure that, in the event of an agent defaulting, the sum of £1,000 or less shall go to the principals of the auctioneer or agent to whom it rightly belongs. That point is not made clear in the paragraph.

Amendment put and passed.

Mr. SAMPSON: I suggest that the words “by any principal” be deleted from paragraph (v). Are the words essential? They indicate a limitation. If they were deleted, any auctioneer or agent or servant who became interested in the purchase of any goods consigned or delivered for sale would be doing wrong.

The MINISTER FOR AGRICULTURE: Without those words the paragraph would be meaningless. They have been inserted to protect the principal.

Hon. P. D. FERGUSON: I move an amendment—

That paragraph (vi) be struck out.

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

Clause 3—agreed to.

New Clause—Amendment of Section 12:

Mr. WISE: I move—

That the following be inserted to stand as Clause 2:—“Section 12 of the principal Act is hereby amended by adding after the word ‘auction,’ in line 2 of paragraph 2, the words ‘or by private treaty agency.’”

If the new clause be passed, it will be necessary to amend the Title. Under the Act auctioneers, not agents, are controlled. In my district are producers of bananas, who despatch on each boat to agents and auctioneers varying quantities, some consigned to auctioneers within the market, others consigned to agents outside the scope of the trust. Unless provision is made to apply Section 12, producers would have no redress if some nondescript person not at present in business established himself, handled

the fruit and defaulted. I wish to bring within the scope of the Bill agents who will be responsible for the security stipulated in the Bill.

Mr. Stubbs: And put up a bond.

Mr. WISE: Yes. There are reputable firms dealing as agents outside the scope of the trust. That may not always be so. Agents have found that the handling of fruit is a lucrative proposition. In some instances they have endeavoured to control the whole of the sale, and consequently the business must be attractive. Men may go into the business purely as banana traders. If they have taken out no guarantee there may be serious loss to the producers.

Mr. THORN: I commend the amendment. If we are to protect all producers we ought to bring these others people within the scope of the Bill. All agents who handle business of this sort should be included.

Hon. W. D. JOHNSON: I support the case presented by the member for Gaseoyne, but I am afraid he will not achieve his object unless he amends other portions of the Bill. No doubt the Minister also approves of the proposed new clause. Perhaps he will see that the necessary amendments are made in another place to give effect to the principle enunciated in the clause. The hon. member wants to apply the £1,000 bond to agents operating outside the market area. Producers ought to be protected from mushroom concerns which come into existence only at the beginning of the season, and may suspend payment by the middle of the season, with resultant harm to the producers.

THE MINISTER FOR AGRICULTURE: This is a Bill to amend an Act to establish a public market in the metropolitan area. The trust have no power to interfere with goods that are sold at other than public auction within that area. We are endeavour as far as possible to safeguard the interests of all producers. If it is possible under the Act to do what is desired I will see what can be carried into effect, but I am afraid nothing can be done that will be effective under the Act. I agree that additional power should be taken, but I am afraid it cannot be taken in connection with this legislation. I will have inquiries made into the matter, and see if some means cannot be devised to overcome the difficulty.

Mr. Wise: I ask leave to withdraw the proposed new clause.

New clause, by leave, withdrawn.

Title—agreed to.

Bill reported with amendments, and the report adopted.

Third Reading.

Bill a read a third time and transmitted to the Council.

BILL—PLANT DISEASES ACT AMENDMENT.

Message.

Message from the Lieut.-Governor received and read recommending appropriation for the purposes of the Bill.

Second Reading.

Debate resumed from the 6th December.

MR. THORN (Toodyay) [7.57]: I support the second reading, but do not think the Government have gone far enough. I should like to see them go the whole hog. I admit they are making some attempt to control a pest that is causing very much loss in the fruit growing industry. I wish, however, they had decided to strike a heavier levy than 1s. as the registration fee. It is not half enough. I hoped it would have been at least 5s. The pest requires rigorous attention, and the employment of many inspectors. If a reasonable levy had been struck the department would probably have had the necessary funds to police the Act in the correct manner. The clause which provides for the registration of all growers will provide the power that is desired for the control of the pest. It is proposed that every grower whether he has fruit trees or fruit vines shall register. It is essential we should have a record of every one who has either a tree or a vine. That will provide the necessary machinery to enable all those places to be visited and the regulations enforced.

Mr. Marshall: Cannot that be done already, without registration?

Mr. THORN: There is no complete record of all growers. There should be a record of every grower of trees or vines. How can

the inspectors ascertain for themselves who are the growers?

Mr. Moloney: Are pot plants included?

Mr. THORN: If such records were kept it would be possible to cope much more readily with the situation

Mr. Marshall: This Bill breaks all records.

Mr. THORN: The one-tree or two-tree men represent the biggest menace to the industry.

Mr. Moloney: I thought you did not believe in restriction?

Mr. SPEAKER: Order! Hon. members will have an opportunity after the member for Toodyay sits down.

Mr. THORN: Under the conditions I have suggested, it would be possible to police the Act properly. If the man with one tree or one vine has no desire to remain in the fruit-growing industry, he will chop the tree or vine down; on the other hand, if he has that desire, he will carry out the regulations. One of our greatest troubles is connected with citrus fruit, which carries over the fruit fly. It is highly necessary that citrus fruit should be controlled. There are different methods of dealing with the fruit fly—baiting and spraying for instance. If the Minister had given effect to the resolution carried by the fruitgrowers' conference, sufficient funds would have been raised for community spraying and community baiting, two of the most effective methods of dealing with the pest. Instead of leaving it to each individual grower to carry out the work of eradication, besides looking after his orchard, we ought to have a man responsible for eradication in each area, and there should be a fund out of which he would be paid and baits and sprays would be supplied. The fund would meet the cost, and the work would be carried out efficiently. I understand that various members intend to express their views on the Bill as affecting their particular areas. In my district we do not go in extensively for citrus fruits; ours is mostly a vineyard area. However, my district does realise the necessity for united action to deal with the pest, which destroys a tremendous amount of fruit. The matter is one for co-operation. My district would be only too pleased to fall into line with the Minister and his department in combating the pest.

MR. McLARTY (Murray-Wellington) [8.5]: Everyone, I think, admits the urgent necessity for doing something to check the spread of fruit fly. Unquestionably the pest is spreading. The Minister said last night that the fly had already made its appearance in the early soft fruits. That is not at all promising for our late fruits, because the fly always increases in numbers as the hot weather comes in. I agree with the previous speaker that it is highly desirable to register all fruit trees, even a single tree in a backyard; for it is from these single trees that a great deal of the damage originates. Growers have been trying to get propaganda throughout the country showing how one tree or one vine, or even one fly, can produce thousands of flies during the season. We know that even one unsupervised tree in a backyard breeds thousands of flies. Therefore it is absolutely necessary to know where all these trees are. The 1s. registration fee is very small, but it does get at what the Minister desires to reach. I do not think the hon. gentleman will derive a large amount of money from that registration fee. He said he had no idea whatever how many orchards would be registered; but even if 10,000 were registered, the result would be merely £500, just about sufficient to employ a couple of additional inspectors. The Minister spoke about creating a fruitfly conscience. I do not think that is possible with a great many people who are not dependent on fruit-growing for a living but have one or two trees in their backyards. To such people it does not matter whether they get fruit or not. Eventually fruit, and especially soft fruit, becomes so cheap that for most people there is no reason to grow it. Fruitfly has been in Western Australia for many years. The Minister could not say for how long. I believe it first came to this State about 40 years ago. If a fruitfly conscience was to be created at all, it should be in existence by this time. I would have liked to see some ways and means devised of community spraying and systematic picking-up. Undoubtedly in certain districts where community spraying has been carried out, effective work has been done. The Minister mentioned something about that aspect. However, the Bill makes no provision for it. If it were possible for local authorities to deal with the matter, collecting some fee and organising a system of community spraying,

it would go a long way towards checking the pest. I do not share the Minister's optimism as to checking the pest by creating a fruitfly conscience. I know that areas not now infested with fly are in great danger of infestation, because the fruitfly becomes acclimatised. That has already been proved by the fact that the fly lives through the winter in some districts where it has been found only recently. For the life of me I cannot make out what the reference to a fee of "2s. 6d. upwards according to area" means. The Minister has made an explanation on the subject, but it does seem to me that the tax will be used. If it is not going to be used, why does it appear in the Bill?

Mr. Marshall: It is in the parent Act.

Mr. McLARTY: I know that. I understand that though it appears in the parent Act, it has been used only once. Thereupon it was challenged, and the courts held that it could be charged only once. If it is not to be used, why does it appear in the Bill? Many growers are concerned about it, and they have every reason to be. I hope the Minister will again explain the position, in order that we may be quite clear about it. The hon. gentleman said it was highly necessary that the Bill should provide power to declare any district infested. The parent Act gives wide powers to the Minister and his inspectors to deal with any infested area. They can enter upon a man's orchard or shed, confiscate his fruit, order it to be picked and burnt, and order trees to be cut down. There is the fullest power to deal with the pest, and I think that is quite right. But under the Bill the Minister can proclaim any district an infested area, whether fly has been found there or not. Or one orchardist's place may be found infested, while the rest of the district is clean; yet the whole of that district can be declared infested, and thereupon quarantined. That would mean practically ruination for those concerned. I hope Clause 3 will be deleted. There is no need for it, especially as such wide powers in the same direction exist in the parent Act. I come from a citrus district, and I admit that in many cases the fly is carried over through citrus fruits being left on the trees too long. Yet I do not regard that as a reason for enacting the proposed Section 8B. I wish the Minister had made a suggestion to the effect that citrus fruit should

be stripped by some date. To such a suggestion I think the growers would agree. For instance, it might be provided that all navel fruit should be taken off by the end of October, and Valencias by the end of November. To such a proposal the growers would have readily agreed.

MR. PIESSE (Katanning) [8.15]: I am glad the Minister has brought down the Bill. As he explained to the House, it is in fulfilment of the wishes of organised growers in the fruit industry. The Bill deals specially with the prevention and eradication of the fruitfly. It is unfortunate that this pest should have been allowed to get such an extensive hold on the fruit-growing districts. If some better organised efforts, such as are being put forward now, had been made in the early stages of this pest, the fly would not have got such a hold in Western Australia as it has. Had the same effort been put forward as was undertaken for the prevention of the codlin moth by the pioneer fruitgrowers, there is no doubt the fruitfly would have been more easily combated than it is to-day. It is to the credit of the early fruit-growers that this State is the only exporting apple State in the world which is free from codlin moth. Therefore if some effort could be made to decide on more definite action to stamp out the fruit fly, it would be not only profitable to the growers, but of great benefit to the industry. In this regard we owe a debt to posterity, because we have enormous areas within an equable climate and a suitable rainfall capable of being extensively developed as soon as prices become more profitable. It could be said there are millions of acres of such land awaiting development. I appreciate the action of the Minister in bringing down the Bill because, having attended the recent conference of fruit-growers at which this question was discussed, I know how anxious the growers are to prevent the spread of the pest. The fruit-grower must be continually upon his guard. He cannot wait for the season for any particular disease to develop, but must be constantly spraying and taking every other precaution to keep down the pest. As pointed out by the Minister and some of the previous speakers, the greatest danger lies in the small orchards, backyard orchards which are not pruned nor properly tended. The backyard orchardist may have

no interest at all in fruit culture, and so his orchard becomes virtually an abandoned orchard. Only last year, as the result of a conference recommendation, a regulation was framed by the department making it mandatory on owners to destroy these abandoned orchards, large and small, which constitute such a menace to the industry. I think a little more energy might well be expended in this direction by the orchard inspectors, so as to bring about the elimination of abandoned orchards. The object of the Bill will be largely defeated unless that is done. I am wondering what it is proposed to do under the Bill; will the owners be expected to register these abandoned orchards? If so, a curious position will arise, for the orchards will have to be registered and then destroyed. There is some misapprehension amongst members in regard to some of the provisions in the Bill. Clause 4 proposes to amend the original Act of 1914. Under the parent Act, paragraph (d) of Section 35—which it is proposed in Clause 4 to amend—provides for the registration of all orchards containing one or more fruit trees or grape vines.

Mr. Marshall: That makes it a one-tree orchard; do you want to control them?

Mr. PIESSE: The hon. member does not want to control anything. Then there is the question of registration. It is proposed to prescribe an annual registration fee of 1s. Under the original Act the fee was 2s. 6d., but that was not an annual fee. At the conference the growers, intelligent men who have made a success of their orchards and are anxious to protect them, told the Minister they were prepared to tax themselves in order to create a fund with which to deal more effectively with the pest. Perhaps it would be rather unfair to insist upon this tax at the present time; rather should we give the Bill a fair chance to do what it is hoped it will do. The measure will bring about a definite effort to deal with the pest which is not only devastating, but one of the most disgusting we have.

MR. SAMPSON (Swan) [8.28]: In many fruitgrowing countries the Codlin moth is looked upon as the most serious problem growers have to face, but in Western Australia there is more fear of the fruit fly, which has shown itself to be our greatest scourge, more difficult of control than any

other fruit pest. The problem is a major one, and I appreciate the efforts the Minister is making to bring about control of the fly. Even the opponents of the Minister will concede that he has acted with extreme moderation in the Bill. Nevertheless, it is a step in the right direction, and I have yet to find anyone in a fruitgrowing district who does not approve of it. Many have said that the proposed fee is low, but the action taken, which is to ensure the registration of all orchards, has received general support. The fact that in the parent Act there is provision for the registration of orchards does not cover the point because, under the parent Act, only one registration is required, whereas the Bill provides for an annual registration. At a big conference in the Assembly Hall, Pier-street, called by the member for Toodyay and myself in April last, it was proposed—and the Minister approved—that a fruit fly advisory committee should be appointed. At the West Australian Fruitgrowers' Association Conference held in September, the recommendations of that committee were discussed. As reported in the "West Australian" at the time, Mr. A. C. R. Loaring, chairman of the Fruit fly Advisory Committee, said that that committee had recommended to the Minister that all orchards be charged a registration fee of 1s. and that in addition a tax of 3s. 6d. an acre be levied where stone fruits, pears, quinces, persimmons, or guavas were grown, 2s. for apple trees and 1s. for grape vines. The tax was estimated to yield £5,000 or £6,000. That recommendation was submitted by the Fruit Fly Advisory Committee to the conference. The taxation referred to was to be paid by the growers themselves. The association adopted the recommendation and many regretted that the Minister could not see his way to approve of the recommendation which had been endorsed by the Fruitgrowers' Conference. It was a wonderful gesture embracing the people concerned, and a fund would have become available towards materially helping in exterminating the fly. However, I whole-heartedly support what is now being done and my only regret is that the proposal does not go a considerable distance further. There is general doubt in regard to the proviso to Clause 4, were it is stated that other registration fees, in addition to the 1s., may be

created, from 2s. 6d. upwards according to the area. That, of course, would relate to a section in the parent Act, which no doubt can be discussed when we reach the Committee stage. Ultimately, I believe, a tax will be levied according to area. But the fruitgrowers are asking, "Why not now?" I am gratified to see that when it is by notice declared that any portion of the State so defined is infested with disease of the kind mentioned in the notice, the owner or occupier of such orchard must take such steps as are prescribed in order to control and eradicate the disease, and this notwithstanding such disease may not then exist or appear to exist in the orchard referred to. Heretofore, if an inspector failed to find the fruit fly, his power was limited, but in the amending Bill, when it has been declared by notice in the Press that fruit fly exists in a particular area, all orchards in that area are subject to action on the part of inspectors. It is a fact that in the past there has been far too much consideration given to the fly. If the fly had been a most beneficent insect, it could scarcely have received more loving kindness in respect to treatment. As I said, the inspector has hitherto had to find the fly in the orchard before being able to take action. I could give the history of the fruitfly. It is an interesting story.

Mr. Marshall: Give us Casabianca instead.

Mr. SAMPSON: I am prepared to allow my little friend from the Murchison to tell us about Casabianca or any other story he likes, but not while we are discussing the Bill. I am hopeful that the law will be put into effect. Naturally, I do not wish to see summonses issued. I would like warning to be given to growers, so that necessary action in respect of orchard sanitation may be taken. If legal action had been taken at the end of the last fruit season, scarcely an orchard would have escaped. So far this year the fly has not proved nearly as bad as was feared. However, it is very early in the season yet and there is the fear, as the season progresses, that the difficulty may be as bad as it was previously. The adoption of the Bill does not mean complete salvation. There must be a thorough carrying out of the provisions of the Act. Personally I believe in community baiting, but disinterested odd growers may render useless the efforts of the majority. That,

unfortunately, proved to be the case in the effort made at Gosnells some years ago. For about three years the success was practically 100 per cent. and then, with the defections of growers, the effort gradually failed. All the same, a tribute should be paid to the honorary president of the Fruitgrowers' Association at Gosnells, Mr. G. A. Griffiths, who spent much of his time in organising and doing everything he could to render the community baiting a success. So, as happened at Gosnells, a few orchardists who were not prepared to come into the voluntary scheme were responsible for lack of efficiency. Personally, I believe we shall not secure success until community baiting and orchard practice in dealing with the fly are made compulsory. Many people think that the fly should be declared vermin under the Vermin Act, and a number of requests have been put up to the Government along that line. I believe we are now on the right track and there will be no need to carry out that suggestion. The help of local authorities could, however, be enlisted and that would mean a great deal in the way of bringing about efficient control.

Mr. J. H. Smith: Then it would be nobody's job.

Mr. SAMPSON: In New South Wales there are two varieties of fruitfly; we have one. Discussing it with a friend when I was in Sydney a little while back, he expressed the opinion that a local inspector was not a good officer because there was too often a disinclination to act in certain instances. If a man were a stranger in a district, he was able to do a great deal in a short space of time. We are now on the road to control and eventually eradication. I am grateful to the Minister for what he has done and for his attitude in regard to the conference which was called by the member for Tootyay and myself. The Minister showed he was most anxious to do what was required and the Bill before the House is proof of this. Some people think that the grower is not to blame, but others are definitely of opinion that he is.

Mr. Hegney: Do you think that the penalty is reasonable?

Mr. SAMPSON: That is not the minimum; it may be one-tenth of that which is set out. As I have already said, I believe that the eventual solution will be found in

compulsory community baiting. I support the Bill.

MR. LAMBERT (Yilgarn-Coolgardie) [8.45]: I can give general support to the Bill, and in doing so I want to be as brief as other members have been loquacious. Some serious attempt should be made to control this pest. Last year I moved the following motion:—

That, in the opinion of this House, owing to the prevalence of fruitfly, it is advisable, in the interests of the fruit-growing industry of Western Australia, for the Minister for Agriculture to call for a report by a competent authority on the advisability of destroying all stone fruit and other trees which are acting as a breeding ground for this pest, within a given radius of the metropolitan area.

Notwithstanding that the Bill will enable a reasonable attempt to be made to eradicate this serious pest, I am still convinced that no useful purpose will be served by legislation of this description. It will be almost impossible to police such a measure. It will be evaded in every possible way 'as the Act to-day is evaded. When there was an outbreak of pleuro in consequence of the importation of cattle from the Eastern States, we took drastic steps and coped with the evil. When there was an outbreak of rinderpest, we destroyed many of our cattle. We were threatened with the possibility of a widespread outbreak of codlin moth, and a prohibition was placed upon all apples imported into Western Australia. Why tinker with a pest such as the fruitfly? Those who have a practical knowledge of the position, notwithstanding the nursery-like idea expressed by the member for Swan (Mr. Sampson) that we should have some community control, know that no such system of control could possibly succeed. Parliament should act courageously and authorise the destruction of the fruit trees in the metropolitan area that provide the breeding ground for the fruitfly. I hope the Bill will be effectively policed if agreed to, but I have yet to be convinced that that will be possible. The only way is to destroy all the trees in the metropolitan area.

Hon. P. D. Ferguson: Will that eradicate the fruit fly?

Mr. LAMBERT: It will eradicate the principal breeding ground for the fly, as far as I know.

Hon. P. D. Ferguson: I am afraid you do not know.

Mr. LAMBERT: I recognise the hon. member as an authority on this subject, and I bow to his opinion. But I believe that the big breeding ground for the fruit fly is to be found in the metropolitan area, amongst the one to four-tree orchards in backyards. I had an experience myself in two homes in the metropolitan area, and I know that, notwithstanding what I did, my neighbours rendered such work ineffective.

Mr. Rodoreda: There are quondongs in your electorate.

Mr. LAMBERT: The hon. member speaks feelingly because I suppose until he came to the city the quondong was the only food he knew. I hope the Agricultural Department will give attention to this subject and provide some authority who will inform Parliament whether we can eradicate the pest by legislation, or whether the more effective way I suggest should not be adopted.

MR. MOLONEY (Subiaco) [8.50]: I have perused the Act passed in 1914, and analysed the provisions of the Bill. For the life of me, I cannot understand the Minister bringing down such a measure. The only reason I can assign is that the Minister is unsophisticated. I also marvel at Country Party members supporting it. They seem extremely anxious to put it through. I would remind them that it will impose a burden on the farmers who grow a few trees. It will compel them to register, which will mean more expense to them, and they will be subjected to a certain amount of harassing. However, I am not so much concerned about those who reside in the country centres as I am about the position of people in the metropolitan areas. It requires a great stretch of imagination to perceive the evils referred to by the member for Yilgarn-Coolgardie (Mr. Lambert).

Mr. Marshall: He is a great authority on evils.

Hon. P. D. Ferguson: If he were a builder, he would have to be registered.

Mr. MOLONEY: Every man who has one tree or one vine in his backyard will be compelled to register. It is a wonder the Government did not include potplants and rosebushes because they suffer from aphids.

Mr. Hegney: Passion vines are included.

Mr. MOLONEY: The Minister is not content with telling people that they must register, but he insists that they shall do so within a month, and if they fail to do so, they will be liable to a fine of £20. Not only that but they are liable, in addition to the fine of £20, to a further impost of £1 for every day or part of a day during which they continue their neglect. Is that not a wonderful proposal. I am surprised at the Minister's attitude.

Mr. Piesse: Why should those people be allowed to do something that works an injury to their neighbours?

Mr. MOLONEY: I have yet to learn that an injury is done to their neighbours. To date the case presented has not conveyed much conviction.

Hon. P. D. Ferguson: The Minister himself put up the case.

Mr. MOLONEY: Then as to the fees to be charged, the Bill provides that the money raised by means of the registration of orchards and transfers may be utilised for the eradication of fruitfly or be applied to the fruitfly fund. It also sets out that such money as may be appropriated by Parliament may be used for those purposes. There is nothing mandatory about it.

Mr. Wise: In any case, the industry should not pay for that.

Mr. MOLONEY: Because certain people carry out inspections the people should not be compelled to pay. We hear a lot about the liberty of the subject, which is spoken about glibly. That is all right when things of moment are dealt with, but in this instance it savours too much of extreme harassing tactics. I do not know what anaesthetic was used upon those who sponsored the Bill or supported its introduction at meetings of road boards and various societies, but I know what it will mean to many innocent victims. Yet Parliament is asked to support such a measure! I will never vote for the imposition of penalties such as those set out in the Bill. Our object should be to protect people from convictions and not make them subject to conviction.

Mr. Thorn: I wish I had known your views when you introduced your Builders' Registration Bill.

Mr. MOLONEY: No one who has had any association with me need suffer under any delusion regarding my views. I stand for the emancipation of the people from all

undue harassing tactics. I have drawn attention to some phases because possibly the Minister, in his complacency, may have been induced to accept the Bill. The introduction of such a measure will not enhance the prospects of the individual Minister or the Government. It is my duty to draw attention to features that I consider constitute a blot.

MR. J. H. SMITH (Nelson) [8.58]: I support the second reading of the Bill. As the Parliamentary representative of one of the largest fruitgrowing districts of the State, I can assure the Government of the support of the fruitgrowers. The only thing is that the Bill may not be quite drastic enough. For many years it was considered that the fruitfly would live only in the metropolitan area and that it would not breed in the South-West because of the climatic conditions. Only last year did this dreadful scourge reach Donnybrook, and, subsequently, Bridgetown. I predict it will not be long before the fruitfly reaches Albany and Mt. Barker.

Mr. Cross: By means of second-hand fruit cases.

Mr. J. H. SMITH: No. The fruitfly represents the greatest menace to the fruit-grower. The codlin moth is not so important. There was an outbreak in the Bridgetown district years ago, but the orchardist concerned went to enormous expense, and stamped it out. Then there was an outbreak at Collie and the member for Collie (Mr. Wilson) will remember the prohibition placed upon the fruit from that area. An army of inspectors was employed examining fruit and the outbreak was coped with. The fruitfly is a greater scourge than the codlin moth. One is ashamed to sit in the same House as the member for Subiaco (Mr. Moloney) when we hear him say we propose to do something we have no right to do. Does the member for Subiaco suggest that we have no right to protect the struggling fruit-growers who have invested every penny they possess in their orchards? Is it wrong to ask the small orchardist to register, when the interest of growers who have invested hundreds of thousands of pounds in the industry, are at stake?

Mr. Moloney: What about the one-tree man?

Mr. J. H. SMITH: When the Minister was moving the second reading, I interjected that I regretted a higher fee than 1s. was not proposed. I realise that there are many people with two or three grape vines and fruit trees in their backyards who take a pride in them, but no matter how much they bait or spray, their trees are infested with fruit fly. I disagree with the statement of the member for Swan that the fruit fly has not been so bad this year. I was speaking with a man who has been baiting all this year. The chairman of the South Perth Road Board told me that he had baited more this year than in any other year, and he added that before the apricots had turned they were infested with fruit fly. That applies throughout. The registration fee of 1s. will not hurt anybody, and those who take pride in their trees will not regret having to pay it. But there are people with old trees in their backyards, trees that are neglected and infested. They take no pride whatever in their places, and that is why I should like to see the fee made higher. Many of those trees would then be destroyed. I am afraid that the Minister will not get sufficient revenue from the fee of 1s. I would agree to the fee being made proportionate to the size of the orchard up to an amount of £1 a year. Fees graded in that way would produce more revenue and would permit of more inspectors being employed to combat the pest. Fruit fly presents one of the most serious problems that has confronted the State, and for years we have been merely tinkering with it. Under the present Act the inspectors had authority to deal with the pest, but the policy has been one of tinkering. The disease is spreading further afield until the commercial orchards are endangered. A few years ago a million bushels of apples were grown and members must appreciate what that meant to the State. The fruit fly tackles not only stone fruits, but citrus fruits, and threatens to endanger the apple orchards as well. I appeal to members not to be parochial in their views, but to give all assistance in their power so that this pest might be effectively combated. Under this Bill the department can insist upon people registering their orchards and keeping them clean. In addition to the registration fee, I should like to see heavier penalties prescribed for offences, even to the extent of double or treble those pro-

posed. In Committee I shall endeavour to get the penalties increased. There are clauses in the Bill about which we should not worry very much, but there is one dealing with infested areas. I hope the Minister will explain what is meant by infested area. No doubt the pest is bad in the Donnybrook area, but there we have only one inspector. He has to cover the district from Harvey to Donnybrook, while another has to deal with the district through Bridgetown and Upper Blackwood to the Albany boundary. Those are impossible areas for one man effectively to inspect. Under Clause 3 the Minister may declare any area infested. He might declare the Bridgetown area infested. The presence of fruit fly in that district came as a shock to everybody. There are thousands of acres of orchard there, but the Minister should not declare the whole district infested and put owners of clean orchards to the expense of setting traps and baiting right through the year. That would ruin the whole scheme. In the Swan district there is probably not an orchard that is not affected, because it has been the breeding ground for fruit fly for years. Last year apples sent from the Swan district for shipment from Fremantle were rejected because they were infested with fruit fly. I want the Minister to be careful in declaring areas as infested. If a man has a large orchard and his trees are clean, it will be a hardship to declare his property within an infested area. Under the Act the department have all the powers necessary with the exception of registration, but the Act is not being enforced as it should be. Some people do not spray and have not sprayed for two or three years. Yet a man next door might spray once or even twice a year and keep his orchard free from San Jose scale and other diseases. I am afraid that under this measure sufficient revenue will not be produced to police it effectively. Would there be 20,000 backyard orchards in the metropolitan area? That number at 1s. each would produce only £1,000, which is not much. When the measure comes into operation the Minister will have to put on inspectors and ascertain who has vines and trees, more especially stone fruit and fig trees in backyards. The inspectors would have to report, and if the owners did not register they would be liable to a fine. In Committee I hope the Minister will give con-

sideration to the citrus growers. At one time we thought that fruit fly would not extend further south than Waroona, and we have retained the area from Waroona to Narrogin. We have been allowing citrus fruits to go further south from areas outside that range, and if we debar producers from sending their oranges south, it will impose great hardship on them. The citrus is one of the fruits that carry the fly over. Citrus growers are always anxious to leave their navel oranges on the trees as long as possible because they then command a better price. If the Valencia oranges are carried on the trees until March, they present a danger. Then there is the intermediate crop that ought to be stripped. If the Minister could provide by legislation or regulation that Valencia oranges must be stripped by the end of November, it would be a move in the right direction. I congratulate the Government on behalf of the growers in my district on having introduced this measure. The Minister has been in close consultation with his officers and with people interested in the industry, and all of them are pleased that he has seen fit to take action to combat this menace to the fruit-growing industry. If it is tackled now, good results should be achieved. I do not think the member for Subiaco would intentionally do anything to injure the orchardists, and I hope that he and his friends will support the Bill. If they do, they will never regret their action. The welfare of a big industry is at stake, an industry on which a large number of people are dependent for a livelihood.

MR. MARSHALL (Murchison) [9.10]: I am quite satisfied that some drastic action is necessary to cope with the fruit fly pest. The continuance of the fruit industry is of paramount importance, and it behoves any Government to ensure that pests of any kind which threaten to destroy or reduce the output of such an industry are effectively combated.

Mr. Raphael: Politicians, too?

Mr. MARSHALL: This matter is too serious to jest about. Members with a knowledge of the industry, though supporting the Bill, have not shown that it will prove any more beneficial than has the existing Act.

Mr. Piesse: Prevention is better than cure.

Mr. MARSHALL: Where does the Bill provide any preventive measures? If it was likely to have any preventive effect, the parent Act should be tending to eradicate the pest. Yet, according to members who have spoken, the fruit fly is invading clean areas and is becoming a greater pest year by year. From that I conclude that the parent Act has proved practically valueless, although it contains much of the same authority proposed in this Bill, except the provision for registration. I agree with the member for Yilgarn-Coolgardie that, even if the Bill becomes law, there will be evasions, and ignorance will prevail.

Mr. Raphael: The inspectors should go to the fruit shops. That is where they would find the fly.

Mr. MARSHALL: I agree. If the Bill be passed, some people will evade the law, some will continue in ignorance of it and some will not be able to afford to comply with its provisions.

Mr. Moloney: And some will be put in gaol, too.

Mr. MARSHALL: Yes. A man living close to me has two fig trees and a plum tree and the family live on about £2 13s. a fortnight.

Mr. Patrick: Has he the fruit fly?

Mr. MARSHALL: I do not know. Any Government who sat idly by and permitted such a pest to spread would not be doing its duty. How much will the Minister get from the registration fees?

Mr. Wise: We should not expect the industry to pay the cost?

Mr. MARSHALL: No, and we should not be arguing about the shilling fee. The Government should be doing their job. Inspectors should be going around the metropolitan area examining all fruit trees. According to the Bill, when the inspector comes to my orchard and tells me that there is fruit fly and that I must adopt certain measures, I shall be penalised if I fail to carry out his instructions.

Mr. Thorn: Who looks after your orchard while you are away?

Mr. MARSHALL: If I told the hon. member, he might take my fruit while I was away. The registration of orchards does not concern the fruit fly. It will not pick out the unregistered trees rather than those which are registered. Registration will not frighten that insect. Fully 99

people out of 100 in the metropolitan area who have fruit trees know no more than I do about the presence of fruit fly. Unless an inspector told me my trees were affected, I would be in ignorance of the fact. Registration will not alter that position. What I want is someone with knowledge and experience who can point out the pest to me, and tell me how to eradicate it. Registration is not required to bring that about. The member for Swan appears to be an authority on orchards. Some little time ago I supported him in a motion that practically directed the Government to establish farmlets to provide a partial living for the unemployed. These people were to plant a few fruit trees, grow a few vegetables and keep a cow or two, and in that way make a home for themselves. The Government now desire to put the holders of these farmlets to the inconvenience of registering their few trees. It will not be long before we shall have to destroy our fowls because of stickfast, and our fodder because of the red mite, until we are not allowed to produce anything, merely for the sake of compelling everyone to register. Members who know what has happened in the fruit-growing industry ought to have pointed to what is at fault with the system. Of what use is it to register if those who register do not know whether the fly is present or not, or what steps they have to take to get rid of it? Why persecute people? A man has to apply for registration, use the prescribed form, write out certain particulars on it, and do all manner of things. He would require a private secretary to do all those things. And then there is the penalty of £1 a day for failure to register. Why should we hamper people in this way when they are trying to make homes for themselves? Somewhere in 1932 we were encouraging people to move out of the city area, and endeavouring to discourage them from attempting to acquire homes that were beyond the ordinary worker's pocket. Along the road in which I live I used to be the sole resident, but now five or six other people have established homes for themselves in the same area. The Government want to persecute them because they possess a few fruit trees. Before the people are fully established, they may be told to comply with some other law, until finally they give up their homes. If the fly is the pest it is said

to be, the Government should provide experienced inspectors to currycomb the areas concerned and see that it is eradicated. I do not mind a penalty being imposed upon those who fail to comply with the law, but I do not agree with the Bill as drafted. Because I have decided to vote against the measure, I want it to be understood that I appreciate the necessity for drastic steps being taken immediately to eradicate the fruitfly.

Question put and passed.

Bill read a second time.

BILL—LOTTERIES (CONTROL) AMENDMENT.

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

Second Reading.

THE MINISTER FOR POLICE (Hon. H. Millington—Mt. Hawthorn) [9.24] in moving the second reading said: When the Act of 1932 was brought down, it was regarded as entirely experimental, and it was renewed in 1933 for one year only. The Act expires at the end of this year, and it is necessary to bring down this Bill to continue and amend it. At the time the measure was introduced, many objections were raised to the control of lotteries by this means. Certain private interests were bitterly opposed to its enactment. Many of the objections, which were considered to have great weight at the time, are not now seriously considered. The whole aspect of the scheme has changed through the operation of the Act. The disastrous consequences that were forecast at the time have not occurred. It seems that the policy inaugurated has been accepted by the people. I should say the best evidence of the general approval accorded to it is the manner in which the lotteries have been patronised. I shall show presently the increase in the support accorded to the lotteries from year to year. It will be conceded that the beneficial results that were forecast at the time have been borne out by events. It will be remembered that prior to the enactment of this measure there was no control over this sort of thing. Various charitable organisations were permitted to run sweeps. There was continual agitation on the part of private interests and pro-

motors to run sweeps, and considerable dissatisfaction occurred as to the manner in which those ventures were conducted. It is a sound principle, wherever forms of gambling or lotteries are permitted, that they should be under the control of the State. In every instance the State not only controls these undertakings but, to a certain extent, levies on the proceeds. That is what occurs with the totalisator and other forms of gambling, and even on the bookmakers the State imposes a levy. Whatever may be said against gambling, it is certain that the State has received benefits from lotteries without any private person obtaining any advantage therefrom. It is my view that the people of the State have patronised the local lotteries because they have recognised the principle. Under this Act, money that previously was going out of the State has remained in Western Australia. Very large sums have changed hands, but the money has been kept in the State although it has passed into different pockets. Meanwhile the organisations which for many years had to devise ways and means of supplementing their incomes have been provided for very generously, and to a much larger extent than was the case prior to the passing of this Act. We have reached the stage when we are now justified in making permanent the Act itself. In the early stages it was difficult to forecast what the public feeling would be with regard to the proposal of running a State lottery. There was only one way to prove that. Opinions differ on such questions. The necessary time has now elapsed when I think the results unquestionably demonstrate that this scheme has met with the approval of the people of the State. Even those who criticised the manner in which the lotteries were run, and people who were opposed to this scheme at the time, have to admit that the surplus which has been used for charitable purposes has been very fairly distributed, and I believe, from that point of view, has raised very little criticism. It can truthfully be said that the commission has given general satisfaction concerning the manner in which the sweeps have been conducted and the surplus funds distributed. The utmost care has been exercised in the conduct of all the lotteries.

Mr. Marshall: Is not the distribution of the money subject to Ministerial approval?

The MINISTER FOR POLICE: The distribution has always been in the hands of the Lotteries Commission. Last year's Bill contained an amending clause to make the distribution of funds subject to Ministerial approval; but either this House or another place deleted the clause, leaving the matter in the hands of the Lotteries Commission. Thus it was the decision of Parliament that the Commission should be untrammelled in the distribution of the funds. That distribution requires a high degree of discretion and thorough knowledge of the subject. There must be an intimate knowledge of the various organisations which over a period have benefited by such funds. When it was decided to give statutory control over this form of gambling, there were certain other organisations which had an agreement with the then honorary Commission that whilst they would be prohibited from running lotteries, they should be given certain amounts. As regards the Ugly Men's Association and the Returned Soldiers' League, it was understood that each body should be donated the proceeds of a sweep. At that time such proceeds amounted to £2,000 or £2,500. Different arrangements were made afterwards, but I think the sums given to those two organisations have been as large as I have indicated. There were other organisations, such as the Institute for the Blind, which received certain amounts annually almost as of right. Under this governmental control each of these organisations received more than it had ever previously received. All appear to be satisfied, if it is possible to satisfy them. No complaints have been received. Each organisation, it must be remembered, was carefully watching what other organisations were receiving. It must be placed to the credit of the Lotteries Commission that they have been able to give this satisfaction. To that end it was necessary that some member of the board should be aware of the conditions previously existing. Whereas probable proceeds were speculative previously, we now have definite information as to the amount of money made available by sweeps conducted throughout the year. In order to show the progress which has been made, let me mention that the amounts subscribed for sweeps for the 11 months ended 31st December, 1933, totalled £124,709. The growth in popularity is evidenced by the fact that the total

amount subscribed for the 11 months ended 1st December, 1934, this year, was £187,797, showing an increase of over £63,000. Gross profits for the 11 months ended 31st December, 1933, amounted to £52,325, whereas the amount for the corresponding 11 months ended 1st December this year was £77,717. It will be seen that the amount of gross profits has now become very substantial, and naturally the best administration is necessary for the proper conduct of the sweeps. The responsibility has largely increased by reason of the fact that for the administration of such a fund we have to depend entirely on the judgment of the Commissioners. The anticipated receipts for the current consultation are £20,900, and the profit, judging by latest results, is expected to be £7,500. There is such an enormous amount of money being subscribed to these consultations that the total receipts for the current 12 months will amount to £208,000, and the amount available for distribution to not less than £35,000. The total amount of prize money distributed during 1933 was £52,464. That distributed for 11 months of the current year is £90,000. As regards cost of administration, the fees paid to the four members of the Lotteries Commission, limited to £1,000 annually, represent .801 per cent. of the amount received in subscriptions. Regarding business with the Eastern States, it will be understood that there is keen competition to be encountered. Within Western Australia the Lotteries Commission have practically a monopoly, but business from outside the State has been steadily increasing. Again to show the advance which has been made, I mention that before there was control of lotteries, art unions were run by honorary committees. By the Art Union Control Committee an amount of £32,000 was distributed. For 11 months of 1933 the Lotteries Commission distributed £31,500. Thus far during 1934, an amount of £73,000 has been distributed by the Commission. This makes a total up to date of £136,500 thus distributed to charities. The time has come when it is necessary to formulate some definite and permanent policy. Originally it was intended and anticipated that sufficient surplus funds would be available to finance the various charitable organisations. It early became apparent that there would, in addition be a surplus. Though all

just claims had been met and in addition a considerable amount of money had been devoted to hospitals in the way of equipment with X-ray plants and additions to buildings—I mention particularly a large contribution to the Dental Hospital, and another, of £15,000, to the Victoria Hospital at Subiaco—the Commissioners found that they had a large surplus amount available. Therefore they gave consideration to a forward and permanent policy, so that a hospital of a substantial nature, which would require a contribution each year, might be established. The Lotteries Commission, over the chairman's signature, have published the following statement as to what they will be able to carry out provided they work under a permanent measure allowing continuity of policy—

Following on the many recent opinions expressed both privately and through the Press regarding the urgent need of more hospital accommodation for the city of Perth, and the suggestion of the erection of an entirely new community hospital, I desire to submit to you that in my opinion by the careful handling of the funds received, the financing of this scheme (amounting to a sum approximately £100,000) could quite adequately be undertaken by this commission.

A present review of the finances of the Commission disclose that we anticipate completing this year of office with a surplus of £20,000, over and above all commitments, and after satisfying all reasonable requests for assistance, I am safe in assuring you that by the end of 1935 a sum of approximately £40,000 will be available after satisfying all demands (which from my experience the Commission may expect), this amount, of course, includes the surplus of £20,000 from this year's operations.

Thereafter we are confident of our ability to set aside annually the sum of at least £15,000 in liquidation of the balance of £60,000, thus being able to hand over the hospital free of debt within five years.

Should there be any doubt in your mind of the ability of the Commission to find the amount stated, tenders could be called in sections, say the first for £20,000, amount of money in hand or a larger amount, anticipating the amount we would have in hand say 12 months ahead.

All the Government would have to do would be to guarantee to the bank for this Commission a possible overdraft amount to be decided upon before hand.

Although that proposal, for various reasons, has not been considered by the Government, the fact remains that the Lotteries Commission have put it forward, over and above their usual commitments. In my opinion

they have justification and backing for the assumption that the amount they forecast will be available. In view of the need for a community hospital, and having regard to the practical impossibility of financing it in any other way, the proposal certainly warrants the suggestion that the Act should be made of a permanent character. Whatever arguments may have been used in the past as to its being of a temporary nature, we have to recognise that under a temporary measure it is impossible to have any forward policy. When we consider that the Commission now has a surplus over all outgoings of £80,000 per annum, I think we are justified in assuming that the popularity of the lotteries will be continued. There is no depression for them; they are the one enterprise that is improving each month.

Mr. Stubbs: More mugs coming in every week.

THE MINISTER FOR AGRICULTURE: Yes. I think also there is confidence in the manner in which the sweeps are conducted, and I should say that every subscriber indicates approval. It can be said also that if that money were not expended in the State, if it had been sent elsewhere for other sweeps, the State would have been the worse off. As to the varying degrees of evil in gambling, I do not know of any family that has been deprived of necessities through having taken out a ticket in the lotteries. If we agreed that gambling is evil, at all events from the public point of view, these lotteries certainly are its least objectionable form. And when we come to think that the money not returned in prizes and not spent in legitimate costs is all distributed for charitable purposes, I presume we are justified in forecasting that the popularity of these sweeps will be maintained. Consequently it is proposed to place the commission on a permanent basis, to put it in a position where it can look ahead, formulate a policy, and budget for a period of five years. Then we shall have the satisfaction of building something of a permanent character which will be a monument to the subscribers to the State lotteries. We propose to alter the constitution of the Commission, although the number of members will still be four, as in the beginning. It is proposed also that the present chairman, Mr. Clydesdale, shall be chairman of the new Commission. We all know of the

difficulties created by Mr. Clydesdale being also a member of Parliament. His position was challenged, and I think everybody concerned made up his mind that that position had to end with this year. Mr. Clydesdale had to make a decision as to whether he should remain a member of Parliament or continue as chairman of the Commission. He has decided to remain chairman of the Commission and resign his seat as a member of Parliament. It is necessary that I speak plainly on this so that members shall be aware of the position. Mr. Clydesdale considers he will be more usefully employed as chairman of the Commission, and I think he has shown over a period of years that he has a very wide knowledge of the conducting of lotteries, and also an intimate knowledge of all the charitable organisations in the State. I may add that I believe he has their confidence also. Very great credit must be given to him for the manner in which he has developed the State lotteries. It was his original idea, although at that time this Government were not in office. Certainly the lotteries have been firmly established, and the proceeds have gone to charitable purposes. As I say, Mr. Clydesdale will be chairman of the Commission, and there will be three other members.

Mr. Sleeman: Is it necessary to have four?

THE MINISTER FOR POLICE: We must remember that those men are working under a very loose constitution, with very wide powers as to the distribution of the money. It is more than the conducting of a lottery, for it involves also the distribution of the money, which is a very grave responsibility and ought not to rest on the shoulders of one man; for Parliament has deliberately left to the Commission sole responsibility for the distribution of the funds, and will not agree to even ministerial supervision. That being so, the Government are averse to decreasing the number of the Commission. It must be remembered when £1,000 was fixed as the remuneration of the Commission, we had no idea of the amount of money that would be handled. During the first year it was only a few thousand pounds, last year it was £124,000, and this year it has reached £208,000. So I think we are justified in estimating that next year the Commission. This will ensure continuation of a million pounds. The chairman will

have to devote his full time to the work of the Commission. This will ensure continuity of policy and, I believe, continuity of public confidence, which is quite essential. In view of the largely increased amount that has to be handled by the Commission, we propose to raise the annual allowance to the four commissioners from £1,000 to £1,750. But the percentage is less than it was when the amount was £1,000. At that time it worked out at about .838 per cent., whereas on £250,000 the new allowance will be only .7 per cent., which is not very great.

Mr. Marshall: What percentage is deducted each week from the distribution?

The MINISTER FOR POLICE: Taking consultations No. 1 to No. 11, the receipts were £100,077, prize money £44,709, or 44.6 per cent. expenses £18,937 or 18.9 per cent., and the profit £36,431 or 36.4 per cent. During 1934, from consultations Nos. 10 to 21, the receipts were £187,797, the prize money was £80,812, or 43 per cent., the expenses £29,267 or 15.5 per cent., and the profit £77,717 or 41.3 per cent. The percentage given in prizes in the early stages was 44. It was next 42 and raised to 43 and the figure for the last sweep conducted was 48.9 per cent. The receipts in connection with the last sweep totalled £20,938 and the prize money came to £10,050. The expenses were £3,339 or 15.9 per cent. and the amount available for distribution was £7,548 or 36 per cent. It has to be remembered in working out these expenses that the Commission is limited to 25 per cent. of the gross takings. Included in that would be 10 per cent., which is automatically given to the ticket sellers, and so that when we consider that the average expense is a shade over 15½ per cent., and that included in that there is the 10 per cent. paid to the ticket sellers, it means that the costs are down to 5½ or 6 per cent.

Hon. C. G. Latham: They get their share of commission for what they themselves sell over the counter at the lotteries office.

The MINISTER FOR POLICE: Even so, they must have a staff there for that purpose. But the hon. member will find that a big proportion of the tickets is sold on commission, so that it is clear that the cost of running the sweeps is reduced to an absolute minimum. Prior to the institu-

tion of the State lotteries the usual charge made by private promoters was 25 per cent. of the gross takings and probably sometimes more than that. On one occasion a sweep was run by a professional for the After-Care Committee for the Claremont Hospital for the Insane, and 25 per cent. of what was collected went to the promoter. The State lotteries have been carefully and properly conducted and there is of necessity a perfect recording system. Everything has to be accounted for and the cost as far as actual charges are concerned, are reduced to far below anything previously experienced in the State. It is now proposed to give the Commission a permanent status. I can see no reason for continuing the temporary measure. The public have accepted the lotteries as the policy of the State, judging by the amounts received and I see no reason why we should not assume that the public desire that the lotteries shall be a permanent institution under the existing management. They desire also that the same chairman shall be in charge, and since he cannot remain a member of Parliament and hold the position of chairman of the Lotteries Board, he has given notice of his intention, if appointed, to resign his seat in Parliament. If he is appointed chairman of the board the tenure will be five years. With regard to the other members of the commission, instead of their retiring automatically at the end of the year, one will be appointed for one year, one for two years and the other for three years, and at the expiration of each period the member of the Commission will be eligible for re-appointment for another two years. In that way there will always be a member on the Commission with experience, and should a new appointment be made, there will be two members of the board actually in existence. In that way there will be continuity. The actual working of the Act is such that we are now in a position to estimate what the revenue will be and what the distribution will be. Therefore we should have something of a permanent character to show for the enormous sum subscribed by the people. I move—

That the Bill be now read a second time.

On motion by Hon. C. G. Latham, debate adjourned.

BILL—GERALDTON SAILORS AND SOLDIERS' MEMORIAL INSTITUTE ENABLING.

In Committee, etc.

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

Read a third time and transmitted to the Council.

House adjourned at 10.10 p.m.

Legislative Council,

Thursday, 13th December, 1934.

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

PAPERS—LAND TRANSACTIONS OF Mr. H. HALE.

The CHIEF SECRETARY: I desire to place on the Table the papers asked for by Mr. Yelland in the motion he moved yesterday.

Hon. J. Cornell: That motion has not yet been agreed to.

The CHIEF SECRETARY: That does not matter. I do not intend replying to the motion, but to place the papers on the Table.

Hon. V. HAMERSLEY: May I ask the Chief Secretary if the papers also cover my motion, of which I have given notice, to the effect that all papers relating to transactions between Mr. Harry Hale and the Agricultural Bank and Industries Assistance Board be tabled?

The CHIEF SECRETARY: I am informed that the file is complete and covers both motions.

Agricultural Bank and Industries Assistance Board.

HON. V. HAMERSLEY (East) [5.18]: I move—

That all papers relating to all transactions between Mr. Harry Hale and the Agricultural Bank and Industries Assistance Board be laid on the Table of the House.

The Chief Secretary has informed me that the papers are now on the Table.

Question put and passed.

Returned Soldiers' Settlement Board.

Order of the Day read for the resumption from the previous day of the debate on the following motion by Hon. H. J. Yelland:—

That all papers dealing with the sale or negotiations for sale of property or properties offered to the Returned Soldiers' Settlement Board by Mr. Harry Hale, of Perth, be laid on the Table of the House.

Question put and passed.

MOTION—URGENCY.

Geraldton Unemployed and Provision of Work.

The PRESIDENT: I have received a letter from Mr. Hall stating that he desires to move the adjournment of the House on a matter of urgency. The letter reads—

Sir,—I desire to move, under Standing Order No. 59, that the House at its rising adjourn till the 14th December, in order to debate a matter of urgency, namely, the immediate necessity of providing work for the unemployed at Geraldton and the unsatisfactory