Legislative Assembly

Wednesday, 31st August, 1955.

CONTENTS.

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

MINISTERIAL STATEMENT.

Legislative Council By-Elections.

The PREMIER: With your permission, Mr. Speaker, I would like to advise the House that the Government will ask members tomorrow to agree to adjourn the House until the following Tuesday week. This request will be made for the purpose of enabling members on both sides to take part in the two important Legislative Council by-elections during the last week of the campaign. Might I also, with your permission, advise that immediately after the conclusion of debates on private members' business today, the Government will ask the members to debate the rents and tenancies Bill.

Mr. SPEAKER: I would adivse the Premier that the debate was adjourned by motion until Thursday.

The PREMIER: I thought it was on today's notice paper.

Mr. SPEAKER: Yes, at the bottom of the Orders of the Day.

The PREMIER: Very well.

ASSENT TO BILL.

Message from the Governor received and read notifying assent to the Supply Bill (No. 1), £17,000,000.

QUESTIONS.

HOUSING.

(a) Homes and Flats Built and Source of Funds.

Hon. A. F. WATTS asked the Minister for Housing:

(1) During the year ended the 30th June, 1955, what was the total amount expended by the Housing Commission on the provision of housing in this State, including flats?

(2) How much of this total came from funds provided by the Commonwealth?

(3) How much of the total came from other sources, and what were those sources?

(4) What number of dwellings were erected with the money referred to in No. (2), and was any of that money used to pay for flats; and if so, how much?

(5) What number of dwellings were erected by the expenditure of the money referred to in No. (3), and was any of that money used to pay for flats; and if so, how much?

(6) Can he give the proportions of each of the particulars referred to in Nos. (4) and (5) in respect of the metropolitan area and the country districts?

The MINISTER replied:

(1) £11,655,604, includes land purchases and development costs.

(2) £8,417,490, includes land purchases and development costs.

(3) (a) £3,238,114, includes land purchases and development costs.

(b) (i) Trust funds.

(ii) Loan funds and repayments under the State Housing Act.

(4) 3,142. Expended on flats under Commonwealth-State housing scheme, £258,000.

(5) 920. No moneys expended on flats.

(6) (a) Commonwealth-State housing scheme: Metropolitan 1,713; country 320.

War Service Homes Act: Metropolitan 1,012; country 97.

Total metropolitan: 2,725; country 417.

(b) State funds: Metropolitan 602, country 318.

(b) Building at Brentwood.

Hon. D. BRAND asked the Minister for Housing:

(1) How many houses, of all types, under all schemes, have been built by the State Housing Commission, at Brentwood?

(2) What is the estimated number of houses to be built by the 1st March, 1956?

(3) What number of houses is proposed for this area?

(4) What industrial areas will these houses serve?

The MINISTER replied:

(1) 57, plus 150 under construction.

(2) Estimated at 360.

(3) 665.

(4) Apart from serving the industrial areas south of the Swan River in both the Perth and Fremantle areas, homes will be made available to other applicants desiring to reside in this area.

PETROL PUMPS.

Erection on Church Property.

Mr. ROSS HUTCHINSON asked the Minister representing the Minister for Local Government:

(1) Is it a fact that a service station complete with petrol selling pumps is being constructed, or about to be constructed, on church property on the corner of Willis-st., and Stirling Highway, even though the Mosman Park Road Board has not issued a licence?

(2) Has any appeal been made against the regulation which restricts the erection of petrol pumps?

(3) If so, what was the result of the appeal?

(4) If an appeal is made to have pumps placed on the church site referred to in No. (1) will he give consideration to the fact that there is already an over-abundance of petrol outlets in the immediate vicinity, including one immediately opposite, whilst the oil company involved itself has an outlet some 300 yards distant?

The MINISTER FOR RAILWAYS replied:

(1) Not to the knowledge of the Minister or the Local Government Department.

(2) No, but the Mosman Park Road Board has requested the Minister to exercise the discretion granted him under the petrol pump by-laws and to approve of the erection of the service station.

(3) and (4) This request was received only today by the Minister who will give it careful attention and will take all factors into consideration.

MEEKATHARRA HOSPITAL.

Cost of Building and Type of Current.

Mr. ROSS HUTCHINSON asked the Minister for Health:

(1) Is the Meekatharra hospital complete?

(2) What was the total cost?

(3) Did the electrical equipment installed provide for use of "A.C." electrical current?

(4) What type of current is available at Meekatharra?

(5) What is the anticipated peak load drawn by the hospital?

The MINISTER replied:

(1) Yes.

(2) Approximately £130,000.

(3) No.

(4) "D.C."

(5) 160 amps.

BEACH EROSION.

Cottesloe Project.

Mr. ROSS HUTCHINSON asked the Minister for Works:

(1) Is the practical work that is being done by Mr. R. Sylvester, hydraulics engineer, under the general supervision of Professor K. L. Cooper, on the erosion of the ocean beaches at Cottesloe, at a standstill?

(2) Has the model of the Cottesloe beaches been completed?

(3) If not, how long will it be before the model is completed?

(4) Is the wave-making machine in use at present?

(5) Is the work being done on the Bunbury harbour model holding up the Cottesloe beaches project?

(6) When is it anticipated that actual experiments will begin on the beach erosion project?

(7) When is it anticipated that the results of the experiments will be made known to the Government?

(8) Because of the urgency of the situation, will he endeavour to speed up the commencement of this work, as it appears that important Government decisions on this matter must await the results of the experiments?

The MINISTER replied:

(1) No.

(2) No.

(3) About four weeks.

(4) Yes.

(5) No.

(6) It is not possible to be specific as university staff are involved.

(7) Early in the new year.

(8) The model analysis being undertaken of a section of sea front in the Cottesloe area will provide information about part of the problem that is involved. There are other aspects that are under examination by the department. All investigations are being undertaken as rapidly as circumstances permit.

DECEASED ESTATES.

Duty Assessed, Gross Value, etc.

Mr. McCULLOCH asked the Treasurer:

(1) What was the number of deceased estates assessed for estate duty in Western Australia for the years—

(a) 1946-47; and

(b) 1953-54?

(2) What was the gross value assessed for the years—

(a) 1946-47; and

(b) 1953-54?

(3) What was the average duty received per estate for the above respective years?

(4) How many estates came under the statutory exemption of Western Australia for the respective years of—

(a) 1946-47; and

(b) 1953-54?

(5) Are the present abnormal values of estates taken when assessments are made for estate duty?

The TREASURER replied:

(1) (a) 1946-47—2,703.

(b) 1953-54—2,787.

(2) (a) 1946-47—£4,745,463.

(b) 1953-54—£11,300,208.

(3) 1946-47—£97 1s..

1953-54—£314 13s.

(4) Not available, as exempt estates are not required to be filed.

(5) Act requires duty to be assessed on values as at date of death.

WIRELESS RECEPTION.

Interference from Electric Motors.

Hon. C. F. J. NORTH asked the Minister for Works:

(1) To what extent are consumers controlled in relation to the use of electric motors or other devices which interfere with wireless reception?

(2) Did he notice the information in the daily Press to the effect that Britain has now made the use of electric motors without suppressors an offence?

The MINISTER replied:

(1) There are no State regulations, but in most cases Commonwealth radio inspectors overcome the trouble.

(2) Yes, but it should be noted that the signal strength is prescribed also and in most cases in this State where trouble is experienced this signal strength is not available.

RAILWAYS.

(a) Great Southern Bridge, Size, Cost, etc.

Mr. NALDER asked the Minister for Railways:

(1) What is the size of the railway bridge constructed near the 190-mile peg on the Great Southern line?

(2) What was the cost of the material?

(3) What was the labour cost?

(4) How many tons of ballast were required for the approaches?

(5) What was the total cost of approaches and bridge?

The MINISTER replied:

(1) Two 15-foot spans steel and concrete replacing a timber bridge of two 15-foot spans.

(2) to (5) Costs for the bridge are not finalised but are expected to be—

	£
Material	970
Labour	2,200
Total	3,170

An improvement to a vertical curve was effected near the bridge and this required 200 cubic yards of material. The cost of this work is not included in the above figures as it is a charge against maintenance.

(b) Mullewa, Effect of Dieselisation.

Hon. D. BRAND asked the Minister for Railways:

(1) In view of his answer to my question regarding the effect of dieselisation on railway staff at Mullewa, will it mean that railway houses at Mullewa will be empty?

(2) If so, what is the intention of the Government in this matter?

The MINISTER replied:

(1) No. A number of applications from railway employees are still to be satisfied and it is anticipated all railway houses will be occupied by railway employees.

(2) Answered by No. (1).

JURY LISTS.

Jurors, Electors and Districts.

Hon. A. V. R. ABBOTT asked the Minister for Justice:

(1) How many jurors are on the jury lists for—

(a) the Supreme Court;

(b) the session divisions of—

(i) South-West;

(ii) Southern;

(iii) Eastern Goldfields;

(iv) Geraldton?

(2) How many electors are there for the Legislative Assembly in the metropolitan area?

(3) What is the estimated number of women electors for the Legislative Assembly in the metropolitan area?

(4) What electoral districts are comprised in the magisterial districts of—

(a) Perth, Fremantle and Swan;

(b) the session divisions of—

(i) South-West;

(ii) Southern;

(iii) Eastern Goldfields;

(iv) Geraldton?

The MINISTER replied:

(1) (a) 5,591.

(b) (i) 845.

(ii) 719.

(iii) 588.

(iv) 1,396.

(2) 200,802.

(3) 105,422.

(4) (a) Avon (part only).
Beeloo.
Canning.
Claremont.
Cottesloe.
Dale.
Darling Range.
East Perth.
Fremantle.
Guildford-Midland.
Leederville.
Maylands.
Melville.
Middle Swan.
Mount Lawley.
Mount Hawthorn.
Murray (part only).
Nedlands.
North Perth.
South Perth.
South Fremantle.
Subiaco.
Toodyay (part only).
Victoria Park.
Wembley Beaches.
West Perth.

(b) (i) Blackwood.
Bunbury.
Collie.
Harvey.
Katanning (part only).
Murray (part only).
Narrogin (part only).
Stirling (part only).
Vasse.
Warren.

(ii) Albany.
Katanning (part only).
Narrogin (part only).
Roe (part only).
Stirling (part only).

(iii) Boulder.
Eyre (part only).
Kalgoorlie.
Merredin-Yilgarn (part only).
Murchison (part only).

(iv) Gascoyne (part only).
Geraldton.
Greenough (part only).
Moore. (part only).

DAIRYING.

Herd Testing in Brunswick Unit.

Mr. MANNING asked the Minister for Agriculture:

(1) Is he aware that herds in the Brunswick herd recording unit were not tested during August?

(2) Why has testing in this unit ceased?

(3) What is the cause of the continual changing of recorders in the Brunswick unit?

The MINISTER replied:

(1) Yes.

(2) Due to the resignation of the herd recorder.

(3) Resignations, either for family reasons or because of unsuitability for this class of work.

FREMANTLE HARBOUR.

Upriver Extension, Cost and Berths.

Mr. HILL asked the Minister for Works:

(1) What is the estimated cost of the upriver harbour extension at Fremantle?

(2) What is the number of berths to be provided?

The MINISTER replied:

(1) No estimate has been prepared.

(2) Five.

LAND RESUMPTION.

Tabling of File.

Mr. COURT asked the Minister for Works:

Is he prepared to lay on the Table of the House the file dealing with claims for compensation referred to in Question 17

in "Votes and Proceedings," No. 5, the 16th August, 1955, "Land Resumption—Claims for Compensation"?

The MINISTER replied:

No, because the details are personal and private, but the hon. member may examine the files in my office.

TRAFFIC.

Lights for Stirling Highway.

Mr. COURT asked the Minister representing the Minister for Local Government:

With reference to my questions, on the 10th and 17th August, regarding traffic lights on Stirling Highway, and the answers given by him, is he yet in a position to say when tenders will be called?

The MINISTER FOR TRANSPORT replied:

It is anticipated that tenders will be called about the end of September.

DRAINAGE.

Work Between Boyanup and Capel.

Mr. MANNING asked the Minister for Works:

(1) What plans has the Government for the drainage of the land situated between Boyanup and Capel?

(2) When is it intended to carry out drainage work in the Boyanup and Capel districts?

The MINISTER replied:

(1) The plan is to benefit, by drainage, some 30,000 acres in the Boyanup-Capel area.

The first stage would be the improvement of the existing watercourses to drain the worst areas.

(2) When loan funds can be made available.

BILLS (5)—FIRST READING.

1, Junior Farmers Movement.

2, Acts Amendment (Libraries).

Introduced by the Minister for Education.

3, State Government Insurance Office Act Amendment.

Introduced by the Minister for Labour.

4, Coal Mine Workers (Pensions) Act Amendment.

5, Mining Act Amendment.

Introduced by the Minister for Mines.

BILLS (4)—THIRD READING.

1, Legal Practitioners Act Amendment.

2, Police Act Amendment.

3, Medical Act Amendment.

4, Associations Incorporation Act Amendment.

Transmitted to the Council.

BILL—SPEAR-GUNS CONTROL.

Report of Committee adopted.

MOTION—BETTING CONTROL ACT.

To Disallow Refusal of Licences and Restriction to Males Regulations.

MR. YATES (South Perth) [4.50]: I move—

> That regulations Nos. 20 and 32, made under the Betting Control Act, 1954, published in the "Government Gazette" on the 6th May, 1955, and laid upon the Table of the House on the 9th August, 1955, be, and are hereby, disallowed.

When the Betting Control Bill was introduced in this House last session, members were not fully aware of the regulations that would later be gazetted in order to implement the measure when it became law. Naturally, therefore, members did not have an opportunity of discussing fully in this House certain conditions which should or should not apply when betting became controlled under the law.

After the House went into recess the betting control regulations were printed and were recently tabled in the Legislative Assembly. I feel that certain of them are too drastic while the board in its wisdom feels that they are wanted and that the control of betting will work satisfactorily under them. Let us admit that; but if regulations are too rigid they can at times be irksome to those who operate under them. The first regulation which I want disallowed is No. 20, part of which reads—

> (1) After considering the application the board may grant or refuse it and in the case of a refusal without assigning any reason for the refusal.

I do not think it is fair for any governmental board, whether it be the Betting Control Board, the Egg Board, the Milk Board or any other board, to have power to refuse to give information to members of the public who deal with them.

Mr. Lawrence: Do you mean to the general public or to the individual concerned?

Mr. YATES: To the general public through the applicant's member in this House, or to the individual concerned because he would like the information. If a person submits an application, accompanied by good references, and his premises are suitable, the board can refuse to grant him a licence without any reason at all.

The Minister for Police: You mean without any reason being given?

Mr. YATES: As far as the man himself is concerned, without any reason because he has not been given any reason, and I cannot see how any good can come out

of that situation. If an applicant is not to receive a licence there is no harm in the board's writing to him and telling him that the application has been refused because of the following reasons. They could then be listed and if, for instance, his premises are unsuitable he can be told. They could also point out that after investigations by the police they did not feel that he was a suitable type to conduct betting premises. I merely point those aspects out to indicate how the board could advise an applicant that his application had been refused because of certain grounds.

Mr. Lawrence: They were told whether their premises were suitable or not.

Mr. YATES: Not in all cases.

Mr. Lawrence: They were told when the board inspected the premises.

Mr. YATES: They were told—

Mr. Hearman: Not always.

Mr. YATES: Some of them were told that their premises were suitable, but even then they did not get licences. I am not interested in who or who did not get licences. I have had letters from a number of unsucoessful applicants all over the State—from the Goldfields, the wheatbelt and the metropolitan area.

Mr. Lawrence: I wonder why they wrote to you.

Mr. YATES: That has nothing to do with the case.

Mr. Lawrence: It seems strange.

Mr. YATES: These letters set out the different cases. Many of them said that they had applied for licences, their premises had been inspected and in some instances they had been told that their premises were suitable. Yet, when the list of successful applicants for licences was published, their names were not on it. I cannot see why members of the board should keep this information to themselves. It is dangerous for a board to sit behind a certain authority—I do not care whether it is the Betting Control Board or any other board—because on occasions its authority could be abused. It would save the talk that goes on outside; and there has been enough talk about the granting of licences. Disgruntled applicants have magnified their cases and have told stories to other people which, in many instances, were not true.

Mr. Lawrence: There would be a lot more disgruntled people if the facts were made known to the public.

Mr. YATES: I do not think so.

Mr. Lawrence: I do.

Mr. YATES: The truth will not hurt anybody. If the board is truthful—and I am sure that it is—it has nothing to hide or fear. If the board gives reasons for refusing a licence, it has nothing to fear from anybody.

Mr. Lawrence: I think you have been led up the garden path over this business.

Mr. YATES: I would inform the member for South Fremantle that I have not been led up the garden path by anybody, on any occasion. I am standing here without acting for any bookmaker, clerk or any other person, and I am working on the same assumption as I did when I supported the Bill.

The Premier: What is wrong with the garden path?

Hon. D. Brand: It depends where it leads.

Mr. YATES: I will let the member for South Fremantle have a copy of "The Garden Path"; that will keep him going for a few hours. The words in the regulation "without assigning any reason for the refusal" should not have been included. If members of the board have not the courage of their own convictions or confidence in their own actions they should not be constituted as a board; they should be replaced by men who can do the job. But in this case I would say that these men are capable of doing the job and I have every confidence in the work they have performed so far. So let them be open, not only with the general public but also with the applicants who are the main ones concerned. Members of the board have nothing to fear or hide, so why refuse an applicant the right to know why he is refused a licence? It would save a lot of criticism and would ultimately be of great benefit to the board.

Mr. Lawrence: You really think the information should be made public?

Mr. YATES: Not made known to the general public.

Mr. Lawrence: That is what you said.

Mr. YATES: The information should be given to the individual concerned. He could show the letter to members of the public whom he knows, and that is as far as it should go. I do not say that the information should be published in the newspaper, but the applicant concerned should be notified of the reasons for the refusal.

I think the hon. member agrees with me on that point because if the board has a right to refuse to supply certain information in connection with the refusal or otherwise of an application, all other boards should have the same power. I do not know of any other board—and we have 60 or more of them—that has the same power as that held by the Betting Control Board. So I strongly recommend to the Minister that this regulation be disallowed so that future applicants can be told of the reasons for the refusal of the granting of a licence—if it is refused.

Mr. Lawrence: Do not you think it would be a fair proposition if the member for the district went around with the Minister?

Mr. YATES: The hon. member can make his speech after I have concluded. I am doing my best to convey my meaning not only to the member for South Fremantle, but to the rest of the House, and these interjections are breaking into my train of thought. Clause 3 of the same regulation reads as follows:—

> Where the licence is refused, the application fee shall be forfeited to the board for the benefit of public revenue.

I can assure the Minister that when I voted for this Bill it never entered my head that we would be so grasping as to take away a licence fee submitted by an applicant when his licence was refused.

The Minister for Police: You think that all this work of investigation should be done for nothing?

Mr. YATES: This House was prepared to allocate funds. In the Act it says that under power of Parliament certain funds would be made available to the Betting Control Board. If we are to charge for each of the inspections, it would far exceed the licence fee. But it was not the fault of the applicants that these inspections had to be made; it was the fault of Parliament because we introduced the Betting Control Act and made it law and said that premises would have to be inspected before they were licensed. In effect, the yearly application fee would not outweigh the original capital necessary to conduct the Betting Control Board in this State.

Applicants who were refused licences lost their means of livelihood. Not only did they lose their means of livelihood, but the money which they sent in good faith in support of their application, has been confiscated by the Betting Control Board. Can the Minister tell me whether that happens in any other Government-controlled department? Can he tell me in which department money is submitted, and when the application, for any purpose, is refused that money is not handed back? I do not think we should start this practice.

It has been claimed that this was to stop thousands of men applying in the knowledge that they would not have anything to lose. I do not think that has any bearing on the case because in the case of the bookmaker, he applies and puts in his application plus the fee required by the board. But in the case of the bookmakers' clerks, it was necessary for the same course to be followed, and their future employment depended on the bookmaker getting a licence. If the bookmaker was not granted a licence, the four or five clerks whom he would have employed, were also not granted licences, and this through no fault of their own.

I do not know the number of clerks affected, but there are probably 100 or 200. It is not necessary for them to have premises, so why should they be penalised through no fault of their own? There was no question of an inspection being made of the clerks. As I said, they had no premises. If there was no bookmaker who would employ them, their applications would not, of course, have been accepted.

Most of the bookmakers who applied would have arranged for their clerks to be employed in anticipation of receiving a licence and, accordingly, they would get each of their clerks to apply for a clerk's licence. But if the bookmaker in question were refused a licence, it would automatically stop the clerks from receiving theirs, and in each case the moneys lodged by the applicants would be confiscated by the Betting Control Board. That is not a very good practice.

Mr. McCulloch: The clerks do not apply until the licence has been granted to the bookmaker.

Mr. YATES: The clerk must nominate a bookmaker with whom he is going to be employed. He applies to the Betting Control Board for a licence and at the same time nominates a bookmaker with whom he is to be employed. The clerk must be approved, and if he goes from one premises to another, he must obtain the permission of the Betting Control Board. That is too drastic a regulation to have on our books.

I think it is dangerous to have the first part of Regulation No. 20 which states that the Betting Control Board can refuse to give reasons for the refusal of a licence both in the past and in the future. That is too dangerous and this House should not agree to it. Secondly, we should not be avaricious and take away the small amount of money that is involved by the confiscation of the fee lodged by an unsuccessful applicant, which accompanies the application. The total amount would not run into more than £2,000, but the total income the board will receive from these channels will run into £200 or £300 annually.

It is not the amount of money involved but the principle of the whole thing. In the first instance I would like the board to be fair, truthful and above-board, and to have no fear of the consequences. It should write to the applicant and let him know the reasons for the refusal of his application. In the second place, I would like the moneys put in by all applicants to be refunded.

Even if this regulation is not disallowed, I would like an assurance from the Minister that in the case of all the applicants who applied when the Betting Control Bill first became law, and who were not aware of the conditions, he will refund their money. Those who apply in the future, of course, and who are refused, might have

to suffer the loss of the money they lodge with their applications. A lot of them were not aware of the regulations. In any case, I do not like the practice at all. If an individual applies for a certain thing and lodges a certain sum of money in good faith, and if his application is refused in good faith, the money should be returned to him.

Mr. Lawrence: Why lodge any money at all?

Mr. YATES: Because the Betting Control Board has made it obligatory on all applicants to lodge a fee with their applications.

Mr. Lawrence: But you want to give it back to them.

Mr. YATES: In my opinion, this regulation is ultra vires the Act. I admit that the use of the word "may" gives a discretionary power to the board, but I would refer this House to Halsbury's "Laws of England," Second Edition, Vol. 19, page 71, paragraph 187, which deals with the words "absolute discretion." It is there stated that such absolute discretion must be exercised according to law and not in an arbitrary manner. There is another publication called Burrows "Words and Phrases" dealing with the definition of "discretion," which is there summarised on case law as follows:—

> "Discretion" means when it is said that something is to be done within the discretion of the authorities that that something is to be done according to the rules of reason and justice, not according to private opinion; according to law and not humour. It is to be not arbitrary, vague and fanciful, but legal and regular. And it must be exercised within the limit, to which an honest man competent to the discharge of his office, ought to confine himself.

I claim, therefore, that according to those authorities, this regulation is ultra vires the Act. Applications have been submitted and applicants have been refused a licence without any reason being given for such refusal. How can it be possible for any applicant to ascertain the cause of his not receiving a licence when the board acts in this arbitrary manner?

The Minister for Police: If you make an application for a certain position and the firm writes back and tells you that the position has been filled, are you informed why you did not get it?

Mr. YATES: The Minister cannot compare that with the present case. There is only one position and probably hundreds of applicants in the case to which he refers. Anyhow, we are not dealing with outside employment, but with something which this House created and, as such, we should see that the Betting Control Board is above reproach, so that no person outside may point a finger and say that something is being done behind this power.

The Minister for Works: Do you think the W.A.T.C. should give a reason?

Mr. YATES: Of course it should.

The Minister for Works: But it does not. As a matter of fact, the W.A.T.C. can put a man off the racecourse without giving any reason.

Mr. YATES: That is within its own power, and Parliament has never done anything about it. Since this matter does not deal with the W.A.T.C., I do not think it has any bearing. The matter to which I refer is something to which the House has agreed.

The Minister for Police: There is plenty of precedent for it in other directions.

Mr. YATES: Not in Government-controlled boards, and that is what I dislike intensly about it.

I would now like to refer to the second regulation, No. 32, which states that a licence, or a bookmaker's employee's licence, shall be granted only to male persons of or over the age of 21 years. I never supported the original Bill on the understanding that only male persons would be granted licences, and I think the Minister will agree that the Act clearly leaves the position open to a male or a female. I have a copy of the Act here, and it reads as follows:—

> The board shall not grant a licence—
>
> (a) to a person who holds or to a person who is employed in any capacity by one who holds a licence for the sale of liquor under the Licensing Act, 1911;
>
> (b) to a person under the age of 21 years.
>
> (c) to a body corporate; and
>
> (d) to an undischarged bankrupt.
>
> 6. That a person making application for a licence on his own behalf shall state the fact in his application.

It will be noticed that in all instances, the word "person" is used and not "male" or "female". When this House decided who were to receive licences—and we went into it fully—the word "female" was never included in the provisions of the Bill.

The Minister for Police: How many female bookmakers are licensed?

Mr. YATES: I have not reached the stage of talking about bookmakers. I am talking about licences being issued to males and females. In the Act we call them "persons" so that the term would apply to both sexes, when considering applications for licences. We know that there are no women bookmakers, yet there is no

law to prevent them from applying for licences. In the wisdom of the racing clubs, women have not been granted licences in this State. I do not intend that women should get licences as bookmakers; the Minister knows what I am after.

The Minister for Police: Not yet.

Mr. YATES: The position is this, and it happens in many types of businesses: Where a person has a business which employs one or two people, it must be realised that the owner not only has to take holidays at times but frequently he may have to go into hospital, and he may be away for two or three months. If this proprietor cannot afford to engage a man to run his business—and in the case of a bookmaker he cannot get one for less than £40 a week, because bookmakers' clerks are applying for that amount now—because of the need to meet his hospital expenses, his wife, who has been assisting him with his book-work, can assist him in running the business while he is incapacitated or away on holiday.

It would not be unreasonable for this House to agree to such a principle being applied to a bookmaking establishment, and yet to enable the board to retain a discretionary power to refuse the granting of a licence to any female who wanted to become a bookmaker. The Minister knows that in the country one or two of these establishments do not carry a big staff, and where the wife of a bookmaker is capable of assisting her husband in the establishment, she should be granted a special licence to assist as a clerk in the business.

Instances where women are employed as clerks exist today; there are women clerks employed at the totalisators by racing and trotting clubs. They receive money for bets and hand out tickets, which is no different from what a woman clerk would do in a bookmaker's establishment. In both cases, betting has been approved by law, money is received by women clerks from people who want to win, and they issue tickets.

The Minister for Police: Under conditions different from those applying to an open betting shop.

Mr. YATES: The conditions are somewhat different, but women at the totalisators do assist in the the conduct of betting, and they are allowed to do it. It is different but not to a great degree when the wife of a bookmaker assists her husband in his business when he is stricken with ill health. It is too drastic to exclude women entirely. It would be better to allow a discretion in the circumstances I mention respecting the granting of a licence to a female applicant.

The Minister for Police: How many wives of registered bookmakers on the course go out and swing the bag, or bet for their husbands who are sick?

Mr. YATES: That again is at the discretion of the racing clubs. They have ruled against women being engaged on a racecourse for that purpose in the open, but inside a building where there are counters, the position is vastly different. That is why women are allowed to be employed on the tote. They are behind grills or windows and are protected. Women are allowed to patronise betting shops and bet over the counter. What is the difference if the wife works on the other side of the counter assisting her husband to take a bet? I suggest there is no difference. If we are to exclude the wife of a bookmaker from working in an establishment, then we should exclude all women from betting in the shops.

The Minister for Police: You want the right given to females to be engaged behind counters, taking money and lodging bets?

Mr. YATES: I do not. I want the Betting Control Board to grant licences in special circumstances to women after it is convinced, and has been given the necessary proof that the husband-proprietors are not capable of carrying on the businesses, if the businesses cannot warrant the payment of additional charges over medical expenses. In those circumstances, it is only fair for the Betting Control Board to grant temporary licences.

In far-off places, where one or two clerks are employed in betting shops and it is not possible to obtain relief clerks, the wife should be given an opportunity to assist her husband. The board should be given discretionary power to grant a licence. Under the regulation referred to, such a power is taken away completely. It is a fair request to ask this House to disallow the regulations so that the Betting Control Board can still operate under the provisions in the Act, with power to decide when females can be granted temporary licences. There may not be any need for this.

The Minister for Police: If this regulation were disallowed, it would open up the position much more than it is now.

Mr. YATES: The board would still have power to grant or reject an application. This regulation takes away power to grant licences to all except males.

The Minister for Police: All you seek is for the wife to run her husband's business?

Mr. YATES: That is all.

The Minister for Police: You do not want them to be employed behind the counter all the time?

Hon. A. F. Watts: This regulation takes away completely the power to give women employment in betting shops. The Women's Legal Status Act of 1923 provides that there shall be no bar to any woman occupying any post because of her sex.

Mr. YATES: Regulation 32 states that a licence shall be granted only to a male person. This regulation precludes a female from obtaining a licence. As they are precluded from being employed in a legalised business, the regulation is ultra vires the Act. Legal opinion would verify that remark. I have approached a solicitor of high repute in the city and he confirmed the fact that this regulation is ultra vires the Act, because of the powers taken away by the Betting Control Board from certain sections of the community. I am not a legal man, but the Leader of the Country Party, being a lawyer, would know the reason why it is ultra vires the Act.

The Minister for Police: It is a long time since he studied the law.

Mr. YATES: He is quite capable of interpreting it. I therefore move for the disallowance of Regulations Nos. 20 and 32.

On motion by the Minister for Police, debate adjourned.

MOTION—PUBLIC WORKS ACT.

Amendments Regarding Land Resumptions.

HON. L. THORN (Toodyay) [5.23]: I move—

> That in the opinion of this House, the Public Works Act should be amended to ensure—
>
> (a) that land is not resumed before reasonable notice is given to the owner to enable him to exercise a right of appeal against the resumption on grounds such as availability of Crown or unoccupied land or unsuitability of the land to be resumed;
>
> (b) also that when resumption proceeds the market value of the land plus improvements plus a percentage for resumption is paid within three months;
>
> (c) that the owner is to have a right of appeal, to a court, if he desires to claim any additional amount.

Firstly, I want to assure the Government that there is no political motive behind this motion. Members opposite will agree with me on that point after I have finished. Over the years, all Governments have neglected to amend the Public Works Act regarding the resumption of land. The reason for bringing this motion forward is that I consider the time has arrived when the Act should be amended. A week or so ago the Minister indicated to this House that the Public Works Act would be amended, but he did not say how. I suppose he will when the time comes. I hope that it will be amended with a view to correcting some of the anomalies that exist at present. No doubt the Minister has in mind that in future there will be a tremendous amount of land resumption if the Town Planning and Development Act is carried out, as recommended, and there is the need to have up-to-date legislation to deal with such resumptions. I have always felt that to own land is one of the greatest privileges which an individual can enjoy, and I think members will agree with that.

When a person owns a building block, he feels that he has a stake in the country. All persons who purchase areas of land feel the same way. They feel that they have a stake in the country when they possess the title deeds to even a small portion of it. Many people invest their savings in land for the one purpose—to secure themselves for the future. Instead of putting their savings into other projects, they put them into the purchase of land. Why do they do this? They know that as time goes on, generally speaking, land values will appreciate, and their savings invested in that way will appreciate and give them some security in their old age. It is a tremendous disappointment if they wake up one morning and find that their blocks have been resumed.

As I understand the law, it is only necessary for the Public Works Department, or any other Government department which has been given power to resume land, to publish a notice of resumption in the "Government Gazette." As far as they are concerned, that act is legal. We have been told that the Public Works Act will be amended. Members appreciate that under the recommendations of the Town Planning Commission, great resumptions of land will be necessary. I do not know if it is an exaggeration to say that if the Stephenson town planning report is carried out to its fullest extent the cost of resumptions will be somewhere around £3,000,000.

The Minister for Works. They would not necessarily be all resumptions; land could be taken over by negotiation.

Hon. L. THORN: If that took place it would be satisfactory to both parties concerned. But undoubtedly there will be resumptions.

The Minister for Works: There is bound to be some.

Hon. A. F. Watts: The Crown having the right of resumption believes it is in a more powerful position to negotiate than the individual.

Hon. L. THORN: Regarding resumptions in the past when there was so much dissatisfaction, I would like to put this point of view: It is not uncommon for municipalities to employ a sworn valuer to revalue their districts. The Commonwealth makes a revaluation for the purpose of assessing its land tax and the State adopts the Commonwealth values for its

land taxation purposes. The road boards adopt those valuations for the purpose of their rating, the Water Supply Department does the same thing, and so it operates very harshly indeed against people who have held a block of land over the years in the hope of eventually being able to sell it to advantage.

Such people may have purchased at a fairly low figure, but when the land is resumed, what do they get for it? In view of the heavy increases in rates over the years, they are lucky to get what they originally paid, and this only provided all rates and taxes are paid up to date. Thus in many instances the rates and taxes over the years have swamped the original purchase price of the block.

Mr. May: Is this Government alone at fault?

Hon. L. THORN: All Governments are equally at fault for not having amended the Act.

The Minister for Lands: I hope that your figures are more accurate than usual.

Hon. L. THORN: If my figures are not more accurate than those given by the Minister at times, I would be ashamed to speak in this Chamber.

I should like to point out that an area of six acres was resumed in the Wanneroo road district for a school-ground. I consider it most unsuitable for the purpose because it borders on the main road. This is something that should be avoided in view of the almost daily increase in the traffic. We know that at various points a constable is placed on duty three times a day to guide schoolchildren across the road and afford them some protection. In time the road to Yanchep and farther north will become a very busy thoroughfare, and so I say the Education Department would have been well advised to secure a block at some little distance from the main road.

The resumed land is in the Wanneroo townsite, which is being built up and the land will definitely be required for business premises. Mr. Fry, of the W.A. Produce Co., inquired whether there was any possibility of getting a block owned by Mr. Hahnel, who had held it for a number of years. The Public Works Department offered him £20 for it, provided the rates and taxes were paid up to date. I understand that Mr. Fry was willing to pay £500 for the block so that he could use it for business purposes and yet the unfortunate owner was going to get £20 for it provided the rates and taxes were paid up to date. That would probably mean that he would receive nothing for it.

The resumptions by the Housing Commission provide a case in point. The commission finds it necessary to resume land in order to complete its plans for building in a certain area. Perhaps there are several blocks remaining over and what is done? Instead of their being returned to the owners, they are sold for four, five or 10 times the amount paid to the original owner. I admit that the very fact of the commission's building up such an area has led to increased land values and the commission may feel that it is entitled to the increase, but I consider that the least that should be done is to return the unwanted blocks to the owners and let them have the benefit of the increased value.

The Minister for Works: That is the policy now.

Hon. L. THORN: It was not at one time.

The Minister for Works: Not under your Government, but it is now.

Hon. L. THORN: It was not the policy of the present Government when it first took office, but probably Ministers have appreciated the unfairness of the previous practice and changed the policy. If so, that is a good thing. It is always commendable when the Government changes its policy in order to give the public a fairer deal. We have to put ourselves in the position of the other fellow in order to realise the real heart-burning and disappointment of an owner who has held blocks for years in the hope that they would prove helpful to him later in life. We cannot blame anyone for investing in land in the hope of obtaining a profit. No matter what one invests in, it is always done in the hope of benefiting, but when the chickens come home to roost, if I may so express it, it is most disappointing to those who suffer.

There have been cases under the Main Roads Act in which, to improve the grade or provide better travelling, the road has been carried right through the centre of a property. In most instances the Main Roads Board has been most reasonable in supplying gates, repairing fences and so forth, but it has power to enter the land and take what timber is required and make a severance of the property. On top of this, the owner has to wait a very long time for his money.

The Minister for Works: That depends upon the circumstances.

Hon. L. THORN: That is a point I am coming to. If an owner does not approve of the offer made by the department, he has to wait considerably longer before receiving his money. I am aware that an owner whose land is resumed has the right of appeal, but most people have not the money to finance an appeal and are rather afraid of appealing.

I was a witness in a resumption case some years ago. The Commonwealth had made a severance of a property belonging to Mrs. Jordan, of Bullsbrook, and had

offered her ridiculous compensation. She was able to raise sufficient money to take the case to court. The action was heard in the Supreme Court and there were present a fair array of the legal profession and quite a team of Commonwealth officers. It might interest members to know that the solicitor for the Commonwealth was a member of the Upper House, and he put this question to me, "You know that the land is worth nothing because there is only a little bit of soil on top and beneath it is useless clay."

I knew that most of the blocks there were suitable for vine-growing; nevertheless all he could say was that it was useless clay. That woman won the day and received a fair deal from the judge who doubled the amount that had been offered. Had she lost the case, she would undoubtedly have been in financial difficulties. People cannot always take advantage of appealing and many of the blocks resumed are so small that even if the appellants were successful, the legal costs would probably eat up the whole value.

The Minister for Railways: I thought you were going to tell us that the solicitor finished up with the land.

Hon. L. THORN: No, he did not know much about the land except to repeat that it was useless clay. When severance occurs on a property, much hardship is inflicted and I think every Minister will admit that severance reduces the value of a property to a large extent. A road is made through the property and the owner has to cross the road to get from one part to the other. People do not like such a severance because it sometimes results in a property being rendered almost valueless. I hope that the Government, when amending the Public Works Act, will make provision for owners of resumed land to receive a much fairer deal than they have had in the past by ensuring that they receive reasonable compensation.

I have received a document from the recently formed Resumption Protest Federation. I understand that the Minister has received a copy of the recommendations which, on perusal, appeal to me as being most reasonable. They are only asking for a fair deal. To quote one or two paragraphs, they say—

> The Minister shall post by registered mail notice of the resumption to the owner on the same day as the land is gazetted for resumption, setting out the grounds for appeal against resumption and the procedure for claiming payment and compensation and shall make an offer for the property on the basis of the replacement value of the land at the market rate as at the date of settlement plus the value of improvements plus compensation.

The Minister for Housing: Actually they get more than that.

Hon. L. THORN: I am glad to hear it, but do they, under the Public Works Act?

The Minister for Housing: Yes.

Hon. L. THORN: That is pleasing to hear.

The Minister for Railways: Things have improved since you were the Government.

Hon. L. THORN: That may be, but the fact is that when the federation went into the matter, they were not getting it.

The Minister for Housing: Yes, they were.

The Premier: The hon. member is fair enough to give credit where it is due.

Hon. L. THORN: The Premier knows that. We have been associated with each other for a long time, and he knows that.

The Premier: Electorally, we are neighbours.

Hon. L. THORN: That is so, and another point is that we do not look over each other's fences. To continue—

> The owner may plead against the resumption before a judge in the Supreme Court at the cost of the Minister and the judge after considering the case of each party may annul the resumption.
>
> If the owner accepts the offer the Minister shall finalise the matter within thirty days.
>
> The owner may reject the offer and may make an offer to the Minister and the Minister shall accept or reject this offer within seven days of receiving it.

They continue their representations and make numerous useful suggestions which I think the Minister would be well advised to include in amendments to the Public Works Act.

The Minister for Works: A number of those suggestions are already in operation.

Hon. L. THORN: That is good. If they are, the federation will be pleased about it.

Hon. A. F. Watts: Are they in the Public Works act?

The Minister for Works: The Public Works Act does not prevent them, administratively.

Hon. L. THORN: If they are in operation now, I think it is only through the generosity of the Minister because they are not in the Act and if it came to a hearing before a court, I do not think they would have any legal standing at all as far as either the plaintiff or the defendant was concerned. I claim such provisions must be embodied in the Act and I conclude on that note.

On motion by the Minister for Works, debate adjourned.

MOTION—SCHOOL BUS CONTRACTS.

To Inquire by Select Committee.

HON. A. F. WATTS (Stirling) [5.48]: I move—

> That a select committee be appointed to inquire into and report upon school omnibus contracts and proposals whereby methods adopted in making such contracts should be altered or improved.

Let me assure the Minister for Education at the outset, in case he has any advance feelings on the motion, that my moving of it is not a criticism of him or, except in one minor matter to which I shall refer later, of his department because, if it were, it would be obvious from many respects that it could equally well be a criticism of my own administration.

Having got that off my chest, I trust the Minister will accept it in the spirit in which it is given and allow us to discuss this motion on its merits, neither accusing me of insincerity, as he has been good enough to do in the past with no substantial or in fact any justification, nor accepting any such accusation from myself. It is not intended to offer criticism of him, for the very sound reason which I think I have given.

There has, of course, grown up over the last few years a tremendous business in school-bus services. I do not know the exact number of omnibuses that are running now, carrying children to government schools in various parts of the State, but I would say that it is in the vicinity of 600. It is quite obvious to me that in view of the more than steady increase that has been made in the number of these buses in the last six or seven years, the work of the department in regard to them must have become very substantial indeed. I know—as is well known here now—that the practice has been to call tenders for a given service and to accept a tender by some person that appears satisfactory at the price that is offered or is subsequently agreed upon.

Then, very frequently, the bus service continues for many years; longer than the term of the original arrangement made when tenders were called and, from time to time, in face of the steeply rising costs that have taken place, and even during the period of the original contract, the contractors have been granted increases in the rate per mile that was originally charged because, quite obviously, in the face of the steeply rising costs, the persons concerned would not have been able to make the barest living out of the business and, in the majority of cases, would have had to relinquish their contracts.

That would mean, of course, that the transport of children, so far from its being carried on efficiently, as it usually is under the present circumstances, in many cases could not have been carried out at all and so many thousands of children would have been in difficulties in obtaining the benefits of the education which the State affords. In recent times the department—quite rightly, in my opinion—has been insisting more and more, with the concurrence of the parents and citizens' associations and similar bodies that the vehicle used for the transport of children should be a high class type.

What is more, from about 1949, there have been inspectors of school buses employed by the department to examine the vehicles at regular intervals to require maintenance to be done to them and to ensure, as far as is humanly possible, that the vehicles are kept in a high state of maintenance and repair so that there may be little or no risk of the children carried in them being subjected to any accident or injury. Again, I agree that that policy is quite correct. In fact, it is something that I brought into operation in the first instance myself. It has been extended by appointing two inspectors instead of one because of the very substantial increase in the number of school buses.

The standards which these inspectors have set have become very high in recent times and I do not complain about that. But the system has involved contractors in considerable expense because, with the frequent rises in wages and margins for skilled tradesmen working in garages and machine shops, the cost of these repairs has become very high. It is true that some of the minor work, in some cases, can be done by the bus operators themselves, but that is not the case by any means, I would say, in the majority of instances.

Hence, of course—and I am giving only details of the position in order that the House may follow better what I have to say later—there is the fact that a bus service for schoolchildren starts early in the morning, reaches the school say at 8.45 a.m. and leaves it at about 3.15 or 3.30 p.m. to go home. So that, after normal attention to his vehicle, one could say quite safely that the bus operator is not engaged in driving his vehicle for something like 4½ to 5 hours during the daylight.

At one time it was comparatively easy for these people to obtain part-time employment, but now, from such an examination of the position as I have made, and from such information as I have been able to obtain, it appears that, in view of the very substantial increase in the number of contractors in many districts and the fact that there are not many employers who require part-time service of men who cannot come to work before 10 o'clock and must go home earlier than usual, there have been greater and greater difficulties in obtaining for these men part-time employment.

Those who want such employment—and they are in the majority—are not the ones who work for wages for a syndicate or a local authority and they find it increasingly difficult to obtain this part-time work. Therefore, they are forced more and more back into the position that they have to rely on what can be obtained from their bus contracts.

Another aspect of the matter which appears to me to require mention is that in the early stages of the school-bus arrangements, there were not a great number of these men and consequently it was possible, at week-ends, for them to obtain employment by transporting members of sporting bodies, picnic parties and other groups of people to various places, for reward. The Transport Board was, in all the circumstances, always willing to grant permits for such a purpose. So there was a source of income which went a considerable way towards assisting in making up the aggregate of what the bus contractors earned.

In a good many of the districts now it is not uncommon to have seven, eight, nine and even 10 of these vehicles operating. Something else has happened. Many people have bought their own motor-vehicles. An examination of motor-vehicle registrations throughout the State would disclose that a tremendous increase has been made in the total in the last five or six years, with the result that there are more and more bus contractors competing for less and less of this week-end work and, in fact, I am sure it is practically non-existent.

On top of that, having as I have said, to face the department's quite proper requirement; that is, to have a better type of vehicle in use, the contractors find themselves—if they wish to replace the bus and carry on with the new vehicle for a further period of years—in the position that they are obliged to pay a greatly enhanced price for it. Firstly, because the cost of the vehicle has, in itself, greatly increased; secondly, because the type of vehicle now being used is somewhat better and is more costly than it would have been under the earlier and not very desirable temporary conditions then existing.

So the situation has grown up where these bus contractors in many cases feel that they will not be able to apply, even for the renewal of their contract, unless some different system is evolved to that which has been in practice in the past. On the 16th May last, having been approached by a great number of these people, not only in my own electorate, but also in areas adjacent thereto, and having examined some accounts which had been supplied by their accountants—one of which at least I will make some reference to later—I felt that some approach should be made to the Education Department to investigate the position and, accordingly, on that date, the 16th May, I wrote to the Director of Education stating, among other things, the following:—

> I have been approached by a number of school bus conductors in the Lower Great Southern, with the request that I should ask the Education Department to give careful consideration to the running of school buses, with a view to considerable improvement in the amounts being paid to these bus conductors.
>
> It seems that the department assesses payments to these people on the basis of the running of the buses as a part-time occupation only. I am advised, however, that when applying for a bus conductor's licence, the Police Department requires an assurance that the driving of the school bus will be a full-time occupation, and that applicants are obliged to state that it will be a full-time job when, actually, their position is different.
>
> The situation is, however, that part-time work is becoming increasingly difficult to obtain, and in the majority of cases is very intermittent and has been for some considerable time.
>
> In any event, the running of the services, and the necessary attention to the buses in order to keep them in running order, quite apart from considerable repairs that have to be done from time to time, consume about six hours daily, and as an eight-hour day is generally recognised as the present-day basis for employment, there would be on an average only about two hours a day when part-time employment —if available—could be obtained.

I may interpolate here to say that because the 40-hour week was the basis of our week's wages, a man therefore should be entitled, whatever his occupation might be, to earn his full week's wages for approximately 40 hours' work. Therefore, if he worked six hours or thereabouts on the bus there would be only two hours or thereabouts in which he would be expected to receive part-time employment—if he could get it—in order to make up the wage to which he would be entitled in his occupation which, I understand, for a bus contractor at the present time, would not be less than £15 a week. In my letter I went on to say—

> The condition of the roads on which most of the buses have to run for the greater part of their time is such that maintenance costs are fairly high, and the life of a vehicle only a short one, particularly in view of the strong supervision now (and I believe quite rightly) exercised by the department over the condition of the buses. It is unlikely that a bus can be satisfactorily run for more than a period of five years.

For a bus that has to carry up to 50 or more children the replacement cost today is between £3,500-£4,000 and consequently it is necessary if the 5-year life of the vehicle is to be assumed, that from £750-800 per annum should be available for replacement.

This is the more necessary when one realises that the majority of bus contractors do not have the ready money to pay for their original bus, and are obliged to pay for that also out of their earnings, although I would suppose, (and have so informed my inquirers) that the department can hardly be expected to take notice of this factor, important though it is to the individual.

The bus conductor (very frequently the proprietor) is also entitled to a living wage which should not be less than the basic wage plus such margin which is usually allowed to bus conductors which, I understand, makes a total of between £15 and £16 per week of 40 hours.

Taking these two figures together, therefore, it is obvious that not less than £1,550 a year over and above licences, repairs, petrol, oil and lubricants, depreciation and sundry expenses, should be available to the bus conductor out of his earnings.

That nothing like this is the position is evident from the financial statements prepared by a public accountant for income tax purposes which have been provided to me by some of the contractors, indicating from a man with two buses a net profit of £648 16s. 3d. for the full year, down to a man with one bus showing a profit of £1,618 only, including, however, in this case, the sum of £498 earned outside the bus contract, a great deal of which work, I am informed, was done during week ends and consisted in work for a contractor who was building for the Housing Commission.

Further in the letter I said this—

I find, in one case, that a daily running of 64 miles carrying 30 children is paid for at 2s. 6d. a mile; another of 88 miles carrying 54 children is paid for at 2s. 1d. a mile; another of 65 miles carrying 52 children, is paid for at 2s. 3d. a mile. In these two last-mentioned cases, the first of them has a dead running allowance of £2 a day for 56 miles and £1 13s. a day for 40 miles.

Taking another case, where daily running is 79 miles and there are 50 children to be carried, 2s. 2d. a mile is being paid while 1s. a mile is allowed for dead running of 16 miles a day only. While in yet another case of 56 miles a day, with 50 children to be carried, the mileage rate is 2s. 4d. and £2 allowance is made for 32 miles of dead running.

Summed up, therefore, it seems to me that the whole question of the allowance paid per mile for the running of school buses requires an overhaul with a view to making it possible for these people to amortise the cost of the bus over the reasonably expected period of its life, and at the same time to make a reasonable living themselves which it is quite apparent to me is not the position in many cases today.

There are two points which I think stand out in the references I have made in that letter. First of all, there are obviously a number of anomalies in the rates that are paid. They vary very considerably, even in contracts that have approximately the same number of children —that is, as to the size of the bus, of course—and the distance to be covered daily. The other feature that stands out most clearly is that on such figures as I have been able to give here, it certainly is not possible to comply with the stipulation that they would be required to follow to amortise the cost of the bus over the reasonably expected period of its life and at the same time make a decent living themselves which, I take it, is best assessed by taking into consideration what their wages would be were they employed in some similar occupation.

I have here a most interesting review drawn up by an accountant showing the scale of costs of running a school-bus over 6,000 to 18,000 miles. This scale is based on a bus capable of carrying 46 children. He has worked figures out to show that if the bus ran 18,000 miles a year, the depreciation would be a matter of £500; licence and insurance, £36 17s. 6d; comprehensive insurance, £57 18s.; excess liability, £6; interest on investment, £300; wages, £760—that is roughly £15 a week, to which I have already referred—; fuel and oil at 4d. per mile, £360; tyres at 2.4d. per mile, £180; maintenance at 5d. per mile, £375; a total cost of £2,375 15s. 6d., the total cost per mile in this case being 2s. 7¾d.

If, however, one is running a bus over a distance of 16,000 miles and one works out the depreciation, licence, comprehensive insurance, excess liability, and interest on investment on exactly the same figures as I did before, and taking the same rates per mile, but reducing them where necessary because of the reduced mileage, one then comes to a mileage rate of at least 2s. 9¼d. If one then reduces the running of the bus to 14,000 miles and follows exactly the same procedure, which I do not propose to weary the House with, one arrives at the rate of 2s. 11¾d. Twelve thousand miles brings the figure up to 3s. 1¾d. and at 10,000 miles the rate becomes 3s. 5¼d. per mile.

It will readily be seen that, in those circumstances, whilst it is apparently possible to run a bus on a long route at a rate of approximately 2s. 8d. per mile, it is certainly not possible to do it on a shorter route at a sum greater than that and rising at least to as high as 3s. 3½d. a mile. I believe there is at least one contract which was recently let by the department—and here I can be corrected if I am wrong—at a rate of 4s. 6d. a mile. I should say that if that is so, it is because the route is a comparatively short one. Then we have to go a little further. It is not all these buses that carry 46 children. Some of them are larger. Some of them are smaller and the cost of a larger bus is, of course, in consequence, considerably greater.

I have here, similarily worked out details in repect of such a vehicle, showing that the minimum charge that could be made if 18,000 miles were being covered per annum, was 3s. per mile; over 16,000 miles, 3s. 1½d. per mile and over 12,000 miles 3s. 7½d. per mile. That does not do one thing other than amortise the cost of the vehicle in a period considerably longer than that which I contend is the right time—five years—and give the man concerned what is, after all is said and done, only the basic wage.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. A. F. WATTS: I would like to proceed by saying that it must be remembered that so far as the active running of these school-buses is concerned, it is only for a period of approximately 40 weeks, because the balance of the time is taken up by school holidays; and in consequence it will be readily realised that only a very small number of the buses would run during that period a total of 18,000 miles. Therefore I would suggest that the bulk of them who would be included in the lesser mileages during that period of 40 weeks, and consequently be included among those whose rates work out on the basis which I described, would considerably exceed the majority of the figures which are being paid at present.

That, I think, also accentuates the difficulty which appears to exist in many cases of obtaining employment during those intermittent periods. I know that when the Education Department varied the school holidays a year or so ago by increasing them by some days, it recognised that fact by making—if I understand the position aright—some allowances to the bus contractors in relation to that year's operations; but I do not think that that practice was extended into the following years. The effect of it, however, obviously still continues.

To leave that aspect of the matter for a moment or two, I pointed out—although I have unfortunately been deprived of the letter, from the balance of which I wished to make some quotations and will now have to do without it—that I had written to the Education Department on the 16th May last, making some of the points that I have tried to make in this speech; and here I come to the only complaint, which is of a minor nature, that I have against the Education Department in this matter. I received a reply, under date the 6th July, from the Acting Director of Education in which, among other things, he wrote—

> In reply to your letter of the 16th May, 1955, in which you submitted arguments in support of increased schoolbus contracts, I have to advise that the matter has been thoroughly investigated and I am convinced that under a contract system the department can deal only with the contractor and *not* with a group or with someone acting on behalf of a number of contractors.

I draw particular attention to the last few words of that paragraph to the effect that the department can deal only direct with the contractor and not with someone acting on behalf of a number of contractors. With proper respect to the Acting Director and the Education Department generally—of which I have a very great deal—I suggest that that is hardly the attitude for the department to take up in dealing with a member of Parliament, particularly when a very substantial proportion of the people about whom he has been writing to the department are his own constituents.

Further I hardly think there is sufficient justification for the department to adopt the attitude that it will not deal with somebody who is acting on behalf of a number of contractors, when that person is a member of this House. It seems to me that that is not a very proper conception of the relationship between an important Government department and a member of this House, of whatever party, for it to adopt that attitude.

I have been strongly influenced in moving this motion by the fact that in the face of this letter it was useless for me, as I saw the position, to continue my representations to the department in regard to the question I have been debating; because it had expressed the opinion that it could not deal with someone acting on behalf of a number of contractors. I am in that position; and though I am, as is quite well known, a member of this House, it seemed to me quite useless to prosecute my arguments further with the department; and the only remedy I had, if I wanted the position ventilated and the matter discussed—and possibly inquired into, if the House would agree—would be to bring forward some motion such as I have moved this evening.

In the net result of this letter, the department expresses the opinion, which I have already intimated is the situation,

that school-bus contracts are let by tender, and the contract is a personal one between the contractor and the department, and states, "If we are to retain the tender system—and I think we should, as it is the usual business practice—current tender rates must be a guide to reasonable rates". I question that last contention very strongly indeed, and I have submitted quite enough, I think, to show that tender rates are not a reasonable guide.

There might have been a time when they were; but I think they have ceased to be a guide to reasonable rates at present, because there are so many factors which I feel the department has not been able to take into consideration, or which it has not deemed it necessary to take into consideration and which—in the face of this reply to me—it will never take into consideration except with the individual contractor.

Many of these people find great difficulty in presenting their case individually to a responsible officer of the department who must be expected to have all the departmental factors at his finger-tips; whereas they, not having the knowledge or experience which would be possessed by an officer of the department, would find themselves in a much weaker position. Therefore I think that I am justified in seeking the agreement of this House, in view of all the circumstances, that the matter should be inquired into by a select committee.

It is difficult for me to suggest what methods should be adopted in regard to these school-bus contracts. I consider that only the collation of all the facts and the evidence, and the weighing up of the financial aspects, verified by persons skilled in accounting, would enable any reasonable decision to be reached. I do not doubt that if such a decision were reached it would involve the department, and therefore the State, in a great number of cases, in further expenditure than is contemplated at present. But I do not think that that should be the final consideration. It is not in any other aspect.

I know that the Minister would be the last one to suggest that if anything in the nature of an unfair deal were being given to any of these people, nothing should be done simply because the doing of it might involve the department or the Government in further expense. It is purely a question of ascertaining whether there is —as is alleged to me, and as would appear to be the fact on the face of points I have brought before the House—some sufficient reason why there should be a change made in the arrangements that have hitherto existed. I think we certainly want to remove the anomalies that apparently exist: and if we do not, we may find a serious lack in some places of persons willing to undertake the responsibility of running these services and transporting our children to school; and I suggest that in view of the fact that the development of bus services and the consolidation of schools has gone so far and proved so successful in 99 cases out of 100, we could not contemplate a state of affairs under which the omnibus transport system would not go on.

So the situation with me is that I am not only anxious to find out the truth in this matter, but also to find out whether the position is one that warrants considerable alteration or not. I feel at the moment that, on the facts put before me, a change is desirable; and I feel that as the department does not desire to accept representations from anybody acting for a group of these people, it certainly will not accept them from anybody acting even for all of them. Therefore the only way to have the matter properly inquired into is to ask for a select committee of this House.

I have already stated that I do not approach this matter in any spirit of criticism. I realise that as water runs under the bridge, things that are under the bridge change, and times must be changing, especially with rising costs and altering conditions from time to time, and consequently changes must be expected in the methods which are used in controlling problems such as this. So, for the reasons I have outlined, and with those intentions in mind, I submit the motion.

On motion by the Minister for Education, debate adjourned.

MOTION—BETTING CONTROL ACT.

To Disallow Licence Forms and Surrender Regulation.

MR. HEARMAN (Blackwood) [7.45]: I move—

> That regulation No. 24, made under the Betting Control Act, 1954, published in the "Government Gazette" on the 6th May, 1955, and laid upon the Table of the House on the 9th August, 1955, be, and is hereby, disallowed.

At the outset, I want to say that I appreciate the difficulty the disallowance of this regulation would occasion, because it is the one under which bookmakers' licences, both on and off the course, are granted. However you, Sir, appreciate perhaps better than I do that the only avenue open to a private member to discuss a regulation, and to cause discussion of it in the House, is to move for its complete disallowance. That is the reason for my motion. Perhaps it would be as well to read the regulation so that members will know what is involved. It states—

> 24. (1) Subject to the provisions of the Act and regulations a licence shall be in one of the Forms L4, L5, L6, L7, L8, L9, L10 in the second appendix (whichever is appropriate) and shall be subject to such terms and conditions as are specified in the licence.

(2) A licence shall be delivered by the licensee to the Board on demand being made by it.

Penalty: Five pounds.

The only portion of the regulation that I quarrel with is that which states, "and shall be subject to such terms and conditions as are specified in the licence." I have no objection to the board specifying the terms and conditions of the licence, but I think the board should give Parliament some indication of what those terms and conditions are. After all, this, along with regulation No. 31, is one of the most important of the regulations. These two regulations constitute the authority for licensing bookmakers and registering premises. They are two of the more revolutionary ideas incorporated in the legislation passed by Parliament last year.

Although I agree that regulations are often necessary under Acts of Parliament, I think it is only fair to expect that the statutory body that draws them up should give Parliament an indication of what it intends to do by them; particularly when they are important, as this one is. I could illustrate some of the confusion that arises by just allowing a board to determine terms and conditions. Confusion arises here because regulation No. 24 happens to become the subject of this motion. My interest in the matter was first aroused when I discovered there was discrimination between the time that the shops in various towns were open. On looking into the regulations to find out under which one this discrimination was made, I found there was nothing in any of them to indicate which it was. I assumed it would be the regulation governing the granting of a bookmaker's licence, but I subsequently learned it was regulation No. 31, under which the premises are registered.

That only goes to indicate that the regulations should be a little more informative in telling us what the board intends. I am not sure whether there is any precedent for this sort of thing, but if there is I suggest it is a bad one. Under an Act, we allow a statutory body to draw up regulations. That may be well enough, but when a regulation is made giving the board authority to specify terms and conditions without its being obliged to advise Parliament what they are, I think Parliament should properly ask itself whether the board has not gone a little too far.

Surely, the idea of tabling regulations is to enable Parliament to know what has happened, and not to leave Parliament in the dark as to the board's intentions, particularly in an important matter, such as the licensing of bookmakers, both starting price and fielders on the course. If one looks at the forms I have mentioned, ranging from Form L4 to Form L10, one will notice quite a blank space under the heading of "Conditions". It is a complete blank as far as the House is concerned, and I feel we have a right to know just what the terms and conditions are that the board insists on when granting a licence.

Members should be able to get the information quite simply by reference to the regulations. It should not be necessary to apply to the Betting Control Board, which might or might not give the member the information; or to question the Minister about the terms and conditions under which licences are granted. It is this lack of information in the drafting of regulation No. 24 that gives me concern and moves me to bring the motion before the House. Members are entitled to the information and they should not be fobbed off by any statutory body, such as the Betting Control Board, and have it intimated to them that these things are none of their business.

I think these matters are quite clearly the business of this House. The conditions attaching to these licences and the certificates of registration of premises indicate to Parliament the policy of the Betting Control Board. These terms and conditions, more than anything else perhaps, tell not only Parliament but the general public just what the board's ideas are. When the Minister introduced the Bill least year, he made it quite clear, and I appreciate his frankness, that the board would not be subject to ministerial direction; that it would make its decisions on its own responsibility, and it was not a matter of the Minister having to concur. In view of that, it is all the more necessary that Parliament should insist on the board, through its regulations, making the position completely clear.

The time may come when the Minister or Parliament may not agree with certain aspects of the board's policy. Unless the board makes its policy quite clear—one of the ways it can do that is to make plain the terms and conditions under which it grants licences—Parliament is not to know whether it can approve of that policy or otherwise. As far as the issuing of a bookmaker's licence is concerned, I have no particular reason to question the board's policy because, quite frankly, I do not know what it is; and I doubt very much whether any other member of this Chamber, with the possible exception of the Minister and other Cabinet members, can say what it is.

There is nothing in the regulations from which one can draw a conclusion. It would perhaps be better if I were to refer to an answer given by the Minister to a question asked last week referring to the time of opening the shops. The Minister then said—and I do not doubt that his answer was prepared for him by the board—

> When fixing such hours it was considered that the business possible, arising from midweek races in places such

> as Donnybrook, when a race meeting was held more than 50 miles therefrom and the consequent expenses incurred would not justify the licensee being obliged to keep his premises open for betting on such occasions.

That answer would indicate to me that the board seemed rather concerned about the convenience of the bookmaker. If that is so—I feel it is a logical conclusion to draw from the answer—we had better go more closely into the regulations under which bookmakers are licensed. If it is the board's policy to consider the convenience of the bookmaker rather than that of the public, I think Parliament should join issue with the board.

It is not a matter of whether I support the idea of starting-price bookmakers or not, but whether we should consider the convenience of the bookmaker. That would appear to be the attitude the board has adopted. In passing, I might mention that we do not suggest that publicans need only open their bars when it suits them, or when business is likely to be sufficiently brisk to warrant their keeping open. It does not matter how small a country hotel may be, we insist—we lay it down in our licensing law—that the hotel must open during certain hours whether business is offering or not. That is a sound principle because a hotel licensee holds his licence for the benefit of the public.

Mr. Lawrence: That applies—

Mr. HEARMAN: The answer given by the Minister indicated that the Betting Control Board was considering the convenience of the bookmaker because it said the amount of business offering would not justify keeping his premises open.

Mr. O'Brien: They have found since that they will.

Mr. Lawrence: You have a bad conception of the Act.

Mr. HEARMAN: It is not a question of my having a bad conception of the Act, but of the answer given by the Minister.

Mr. Lawrence: I thought you were speaking from experience.

Mr. HEARMAN: I am quoting the Minister's answer, when he said, "The consequent expenses incurred would not justify the licensee being obliged to keep the premises open for betting on such occasions." As a policy, that seems to be one that this House could well look into.

Mr. O'Brien: The policy at present is that they shall remain open between 9.30 a.m. and 5.30 p.m. on week days.

Mr. HEARMAN: I know that you, Mr. Speaker, will not permit a discussion on regulation No. 31, and I know that certain alterations have been introduced. I am not talking about the details of those alterations but when the board gives as its reasons for a certain policy that it is not suitable to the bookmaker, I think Parliament should look into the position. I do not care how much the board has shifted its ground; I want to know what its policy is in this matter and I want a little more information from the board.

For my part, I do not want to have to prize it out of the Minister by questions; I think that anybody who reads the regulations should be able to see quite clearly what the terms and conditions are under which licences can be granted. I do not know whether the member for Murchison joins issue with me on that point, and I do not know whether he thinks that the Betting Control Board should not have to disclose its ideas. In my opinion, the terms and conditions and the broad policy of the board should be made known to both Parliament and the public.

Mr. Ross Hutchinson: You mean the broad policy of the board as regards expanding or contracting betting operations?

Mr. HEARMAN: That could also be revealed but, firstly, I meant the policy under which it will issue licences and the terms and conditions it lays down. We do not know what the board's policy is in regard to bookmaking. We do not know whether it is trying to cater for the big or little punter, or anyone else, because the terms and conditions are not shown. All I am asking is that the board shall state what those terms and conditions are. There is no need to be secretive about it. We know perfectly well that in the issue of publicans' licences, driving licences and all other licences, the terms and conditions are known. There is no secret about it and I do not see why there should be any secret about the issue of bookmakers' licences.

Mr. O'Brien: I say that the betting shops should be open all the week.

Mr. HEARMAN: The hon. member is dealing with a different regulation and I am not permitted to discuss that. I am merely using the Minister's answer to illustrate how little we know of the board's policy. We do not know anything about it and I doubt whether we should approve of the board's policy.

Mr. Heal: Did you approve of the Act?

Mr. HEARMAN: There is a difference, although perhaps the member for West Perth cannot appreciate it. At this juncture I do not propose to go into details to explain the difference to him.

Mr. Heal: I would not understand you if you did.

Mr. HEARMAN: I do not think the hon. member would, and that is why I do not intend to try.

Mr. Heal: I would not understand you because you have not a clue about it.

Mr. HEARMAN: All I am asking is that the board shall say what are the terms and conditions under which it grants

licences. The member for West Perth can decide for himself whether or not that is a fair thing to ask for. If he does not, then I hope he will state his reasons for objecting to it and why he thinks those terms and conditions should remain secret. He should state why he does not think the board should be frank in this matter. I think it is in the board's own interests to tell us what the terms and conditions are.

There should be nothing to hide; there is no need to be secretive about these matters. The more information that is available to the general public the less ground there is for criticism. When things are hidden, as it were, there are always whispering campaigns and mischievous statements, and unless the facts are known people are not in a position to refute the statements. I cannot see what objection the board could have to letting us know the terms and conditions imposed on the granting of licences.

After all, as a Parliament, we have a certain function to carry out; we have to check these regulations and decide whether we shall approve of them or not. As a Parliament, I do not think we can properly be asked completely to delegate our responsibilities in this matter to the Betting Control Board and not even ask the board what is is doing about the matter and how it is carrying out its responsibilities. I previously said that I had doubts as to whether the board is carrying on in the manner that it should.

There is another aspect that I should like to mention. In my opinion those applying for bookmakers' licences have a perfect right to be given an idea—and it should be quite clearly stated—as to what the terms and conditions of their licences are likely to be. After all, it seems to me that those who apply for bookmakers' licences are applying for something in the nature of a pig in a poke. They do not know what the terms and conditions of the licences will be, and the only means they have of finding out is possibly by inquiring from those bookmakers who have already been licensed. As those about to apply are likely to be competitors of those who already have licences, the information obtained would most likely be of such a nature as to cause the intending applicants to think twice before applying.

I think every applicant has the right to know what terms and conditions may be imposed and I cannot see any useful purpose being served by keeping it from them. Furthermore, I think it possible that a better type of applicant may come forward if a little more information were given because a number of people would be reluctant to apply for licences when they had no idea what terms and conditions might be imposed. So I think there is some virtue in being a little frank in this matter. I realise that if the regulation were disallowed it would cause considerable embarrassment but that does not mean to say that the only way out for the Government is to defeat the motion out of hand. There is another way.

The Minister, I suggest, could, as he probably will, move for the adjournment of the debate and the Government could then suggest to the Betting Control Board that it discloses to Parliament all the terms and conditions under which licences are granted. Parliament could then decide whether those conditions were fair, proper and just and members could express their opinion about the matter. We would know where we stood and whatever the outcome of it, if the Government chose to follow that course, it would at least mean that the board had the sanction of Parliament for its actions. Parliament, in granting the board that sanction, would know perfectly well what it was doing.

It is always possible for the board to bring in additional terms and conditions, even when Parliament is not sitting. But if my suggestion is adopted, we will at least get an indication of the broad policy the board intends to follow in connection with the issue of licences: It would not be a difficult amendment although it might take up a little more space. The regulation could read something after this style—

> Subject to the provisions of the Act and the regulations, the licence shall be in one of the following forms . . . .

They could then be listed.

> . . . . in the second appendix, whichever is appropriate, and shall be subject to any or all of the terms and conditions set out hereunder.

The terms and conditions could then be listed.. If that were done, we would know what we were talking about but at present there is not a member of Parliament who has any real idea of the terms and conditions under which bookmakers' licences have been granted.

On motion by the Minister for Police, debate adjourned.

BILL—FREE ENTERPRISE PROTECTION.

Second Reading.

HON. A. F. WATTS (Stirling) [8.11] in moving the second reading said: At the outset I would like to say that some similar provisions, although not identical with those in this Bill, were in the 1939 Act known as the Profiteering Prevention Act.. That Act ceased its operations because of its repeal about four or five years ago. The similar provisions, if I remember aright, are to be found in Sections 17 and 18 of the Profiteering Prevention Act and although, as I said, they are not identical with those in the measure now before the House, they are somewhat similar.

Perhaps as a genesis for this measure I might refer members to a Press report which appeared in "The West Australian" of the 1st July this year. That report dealt with the findings of what was known to the British House of Commons as the Monopolies and Restrictive Practices Commission. It was a commission of ten persons, I understand, which had been appointed by the British Government to make inquiries into certain industrial practices. I have tried without success—presumably because the time that has elapsed between the presentation of the report and the present day has not been very great—to obtain the full text of the report of the commission and in its absence I can use only the Press report to which I have referred. In part it reads—

> The report of the Monopolies and Restrictive Practices Commission is likely to cause a big stir in industry. It said that a wide range of industries and trades were operating private agreements which "affect the public interest adversely." One of the methods criticised by the report was the power of trade associations to dictate to the individual traders agreed prices at which goods must be sold. "Such agreements place in the hands of associations a power over individual traders which we regard as excessive and dangerous."

The committee was divided on the question of what action should be taken to restrain those concerned where the practices were in operation in Great Britain. I understand in the report that seven members of the commission were in favour of legislation to make them illegal; that three members of the commission expressed the opinion that registration of such agreements at the Board of Trade, so that their terms and conditions might be publicly known, would be a sufficient action to take. It is not yet known, as far as I am aware, what actual result will accrue from the recommendations of this commission.

Mr. Ross Hutchinson: What is the full number on the commission?

Hon. A. F. WATTS: Ten, as reported in the Press. I find little reason to believe that similar practices have found their way into Western Australia. At the beginning of my remarks I said that the legislation which was in force up till four or five years ago in the Act to which I referred, dealt with similar matters, and would, no doubt, up to the time of its passing out of existence, put some brake on those who might have wished to undertake such restrictions.

There has been only a comparatively short intervening period in which such practices could have grown up, but to me it does not matter whether they are here now or not. If they are here, then I think there is sufficient reason to make them illegal in order that they may, as far as possible, be brought to a stop, realising as I do that there would be some difficulty—as there always is in matters of this kind—in policing the legislation. If they are not here, then I suggest that legislation should be passed to prevent them coming here.

I subsequently read, and I would like to quote to some degree from, a leading article which appeared in the "Sydney Morning Herald" on this subject, dated the 6th July, 1955, in which it said—

> The British Government is confronted by some delicate political questions as a result of the report of the Monopolies Commission on restrictive trade practices. The report is neither sufficiently comprehensive nor sufficiently decisive to serve as a basis for far-reaching action. But it shows to what remarkable lengths free enterprise in Britain as in Australia has been anxious to limit its own freedom for the sake of avoiding the inconveniences of competition.

I have expressed the opinion more than once in this House that there would be little need for legislative control of prices at any time were there absolutely free enterprise and unrestricted competition. I am convinced that these two factors together would result in the best prices for goods being available to the public. There are not lacking very strong indications, even in Perth, that in certain instances that is remarkably true.

We find that certain firms are very definitely in open and strong competition one with another, particularly in certain lines of foodstuffs. We find if we go from shop to shop, between these competitors' premises, that there are some remarkable differences in the prices which could be asked for certain items of more or less everyday use. There is no question whatever that, so far as those firms are concerned, the competition between them is so very considerable, that there is not the slightest fear that more than a reasonable price will be charged for the goods they wish to sell.

Were I completely convinced that there was not, nor that there was any likelihood of there being in this State any sections of the trading community which did not take that action, or which, in short, made agreements to prevent such free competition, then I would not be introducing this measure. But I feel that as in Great Britain, and as presumably in other parts of Australia—if the "Sydney Morning Herald" is to be believed—there may be people in this State who are prepared to enter into these arrangements to what must in the ultimate be to the detriment of the public interest.

But it does not appear—and I am glad to be able to quote this—that the sentiments I am expressing are going to receive the slightest opposition or criticism from a gentleman for whom I have a very

high personal regard—and presumably therefore from the body of which he is president—namely, Mr. R. Goyne Miller, the newly elected president of the Western Australian Chamber of Commerce. For under date of yesterday when reporting the proceedings of the gathering of that chamber the evening before, it is stated that Mr Miller said—

> The Chamber sought the greatest possible degree of freedom for the individual consistent with efficiency and justice to all. We believe, he said, that free enterprise should be entirely free and should be unrestricted in its competitive aspects. We are opposed to price control whether by Government regulation or by trade monopoly. Most trade associations were formed with the object of advancing the interest of members of the trade, but if any such association sought to fix a price at a high level for the benefit of their own members only, and against the interest of the community they would not have the support of the Chamber of Commerce.

As I said, in this State there does not appear to be any conflict between the sentiments that I have been trying at least to express, and those of the gentleman to whom I have referred, because what he has said is, in my opinion, fundamentally true. If we are going to ensure that unrestricted competition allows absolutely free enterprise, in which circumstance I believe we have little to fear on the question of prices in our community.

I would now like to turn to the provisions of the Bill. First of all it defines a combine and states that a "combine" means an association or combination (whether incorporated or not) of any number of persons having as its object or purpose or as one of its objects or purposes—

> (a) subject to the provisions of section five of this Act, the controlling or influencing the supply of, demand for or price of any goods; or
>
> (b) creating or maintaining a monopoly in the supply of any goods;

"goods" includes freight and transport charges, and all goods, wares or merchandise; but the term does not include flour or wheat products as defined in and for the purposes of the Wheat Products (Prices Fixation) Act, 1938-1939, or any other commodity or substance to which that Act refers or applies;

It will be noted that in the definition of "combine"; the words, "subject to the provisions of section 5 of this Act" have been inserted. That part of the measure sets out—

> Notwithstanding the provisions of section four of this Act, an association or combination of any number of persons (whether incorporated or not) having as its object or purpose, or as one of its objects or purposes, the controlling or influencing the supply of, demand for or price of any goods shall not, to the extent to which such controlling or influencing may be expressly authorised by any other Act, be a combine within the meaning of this Act.

In other words, a body authorised to control prices, or the supply of goods which has been authorised by Act of this Parliament, is not within the definition. It will be quite clear that that is so. It is for the same reason, of course, that the Wheat Products (Prices Fixation) Act has been excepted from this Bill.

The reason is that if Parliament sees fit, or has seen fit in the past, to give authority to any body or corporation by statute —as it has, I think, already given power to the Milk Board to deal with the questions of supply and price—then, of course, no exception can possibly be taken, because just as any other statute that is the law of the land has been dealt with by the elected representatives of the people in accordance with the democratic practices which we follow, and has run the gauntlet in the same way as any other measure which comes before Parliament, it was obviously necessary to except from the provisions of this Bill such institutions or corporations as those, because it would be impracticable for them to operate at all in accordance with the expressed intention of Parliament.

The Bill goes on to provide that every person commits an offence against this Act who, either as principal or agent,—

> (a) is or becomes or has been or has undertaken or will undertake to become a member of a combine; or
>
> (b) acts or has acted or will act in obedience to or in conformity with the directions of a combine with respect to the sale, purchase or supply or any goods; or
>
> (c) refuses, either absolutely or except upon disadvantageous conditions, to sell or supply to, or to purchase from, any other person any goods, for the reason that the latter person—
>
> (i) does not deal or has not dealt or will not undertake to deal with any particular person or class of persons or with a combine or the members or any member thereof in relation to such goods; or
>
> (ii) is not or will not undertake to become a member of a combine; or

(iii) does not act or does not intend to act in conformity with the directions or wishes of a combine with respect to such goods.

It then provides that all offences will be dealt with under the Justices Act and that proceedings may be commenced at any time within two years from the time when the complaint arose. The normal procedure under the Justices Act allows a time of six months. There are also various penalties provided as follows:—

(a) for the first offence, to a penalty not exceeding two hundred and fifty pounds, or to imprisonment with or without hard labour for any term not exceeding three months, or, if the offender is an incorporated company or association, to a penalty not exceeding five hundred pounds; and

(b) for second or subsequent offence, to a penalty not exceeding five hundred pounds, or to imprisonment with or without hard labour for any term not exceeding six months, or to both, or, if the offender is an incorporated company or association, to a penalty not exceeding one thousand pounds.

The Bill also sets out that if two or more persons are responsible for the same offence, each of those persons shall be guilty of the offence. My anxiety is to ensure that the type of combine or cartel which has been reported so unfavourably upon in Great Britain shall not be permitted to exist in Western Australia. As I explained, I have not sought to ascertain to any great degree whether it is here or not. If it is, and I have no information on this, then it is desirable to clip its wings. If it is not here, it is desirable to prevent its coming.

The Minister for Education: How would it affect the oil companies in relation to garage properties?

Hon. A. F. WATTS: I do not think it would have any substantial effect on them. They are arrangements made with individuals and not combines. Legal opinion can be obtained on that point. I have not examined it closely myself. I repeat that if enterprise is absolutely free and competition unrestricted, the benefits to be derived by the community will be very substantial. In view of the fact that there is little evidence in this State of such practices to which I have referred, and which have been mentioned in the newspaper reports I quoted, now is the time to prevent their growth. We always find what becomes popular elsewhere, particularly with regard to practices of this nature, if not restricted or prevented will become popular in Western Australia.

On motion by the Minister for Education, debate adjourned.

BILL—MAIN ROADS ACT AMENDMENT.

Second Reading.

Order of the Day read for the resumption from the previous day of the debate on the second reading.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—UNIVERSITY OF WESTERN AUSTRALIA ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

MR. BRADY (Guildford-Midland) [8.35]: I support the move of the Premier to raise the statutory grant to the university from the figure of £40,000 fixed in 1944 to £250,000 if this Bill is passed. In answer to an interjection by the Leader of the Opposition, the Premier said that in 1954 the grant was £360,000. It is a wise move to insert the figure of £250,000 because we do not know what the future will hold in regard to the university or in regard to the finances of the State. If we are to commit the Government to £400,000 a year, it might be very embarrassing to the University Senate if funds were not available.

With the allocation of £250,000 it is obvious that the Senate will be cautious on its expenditure, and it will not indulge in frivolous spending of Government funds. No Government, irrespective of its political colour, need worry about the Senate, the body administering the university. I have met a number of the gentlemen who are members of that body, and I say that the university is very fortunate indeed to have their services. In the main they are very highly educated men with vast practical experience in vocational and professional positions. They are men of mature minds and can gauge wisely the problems confronting the university.

The average person in the street does not realise the tremendous amount of work that goes into the administration of the University of Western Australia, or the great amount of honorary work that is given by those on the University Senate. They are professional men with very high academic qualifications. Members can gauge in a small way the activities of the university when I tell them that at the average Senate meeting, held once a month, 60 or 70 pages of closely typed matter, comprising reports, recommendations and minutes, have to be considered. To do that it is often necessary to appoint five or six committees or boards which

meet three or four times a month in order to make recommendations to the Senate on the various problems that arise.

From those remarks the amount of work that goes into the administration of the university can be gauged. To the same extent the consideration that is given to the problems and to the spending of money directly connected with those problems, can be appreciated. In supporting the move to increase the grant from £40,000 to £250,000, I have every confidence in the members of the Senate and in the way they are tackling their job on behalf of the university. The member for Stirling expressed the hope the other evening that he would soon see the time when we could spend £1,000,000 on the institution. I also would like to see that time arrive because it would augur well for the State. I interjected during his speech and asked whether he could give any gauge in regard to the money spent.

One matter which should be borne in mind is whether value is being obtained for money spent. I fear that in a short time the State will have to consider whether it can afford to subsidise the university to the extent of £250,000 a year. The Government may have to ask whether the money was being spent to the best advantage. In saying this, I am not decrying the way in which the money is being spent at the moment. I fear that this country will face difficult financial times shortly, and universities throughout Australia will have to consider whether they can go on spending funds in the same manner as they have in the past.

I am aware that in many universities, temporary buildings are constructed. In our own university, the Engineering Faculty is housed in a temporary building. It is contemplated that £400,000 will be spent on new buildings for this faculty. The expenditure of £400,000 over and above the £360,000 which the Premier and the Government made available is indeed a vast amount. No doubt it will have to be decided whether the £400,000 it to be spent over a number of years rather than in one or two years. I mention this in passing to let members know that in a very short time about £1,000,000 could be spent on the University of Western Australia if a firm grip was not maintained on its activities.

Personally, I feel that the University Senate might have to give a great deal more consideration to sponsoring and encouraging adult education so as to get good value for money spent. As the member for Stirling said the other evening, it was difficult for him to assess whether we were getting a good return for the money spent. He asked how could one say whether primary schools were giving a good return for money spent on primary education. I cannot assess the value, but I can say that at the primary schools the foundation is laid for the children's move into secondary schools. It is possible in the primary schools to gauge whether children have the capacity to be taught normally or whether they have to be segregated. That does not apply in a university.

I have a great deal of time for education for education's sake. Sometimes I think that the man who has never seen the inside of a university can be a great asset to the State, and I should hate to think anyone would ever believe that everybody must attend a university before achieving some standing in the community. Still, I think there should be some gauge for judging the best elements in the community and that would be the standard in regard to education, culture and social activity. I confess that I have been in the same position as other speakers in thinking that the university is more or less a self-contained organisation where there is not always displayed the breadth of vision that could be expected. In that, I feel that I have taken a very narrow view, and should rather encourage the outlook that we must have a standard, and that there is no reason why our university should not be the standard for all the people as regards education, culture and social activity.

One member said he was quite satisfied that a majority of the people in the university had their feet on the ground. I am not so much concerned about people having their feet on the ground so long as their heads are not in the clouds, and sometimes I do feel that certain people have their heads in the clouds. Nobody can convince me that because a man attends the university, he has not the human weaknesses of those who have never seen the inside of a university.

I have heard of a one-time president of the State Arbitration Court who gave up a very valuable legal practice in order to accept the court appointment so that he could do something worth while for Western Australia. In other words, he made a very big monetary sacrifice. The people who give the best service to the State are those who do not look altogether for monetary or material profit, but are prepared to give their services at a reduced rate for the benefit of the general community. I hope the day will come when we shall have in our university people big and broad enough to be able to say that they had given up £60 or £70 a week for the sake of the good they could do for the community as a whole. That might be asking quite a lot of people, but I believe there is something more in life than merely looking for monetary reward.

As time goes on, I hope that some of the people who have profited by the free education given by the university will find it in their hearts to bequeath money to the institution in order to advance the cause and help less privileged students to continue their studies. One member expressed the belief that the Government was viewing the requests for increased salaries for

university staff from the standpoint that the salaries should be based according to the population and the revenue of the State. I must confess that I had a feeling along the same lines. The thought occurred to me, why should a professor in the University of Western Australia, a State with a population of about 800,000, be paid as much as a professor in New South Wales where the population may be two and a half times and the revenue five times as great as ours?

I do not know what the Government's attitude is, but that does not seem to me to be a fair test. On giving further thought to the matter, I am inclined to think that that should not be the gauge. If a professor has the qualifications to command a salary of £4,000 in Sydney, he should be able to receive £4,000 in Western Australia. The question that ought to be considered is whether our university should have seven or eight faculties and whether the number should not be reduced to four, equipped with the best of professors.

At present we have eight faculties with the possibility of the number being increased to nine by the establishment of a medical faculty. The people who are sponsoring the aims and aspirations of the new faculty desire the best obtainable, and I trust that they will be successful. It is to the credit of the Government that the requisite money is to be made available. When we come to deal with the medical side, I say that the best is not too good for the people of Western Australia. The medical faculty should have far reaching effects, and we should have the best professors obtainable for it.

There are many aspects to be considered, but I feel that the Government is playing safe in fixing the figure at £250,000 as compared with the existing figure of £40,000. The Government last year provided £360,000, and it may be that in a very short time—much shorter than most members think—we shall be approaching the £1,000,000 mark. I hope that the economic position of the State will permit of that being provided in the next five or ten years. I hope that the progress in our primary and secondary industries will enable it to be done.

As I said earlier, I think that a great deal more could be done in the way of adult education. The benefits of the university should be spread wider than they are at present. For instance, the people in the country should receive some direct benefit instead of merely the indirect benefit that they now receive through their children. Possibly this could be done by means of broadcasting.

I think we are fortunate in the set-up of our university. Recently a Royal Commission has been appointed in Tasmania to investigate the activities of its university. It has been stated that the greatest constructional activities in the whole history of Tasmania will be carried out in the provision of buildings for the university if the plans envisaged come to fruition. The position here as I see it is that we should plan for many years ahead and it should be possible in the course of the next five or ten years for an amount of £1,000,000 to be spent on university education. Although that seems unlikely at present, I hope that the financial position of the State will enable it to be done, because we never know what the future holds in store. I support the second reading and hope the measure will have a successful passage.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—ELECTORAL DISTRICTS ACT AMENDMENT.

Second Reading.

Debate resumed from the 25th August.

HON. A. F. WATTS (Stirling) [8.59]: I see no objection to the passage of this measure. The issue of the proclamation for the redistribution of seats under the Electoral Districts Act has resulted in the gazettal of the recommendations being delayed until a few days ago, and it is quite true that if, in consequence, a further period of three months were allowed to elapse before the Electoral Department could proceed with the reprinting of the rolls, it would be extremely difficult to have all the rolls for the 50 Assembly districts available within reasonable time of the probable date of the general election., which I understand must ensue at latest in the fourth month of next year, and which would normally take place before that time, and so I assume that it has been at the suggestion of the Chief Electoral Officer that this measure has come before the House.

The Minister for Justice: Quite so.

Hon. A. F. WATTS: For the reasons I have mentioned, I can readily understand why that suggestion has been made. I really do not know whether there is anything that could be gained, even supposing there were not the necessity for giving the Electoral Office the chance of getting the rolls ready, by allowing this three months to elapse. Presumably, somebody could bring down a Bill providing that the commissioners should not proceed—

The Minister for Justice: That could be done in any case.

Hon. A. F. WATTS: Yes, and Parliament in its wisdom might pass such legislation; but I hardly think the suggestion

is what one might call practical politics. I somehow feel that even if we had the three months, there would not be a measure here to cancel or substantially alter the commissioners' recommendations. To cancel them, I feel, would be a very poor reward for their arduous efforts and, I think, successful results.

The Minister for Justice: Members have already had the opportunity of objecting.

Hon. A. F. WATTS: That is so, and I understand there were very few objections, and, having their objections heard and determined, I think, all in all, we will be doing a very good job if we let the electoral officer get to work in comfort on the printing of his rolls so that members will not be in the unfortunate position of not knowing who their electors are when the election comes within striking distance. I therefore support the second reading.

Question put.

Mr. SPEAKER: I have counted the House and assured myself that there is an absolute majority of members present. There being no dissentient voice, I declare the question duly passed.

Question thus passed.

Bill read a second time.

In Committee.

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

ADJOURNMENT.

THE PREMIER (Hon. A. R. G. Hawke—Northam): Before moving that the House adjourn, I wish to indicate that the Government will ask members to sit after the tea suspension tomorrow unless the Rents and Tenancies Emergency Provisions Act Amendment Bill has been dealt with before that time I move—

That the House do now adjourn.

Question put and passed

House adjourned at 9.7 p.m.

Legislative Council

Thursday, 1st September, 1955.

CONTENTS.

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

QUESTIONS.

CATTLE.

Philippines Market and Effect on Broome Meat Works.

Hon. C. W. D. BARKER asked the Minister for the North-West:

(1) Who is responsible for the issuing of permits for the shipment of cattle on the hoof to the Philippines?

(2) How many permits have been issued to growers in Western Australia?

(3) Is it a fact that owing to shipments of cattle to Manila, Broome Meat Works this year will kill only between 4,000 and 5,000 cattle?

(4) Can the Government give any information as to the future prospects of the Manila market?

(5) If the Manila market is not assured for the future, is the Government of the opinion that it is wise to issue further permits which could have the effect of closing up Broome Meat Works?

The MINISTER replied:

(1) The Commonwealth Department of Commerce and Agriculture.

(2) Permits are not issued to growers. Two permits were issued during 1954, and one during 1955.

(3) It is not known if the cattle to be exported would have otherwise passed through the Broome Freezing Works. It is understood this year's kill will be between 4,000 and 5,000 head.