were closed on Saturdays, they would be forced to remain open longer on week-days. The situation would then arise that employees of industry, most of whom finish their work in the early part of the after-noon, would have time, after they knocked off, to shop in their local suburbs or in the shopping areas in which they were employed; or even time to return to their homes, should they work in a dirty trade, to clean themselves up and then shop in their residential suburb.

However, quite a large proportion of them, in working a five-day week, would not have time to go home to clean up and return to the city to do their shopping, as they are in the habit of doing on Saturdays. Myers' Emporium and other large establishments were concerned that their trade should not be lost to the surburban shopkeepers. They had no responsibility nor any care in regard to aggravating traffic problems, nor to the fact that all political parties are supposed to give lip service to decentralisation; nor had they any thought about bank officers or any other workers in industry. They placed pressure on the Associated Banks to ensure that the existing system continued as far as their shops were concerned.

I do not blame them for taking such action, but I blame those people who gave way to their pressure. I fancy that action of a like nature might develop here, because the same argument holds good, or possibly I should say holds bad. The principle of 40 hours being worked in a five-day week is, as every member is aware, a plank of the Labour Party platform and it has proved successful in every industry in which it has been tried.

The practice of banking has already reached the stage where practically every branch of every bank is already staggering the Saturday employment of its officers so that the staff gets a Saturday off every four weeks, six weeks or eight weeks according to the roster. Bankers are not only aware that there is a demand for these shortened hours, but the business is not there to be done on Saturday in the same volume as it is on other days.

Hon. C. F. J. North called attention to the state of the House.

Bells rung and a quorum formed.

Mr. JOHNSON: I thank the member for Claremont for increasing the audience which got very thin during the previous debate. As I was saying, the banks themselves are aware that the demand for their services is far less on Saturdays than it is on other days and they have taken steps to stagger employment in the majority of branches. That staggering of employment, however, varies from branch to branch and there are occasionally, I imagine, branches which do a very heavy trade on Saturday morning. Similarly there are other branches which do very little. I commend this small Bill to the House. I would remind members that ours is an improving economy, and it should be possible to make an improvement in the working conditions of this small body of workers. I hope that on this occasion the Bill will pass this and the other Chamber. I move—

That the Bill be now read a second time.

On motion by Hon. Sir Ross McLarty, debate adjourned.

House adjourned at 9.44 p.m.

Legislative Council

Thursday, 22nd September, 1955.

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

BILL—CEMETERIES ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [4.35] in moving the second reading said: This small Bill seeks to rectify an anomalous position. Section 35 of the principal Act provides that it shall be an offence for any person to wantonly or wilfully destroy or injure or cause to destroy or injure any building, vault, monument, tombstone, enclosure, fence, tree, shrub or other thing affixed to, or growing in, a cemetery.

An orgy of vandalism at Karrakatta Cemetery by children last year, in which a number of glass domed wreaths were seriously damaged, drew attention to the fact that the provision which I have just quoted deals with fixtures only, and not with movable objects such as wreaths. The Bill, therefore, seeks to give trustees

of cemeteries the authority to prosecute when damage or destruction is caused to any property in cemeteries.

Section 35 does not make it an offence to attempt to destroy or injure, although it does include a reference to attempts to deface or obliterate any monumental device or inscription. Action can, of course, be taken in regard to attempted vandalism under Section 80 of the Police Act, or under the Criminal Code; but it would be preferable and of advantage for cemetery trustees to be able to prosecute for attempted as well as actual vandalism. The Bill, therefore, provides an amendment to enable this authority to be given to trustees. I move—

> That the Bill be now read a second time.

On motion by Hon. C. H. Simpson, debate adjourned.

BILL—LEGAL PRACTITIONERS ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [4.37] in moving the second reading said: This also is a simple Bill which has been brought down at the request of the Barristers' Board. The principal Act provides that the constitution of the board shall be the Attorney General as ex officio chairman, the Solicitor General, all Queen's counsel who reside and practise in the State and who are not judges of any court in the State, and five practitioners of at least three years' standing and practice in the State.

One retired judge has indicated his desire to resume membership of the Barristers' Board; and it is thought that, in future years, there will probably be others in the same category who would wish to do likewise. I am advised that the board would welcome such people as members, as their experience would be invaluable.

However, retired judges are precluded from membership, as the principal Act specifies that, in order to be a member of the board, such a person would have to be in active practice. The Bill, therefore, seeks to give effect to the wishes of the Barristers' Board by providing that, on retirement, every judge who remains resident in the State shall become a member of the board.

Members will note that a separate provision is made in the Bill enabling the present Chief Justice to become a member of the board on his retirement. This is because the present Chief Justice is not subject to the requirements in Section 3 of the Judges' Retirement Act that judges shall retire at 70 years of age. When that Act was passed in 1937 it provided that any puisne judge who held office at the commencement of the Act and who subsequently became Chief Justice would not have to retire at 70. I move—

> That the Bill be now read a second time.

On motion by Hon. Sir Charles Latham, debate adjourned.

BILL—HONEY POOL.

Second Reading.

THE MINISTER FOR THE NORTH-WEST (Hon. H. C. Strickland—North) [4.40] in moving the second reading said: This Bill has resulted from a request made by the trustees of the honey pool of Western Australia, and its purpose is to make the honey pool a corporate body. The Bill, if passed, will not make the pool compulsory; but there is a clause that places an obligation on the trustees to receive and market honey on behalf of any grower if he desires to supply.

The present voluntary pool is operating satisfactorily; but trouble was experienced when the trustees decided to erect modern buildings to replace the present inadequate factory, and purchase plant and machinery for the efficient processing and marketing of honey for the export and local market.

To enable the purchase of a site to be made—a block next to the existing factory—participants in the pool have for the last two years contributed ½d. per pound from proceeds. As the existing pool has no legal entity, difficulties immediately arose over the title. This measure has been introduced to overcome such difficulties and to give the pool the necessary legal standing to carry on with its work and enable it to receive recognition by the financial institutions.

The pool began in 1924, when a group of beekeepers conceived the idea of collectively marketing their honey. This was followed in 1925 by an attempt to form a beekeepers' trading company. The attempt failed and Westralian Farmers Co-operative Ltd. then offered to form and finance a voluntary honey pool. Beekeepers accepted this offer and the pool commenced operations in 1926. It now handles 60 to 80 per cent. of the State's crop on a voluntary basis, and it is emphasised that if this measure is passed it will continue to be a voluntary pool.

The industry continues to grow, and records show that the production of honey approximately doubles every ten years. For the information of members I have been supplied with some figures showing the value and production of the industry

in this State. The following are production figures for the year ended the 30th June:—

	lb.
1948	1,731,902
1949	4,290,418
1950	2,041,156
1951	1,314,587
1952	3,479,935
1953	3,393,559
1954	6,366,000

Hon. J. G. Hislop: Why the decline in the early fifties?

The MINISTER FOR THE NORTH-WEST: I could not explain that, but there was a decided drop from 1949 to 1952.

Hon. Sir Charles Latham: It is the season. Trees do not flower every year.

The MINISTER FOR THE NORTH-WEST: I will obtain the information for the hon. member. The quantity and value of honey pooled annually as shown in the following two five-year periods will give some indication of the growth and wealth of the industry:

Annual Poolings.	lb.	Turnover.
		£
Year ended 1945	723,131	21,968
Year ended 1946	1,211,068	39,762
Year ended 1947	1,294,896	53,669
Year ended 1948	1,085,973	41,687
Year ended 1949	3,449,722	75,863
	7,769,790	232,949

The following five years' turnover was much greater.

	lb.	Turnover.
		£
1950	1,475,073	77,456
1951	1,202,628	72,686
1952	2,526,194½	128,474
1953	2,843,942½	160,568
1954	4,321,275	198,834
	12,369,113	638,018
	Approx. 60 per cent. increase.	Approx. 173 per cent. increase.

When compared with other primary produce honey export figures are small, but they contribute to the national economy as the following figures will show:—

Year ended the 30th June.

	Bulk.		Bottled.
	Tons.	Cwt.	Dozens
1947-1948	422	11	8,100
1948-1949	929		11,391
1949-1950	687	7	13,409
1950-1951	336	13	9,360
1951-1952	839		2,755

Those figures do not seem to compare.

Hon. Sir Charles Latham: Sometimes it is packed in big drums and at other times in bottles.

The MINISTER FOR THE NORTH-WEST: I see.

Hon. Sir Charles Latham: It is exported in drums.

The MINISTER FOR THE NORTH-WEST: The figures for the other two years are as follows:—

	Bulk.		Bottled.
	Tons.	Cwt.	Dozens.
1952-53	1,429	19	6,955
1953-54	2,180	18	3,823

I am advised that Germany has contracted with Australian suppliers for delivery of 4,898 tons of honey up to the end of September and it is expected that a further allocation will be made by the German Board of Trade for the three remaining months of 1955.

The Government considers the request from the honey pool for the introduction of this Bill as being very reasonable. While no Government moneys are involved the Bill provides for the accounts and reports to be laid on the Table of both Houses of Parliament.

The existing trustees are enumerated in the measure, and it is proposed that the appointed trustee shall be appointed by Westralian Farmers by resolution of the directors and he shall be Mr. R. E. Moyle, who is the present chairman. The remaining three trustees will be elective members, but the existing trustees will continue to act in office. They will be appointed for three years, but the Bill provides for one of the original elected trustees to retire each year in order to rotate appointments. The first retirement will take place on the 31st December, 1956.

I understand the pool has commenced building operations and is most anxious to become an incorporated body so that its operations can be conducted with legal standing. The Bill is therefore commended for favourable consideration. I move—

> That the Bill be now read a second time.

On motion by Hon. L. A. Logan, debate adjourned.

BILL—POLICE ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [4.50] in moving the second reading said: The amendments proposed in this Bill are to Section 65, which deals with idle and disorderly persons, and Section 85, which deals with the issue of warrants to enter and search a common gaming house.

Dealing first with Section 65, the intention of the amendment is to give the police authority to deal principally with criminals coming from other States. Police in the Eastern States and other parts of the world, have found consorting laws to be one of their most effective means of combating crime, and the absence of such a provision in our laws has encouraged the migration of criminals from other States to Western Australia.

In this State criminals can congregate around hotels and places of amusement without police interruption, but cannot do the same in other States owing to the existence of a law similar to that provided in this amendment. There is no doubt that this fact has made Western Australia attractive to them and is the main reason for increased numbers of this type of person coming to this State.

During 1929 we suffered an influx of criminals, and one of the principal means of coping with it was the "idle and disorderly" provisions of the principal Act. Evidence of consorting with criminals, prostitutes or vagrants was freely admitted by the courts and often formed the major part of the case.

The views of the courts have changed on the admissibility of such evidence, and the charge is now of use only when dealing with the "dead beat" variety of criminal. The well-dressed type, with money in his pockets—probably obtained by crime—cannot now be convicted as "idle and disorderly". At best they can only be charged with being persons of evil fame. But conviction on this charge means that they may be placed on a bond to be of good behaviour, and they go to gaol only if they are unable to find a bondsman, which is not difficult for this type.

Even the evil fame charge has been whittled down by a number of restrictions raised by appeal courts, to such a degree that it is now almost impossible for detectives to obtain the evidence necessary to convict, and the charge has been abandoned as a workable weapon in the war against crime. The Acting Commissioner of Police considers it most desirable that this amendment be made to the principal Act, with the object of giving the police similar authority to deal with this problem as operates in the other States.

The amendment to Section 85 is brought forward following a suggestion made last session by Mr. Hearn. The requirement in this section that warrants should be under the hand and "seal" of the justice is probably due to the fact that the section was copied in 1892 from old legislation. In England it has always been a requirement that the warrants of justices shall be under the hands and seals of the justices. In 1902 when our Justices Act was passed, the requirement as to seals for warrants of justices was dropped, and the various forms of warrants under that Act make provision only for the signature of justices. There was, however, nothing in that Act to provide that the warrants of justices under other Acts need be under hand only.

In modern times the use of seals, in addition to signatures as a means of identification, is obsolete. The only justification now for requiring a seal in addition to a signature is to ensure that the document signed is executed with due solemnity and with proper appreciation of its importance and effect. Thus a contract made without consideration is not binding unless made under seal, and certain documents of State, such as proclamations, are required to be under seal so as to direct attention to their importance.

These considerations, however, do not appear to apply to the warrants of justices under Section 85 of the Principal Act. They are warrants to enter and search, and are only made after complaint on oath that there is reason to suspect that the premises in question are kept or used as a common gaming house. Warrants under this section appear to have no more importance than warrants of justices under the Justices Act. The officers of the Crown Law Department agree that there is no real point in retaining the present requirement of Section 85 of the Police Act, namely, that the warrants of justices under that section shall be under seal as well as under hand. I move—

> That the Bill be now read a second time.

On motion by Hon. L. C. Diver, debate adjourned.

BILL—MEDICAL ACT AMENDMENT (No. 1.)

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [4.55] in moving the second reading said: This Bill refers to those provisions in the principal Act which deal with the registration of medical practitioners. It provides for the re-registration of medical practitioners who have been absent from the State and who have returned to Western Australia, and for the re-registration of those who have not practised in the State for a period. Under the principal Act a person may not practise medicine unless he is a medical practitioner registered under the Act.

There is provision in the principal Act for the Medical Board to erase names of registered persons for various reasons. These are fraudulently obtaining registration, death, conviction of a crime or misdemeanour, infamous or improper conduct, drunkenness or addiction to drugs. Names may also be removed of persons to whom

notices have been sent inquiring whether there has been a change of address or residence and who have not replied to the notice within six months. The Bill has particular reference to this last provision.

I would quote the case of a medical practitioner who leaves the State for a particular reason, which might be to further his studies or to practise elsewhere, and who subsequently returns to Western Australia. During his absence his name may have been erased from the register on the ground that a notice had been sent to him and had not been replied to within six months. An amendment is required to enable such a person to re-register if he returns to the State and wishes to do so.

The Bill provides that in such a case he must make application in the manner prescribed, pay the requisite fee and satisfy the board that, since the erasure of his registration he has not been convicted of any crime or misdemeanour elsewhere, or has not been adjudged guilty of infamous conduct elsewhere.

Another amendment is connected with the payment of the annual fee. A medical practitioner who wishes to practice in the State must, in addition to the other requirements, pay in advance an annual fee. The Bill seeks to provide that a person whose name appears in the register, but who has not been practising in the State under the authority of the principal Act during a period of at least two years and who, for that reason, has not paid the fee prescribed, shall not practise unless he obtains an authorisation to do so from the board.

A penalty is provided for non-compliance with the requirement. In order to obtain an authorisation from the board, a medical practitioner must satisfy the board in the manner previously explained, and pay the requisite fee. I move—

> That the Bill be now read a second time.

On motion by Hon. J. G. Hislop, debate adjourned.

BILL—ASSOCIATIONS INCORPORATION ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [4.58] in moving the second reading said: Members are aware that the principal Act makes provision for the incorporation of religious and other bodies, and that a person seeking to obtain incorporation of an association must lodge a memorial and other documents with the Registrar of Companies and must comply with certain other requirements.

Within 14 days after the filing of the memorial a notice of intention to apply for incorporation of an association must be advertised in a newspaper which is published in Perth, circulates throughout the State and is approved by the Registrar of Companies. A newspaper which does not fulfil the requirement that it is published in Perth and circulates throughout the State is automatically disqualified. Even if a newspaper does fulfil these two requirements it does not necessarily follow that the Registrar of Companies will approve of it, because it may not be a satisfactory medium for advertising the notice. "The West Australian," "Daily News" and "Sunday Times" are newspapers which have been approved by the registrar.

In application, the requirement that the notice must be inserted in a newspaper published in Perth and circulating throughout the State is not altogether satisfactory. It is a fact that many people living in places distant from the metropolitan area never see any of the publications mentioned. As many country and Goldfields towns have their own local newspapers, it would make the requirement in the Act more effective if the notice were published in the local paper. It would then be more likely to be seen by those interested. Apart from being more effective and convenient, this would bring about a saving in expense to the association seeking incorporation. The rapid expansion in Western Australia lends force to the proposal that the Act be amended along the lines I have indicated.

The memorial to which I have referred must set out, among other things, the district where the association is situated or established and the postal address. The Bill proposes that the notice must be published in such newspaper as circulates in the district mentioned in the memorial as that in which the association is situated or established. The approval of the Registrar will still be necessary. I believe that members will support this measure. I think they know something about it. We had an amendment before the House on a similar Bill which dealt with an Act of Queen Victoria dating back to 1895 —I think Mr. Parker was Minister at the time—and that was the first move to amend the Act in a period of 50 years.

Hon. Sir Charles Latham: It was a very good and clearly understood Act.

The CHIEF SECRETARY: It was. We amended it then, and I am not sure whether we have not amended it since. Now we have this further amendment, which I think is a wise one. There is no reason why the publication should be in a city journal if it affects some association in Albany, Geraldton, or some other country town. I think it would be more appropriate for it to be published in the local paper. Indeed, it is one method of

decentralisation that we are attempting, and it should receive the support of country members. I move—

> That the Bill be now read a second time.

On motion by Hon. H. K. Watson, debate adjourned.

BILL—SPEAR-GUNS CONTROL.

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [5.3] in moving the second reading said: The object of this Bill is to provide for the control of the use of spear-guns and spear-fishing. Consideration was given to making provision for such control under the Firearms and Guns Act; but as a spear-gun is not a firearm, it is not desired that it should be so defined or be subject to any form of licensing or registration.

The need for legislation to control the use of spear-guns has been brought about by the rapid increase in the numbers being used and the many varied types, some of which are not considered to have adequate safety devices. There have been many complaints from people at beach resorts which are mainly used for bathing purposes, of the indiscriminate handling of spear-guns both on the beaches and in the water.

Conferences have been held with members of the Underwater Spear Fishermen's Association of Western Australia who have indicated their approval of the intention to control the use of spear-guns. Although injuries have been caused to other people by users of these spear-guns in other States and countries, such has not yet been the case here. But it is considered that with the increasing popularity of the sport of spear-fishing, action is necessary to give effective control to it in the interests of the many other people using beach resorts.

The Bill provides for the Act to come into operation on a day to be proclaimed. This is to enable persons who already have spear-guns to have them adjusted in accordance with the requirements of the Bill, which sets out what constitutes offences, and their respective punishments, and enables the court to determine how a spear-gun in respect of which an offence has been committed may be dealt with.

Power is given to the Governor to declare prohibited areas and, from time to time, to cancel such declarations in whole or part. The need for prohibited areas, such as swimming areas or those set aside for the purpose of conserving fish, is obvious. There is also a proposal designed to save a person who is charged the expense of proving that a particular place is within a prohibited area. Members will note that it does not relieve the prosecution of proving any act as an offence.

The powers of inspectors are enumerated. These powers are, of course, exercisable by members of the Police Force irrespective of the Bill; but as the expression "inspector" also includes inspectors under the Fisheries Act, it is necessary to extend the powers to them. It is apparent that both fisheries inspectors and police officers should have the authority to administer the provisions of the Bill.

A general regulation-making power is provided for. It is probable that very few regulations will be required—that should suit Sir Charles Latham—but the terms of this clause will allow for the framing of any regulations which experience may prove to be necessary for effecting the operation and purposes of this Act. I would like to make it clear to members that it is not intended that spear-guns are to be subject to licensing. The only purpose of this Act is to control their use and to define safety provisions in their construction, in the interests of the general public.

I am sure members will give the provisions of this Bill their support because, although no serious tragedies have occurred in this State, some have taken place in other States, and we could profit by them in an endeavour to save from personal injury those who frequent our beach resorts. I move—

> That the Bill be now read a second time.

On motion by Hon. A. F. Griffith, debate adjourned.

BILL—UNIVERSITY OF WESTERN AUSTRALIA ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [5.8] in moving the second reading said: When the Principal Act was first passed in 1911 it provided for an annual payment from Consolidated Revenue to the Senate of the University of a sum of not less than £13,500 for the purpose of defraying the charges and expenses connected with the establishment, management and control of the Unversity. It is rather astounding that only £13,500 was allowed to the University.

In 1944 the Act was amended to provide for the payment each year from Consolidated Revenue of £40,000, plus such additional sums as might be appropriated from time to time by Parliament. In recent years Government assistance to the University has considerably increased. During the last financial year assistance amounted to £360,000 inclusive of the

statutory grant of £40,000. It is obvious that this statutory figure is out of step with present-day requirement, and the Bill seeks to increase it to £250,000. This will provide that in future years at least this contribution must be made to university finances.

During the last ten years direct payments from Consolidated Revenue Fund to the university have been:—

	£
1945-46	52,539
1946-47	65,005
1947-48	93,779
1948-49	117,968
1949-50	160,758
1950-51	211,364
1951-52	261,005
1952-53	288,501
1953-54	320,752
1954-55	372,844

The vote has been increased from a very low amount since 1911 to a gigantic sum in 1955. No doubt members will agree that the funds have been well spent and that all contributions made to the University will eventually benefit the State and, as a result, trained men will be available. I move—

> That the Bill be now read a second time.

On motion by Hon. J. G. Hislop, debate adjourned.

BILL—ELECTORAL DISTRICTS ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [5.12] in moving the second reading said: As members are aware, the principal Act provides for a redivision of electoral districts and electoral provinces by commissioners appointed for the purpose whenever directed by the Governor by proclamation. One of the conditions for the issue of such a proclamation is a report by the Chief Electoral Officer to the appropriate Minister that the state of the rolls made up for any triennial election discloses that the enrolment in not less that five electoral districts fall short of, or exceeds by 20 per cent. the quota as ascertained for such districts.

Although it is hardly necessary for me to do so, I will briefly outline the procedure which occurs after the issue of the proclamation. For a start, three electoral commissioners are appointed by the Governor. It is their duty to make inquiries and recommendations in respect of the Legislative Assembly electoral districts; to publish any proposed alteration of an electoral district in the "Government Gazette" and in a newspaper circulating in such district; to consider any objections in writing, which must be lodged within two months from the date of such publication; to adjust the boundaries of the electoral provinces; and, lastly, to present their final report and recommendations to the Governor.

After receipt of the final recommendations, it is provided that the Governor shall publish them in the gazette at such time as he thinks fit. After the expiration of three months from that publication, the recommendations are as effective as if enacted by Parliament. It has been pointed out by the Chief Electoral Officer that the postponement for three months from publication of the effect of the recommendations could render impossible the printing of the rolls in time for the holding of an election in certain circumstances.

The Bill, therefore, provides that the final recommendations made by the commissioners shall have the force of law as from the date of their publication in the "Government Gazette." I move—

> That the Bill be now read a second time.

On motion by Hon. A. F. Griffith, debate adjourned.

House adjourned at 5.15 p.m.

Legislative Assembly

Thursday, 22nd September, 1955.

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The SPEAKER took the Chair at 2.15 p.m., and read prayers.

MOTION—OBITUARY.

Late Mr. Frank Guthrie, M.L.A.

THE PREMIER (Hon. A. R. G. Hawke—Northam): We are now all aware of the passing of the member for Bunbury, the late Mr. Frank Guthrie. Although each of us knew he was very ill as a result of a collapse which he suffered some two or three weeks ago, the news of his death did come as a rather severe shock because