Legislative Assembly

Wednesday, 11th September, 1957.

CONTENTS.

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

QUESTIONS.

PETROL RESELLERS.

Hours of Trading, Bunbury.

Mr. JOHNSON asked the Minister for Labour:

(1) Has he been informed of an agreement between petrol resellers at Bunbury to trade only agreed hours?

(2) Did he see a newspaper report that such agreement was opposed by at least one petrol wholesaler?

(3) Is this interference with the freedom of the retailer an unfair trade practice?

(4) Which is the petrol company concerned?

The MINISTER replied:

(1) No.

(2) Yes.

(3) It could possibly be such in certain circumstances.

(4) Not known.

FREE MILK.

Goldfields Distribution.

Mr. EVANS asked the Minister for Education:

(1) What quantity of milk is distributed to all Goldfields schools per week?

(2) Is free milk distributed to children throughout all the months of the school year, in—

(a) the metropolitan area;

(b) other country districts;

(c) the Goldfields?

The MINISTER replied:

(1) 650 gallons.

(2) (a), (b), (c): No.

These replies apply to pasteurised milk. Tinned milk is available all the year for those schools where pasteurised milk is not available.

MINING EXPLOSIVES.

Statutory Precautions re Sales.

Mr. EVANS asked the Minister for Mines:

Further to my question of the 27th August, with reference to statutory precautions regarding sales of mining explosives, does he not consider some precautionary measures should be provided in the case of the sale of explosives similar to those applying to the sale of dangerous and life-killing drugs?

The MINISTER replied:

The present Explosives Act is a very old and complicated one, and I am giving consideration to the question of preparing a new one. If this is done, precautions to control the sale of explosives will be included.

UNEMPLOYMENT.

(a) Number Assisted by State Government, Kalgoorlie.

Mr. EVANS asked the Premier:

How many unemployed persons in Kalgoorlie have received the State grant, through the Child Welfare Department, during the last month?

The PREMIER replied:

Twenty-one.

(b) Allowances Paid by State.

Hon. D. BRAND asked the Premier:

(1) What is the total sum already paid by the State in unemployment allowances?

(2) What other States pay similar allowances?

(3) Will the State be penalised by the Grants Commission in the event of other States not paying unemployment sustenance?

The PREMIER replied:

(1) £82,937.

(2) No information is available on this point.

(3) This will be decided by the Grants Commission.

I might add that according to a Press report recently the Commonwealth Cabinet will be giving active consideration to this and other matters contained in the proposals put to them by the all-party committee from this Parliament, and this consideration is either being given now by the members of the Commonwealth Cabinet, or will be given in the very near future. I hope the decision will be decisive one way or the other.

WATER SUPPLIES.

Discontinuance of Detailed Accounts.

Mr. EVANS asked the Minister for Water Supplies:

(1) How long is it since the department dispensed with the practice of leaving a detailed account of water consumption attached to the meter, after such meter was read?

(2) Have many complaints been received by, or on behalf of consumers, since this practice ceased?

(3) What was the reason why this practice was discontinued?

(4) Will the department consider the reintroduction of this practice?

The PREMIER (for the Minister for Water Supplies) replied:

(1) Five years.

(2) Not more than thirty.

(3) As one method of effecting savings in annual operating costs of the Goldfields Water Supply Undertaking on which heavy annual losses are being sustained. It was considered that the vast majority of water supply consumers did not desire the information.

(4) The matter is under review.

COURT-HOUSE.

Provision, Victoria Park.

Mr. ANDREW asked the Minister for Justice:

(1) Have plans been drawn up for the proposed court-house in Victoria Park?

(2) If so, do such plans provide for more than one court-room?

(3) If not, and in view of the rapidly-increasing population south of the river, will provision be made in the plans to add a second court-room when such court-room is considered necessary?

The MINISTER replied:

(1) Preliminary sketch plans are being prepared.

(2) No.

(3) It is doubtful if the area of the land on which the court-room will ultimately be built is sufficient to allow of two court-rooms but this question will be considered when the plans are being finalised.

CRIME.

Prisoners, Fremantle and Barton's Mill.

Mr. ANDREW asked the Minister representing the Chief Secretary:

(1) What is the total number of prisoners in Fremantle Gaol and Barton's Mill?

(2) What is the number—

(a) under 21 years old;
(b) aged 21 years to 25 years;
(c) aged 25 years to 30 years;
(d) aged 30 years to 35 years;
(e) aged 35 years to 40 years;
(f) aged over 40 years?

The PREMIER replied:

(1) 493.

(2) (a) 72;
(b) 85;
(c) 54;
(d) 81;
(e) 54;
(f) 147.

TRAM-TRACKS.

Schedule Governing Removal.

Mr. JOHNSON asked the Minister representing the Minister for Railways:

(1) Has the schedule upon which the Perth City Council and his department agreed for the removal of disused tramtracks in Newcastle-st., Oxford-st., Woolwich-st., been amended?

(2) If not, when is it anticipated that the work will be undertaken?

The MINISTER FOR TRANSPORT replied:

(1) Due to the shortage of loan funds, works of higher priority were undertaken and track removals necessarily suspended.

It is proposed to commence removing the tracks in the 1958-59 financial year.

(2) Answered by No. (1).

CAVE HOUSE.

Liquor Charges.

Mr. HEARMAN asked the Minister representing the Chief Secretary:

(1) Can he advise the House of the prices charged at Cave House for beer, wines and spirits—

(a) in the bar;

(b) in the lounge;

(c) in the dining-room?

(2) Who is responsible for determining these prices?

(3) How long has the present price list been in force?

(4) How do these prices compare with those charged in—

(a) Busselton;

(b) Margaret River?

The PREMIER replied:

(1) (a) Beer:

Glass—

Bar and lounge: 5oz., 10d.; 7oz., 1s. 1d.; 8oz., 1s. 2d.

Dining-room: 5oz., 1s.; 7oz., 1s. 3d.; 8oz., 1s. 4d.

Bottled—

Swan lager, 44s. per doz.; Emu bitter, 43s. per doz.; stout, 45s. per doz.

(b) Wines:

Bar and lounge, 9d. glass.

Dining-room, average 6d. extra on bottle on bar and lounge price.

(c) Spirits (no dining-room trade)—

Bar and lounge prices—

Australian brandy, 1s. 3d. per nip.

Remy Martin, 1s. 4d. per nip.

Hennessy brandy, 2s. 6d. per nip.

Australian gin, rum and whisky, 1s. 5½d. per nip.

Gordons gin, 1s. 7d. per nip.

Old Court Hamilton whisky: 1s. 6½d. per nip.

Scotch whisky, 1s. 10d. per nip.

½-Scotch, 1s. 3d.

(2) Following the prices in force at adjacent towns as directed by the U.L.V.A. to its members, the general manager determines equitable prices.

(3) Beer:

Glass trade—Since the 26th July, 1956.

Bottled—From the 26th July, 1956.

Wines:

2oz. glass price—9d. per glass, since March, 1956.

Bottle prices since the 9th October, 1956, with small amendments on the 24th October, 1956, and the 1st April, 1957.

Spirits:

Bottle prices from the 4th December, 1956.

Nip and ½-measures from the 7th May, 1956.

(4) It is understood that bar and lounge prices are the same at Busselton and Margaret River, and prices at Cave House are equitable.

Cannot comment on comparable dining-room prices charged at Busselton or Margaret River.

TOURISM.

Fostering in Albany District.

Mr. HALL asked the Minister for Mines:

Will he have movie films taken of Albany and all towns and items of interest in the Albany region, for the purpose of fostering tourist trade in that area?

The MINISTER replied:

No action in this connection is at present contemplated, but the matter will be examined if, and when, funds become available.

WESTERN AUSTRALIAN WINES.

Cost of Gift Packs.

Mr. NORTON asked the Minister for Agriculture:

(1) Is he aware that a well-known brand of wine which is selling in Perth at 5s. 6d. per bottle, when delivered to a person in England in a gift pack, costs the sender in Australia 27s.?

(2) Will he give the House the details of how this extra amount is made up?

(3) As this gift pack service is an excellent medium for advertising, will he take steps to see if this cost can be reduced?

The MINISTER replied:

(1) The gift pack bottle of wine for England which costs the sender 27s. is a special flor sherry which retails in Perth for 15s. per bottle.

(2) Packaging, freight, plus a duty of 6s. 8d. per bottle, brings the cost to 27s. for which delivery is made anywhere in the British Isles.

(3) Cheaper gift packs are available. A parcel of six bottles of various wines can be sent at a cost of £4 3s.

NORTH-WEST.

Deep Water Port, Derby.

Mr. COURT asked the Minister representing the Minister for the North-West:

Will the announcement of the plans of Air Beef Pty. Ltd. to develop a cattle-

killing and freezing centre at Derby, influence the early development by the State of a deep water port in that area without awaiting Commonwealth assistance?

The PREMIER replied:

A request for Commonwealth assistance to provide a deep-water jetty at Derby was presented to the Rt. Hon. the Prime Minister by an all-party parliamentary committee over two years ago.

No advice has since been received concerning the Commonwealth Government's attitude towards the request.

As the cost is estimated to exceed £1,500,000, the State is not financially able to undertake the project and at the same time continue progress with other urgent developmental works.

FREMANTLE RAILWAY BRIDGE.

Divergent Reports of Engineers.

Hon. J. B. SLEEMAN asked the Minister for Works:

(1) Does he agree with the report of Messrs. Dumas and Brisbane which says—

> We recommend a new railway bridge being constructed below the existing highway bridge, and approximately as shown on Sir Alexander Gibb & Partners' plan 3080/20 and that the bridge be built as far as possible of timber, the piles being protected to have a life of fifty years?

(2) Is he aware that Sir Alexander Gibb was instructed by Mr. Dumas that the railway bridge would be regarded as a temporary one with a life of some twenty-five years or more?

(3) Is he aware that Sir Alexander Gibb simply brought down a plan as per instructions for site, but did not agree with a structure as recommended by Messrs. Dumas and Brisbane, and also stated that before making a definite recommendation they should require to have the condition underlying the river bed confirmed by means of trial bores?

(4) Is he aware that he also stated that with the railway bridge located on the downstream side of the road bridge, the working space behind the quay for the third berth would be so restricted as to impair efficiency?

(5) Is he also aware that Colonel Tydeman, in para. 187, Vol 2, of his report says—

> Upriver schemes must not be cramped in outlook. Adequate land for efficient berths and port operations must be included. Existing berths operate with restricted land at consequent low efficiency. In such condition greater capital cost per ton of cargo is involved. Similar lay-out must not be repeated further upupstream?

The PREMIER (for the Minister for Works) replied:

I am conversant with the reports referred to by the hon. member and it is not unusual that, because of differences of opinion, there are some apparent contradictions.

The question of harbour development in association with a rail crossing is at present under consideration in the light of present day requirements and with a view to meeting future needs.

The hon. member may be assured that the expressed opinions of all contemporary engineers are being carefully weighed.

W.A. TRANSPORT BOARD.

(a) Log Book System.

Mr. COURT (without notice) asked the Minister for Transport:

With reference to the Press report this morning of log books for transport drivers, will an amendment of the Act be necessary or can this be introduced by regulation or by a purely administrative decision of the Transport Board?

The MINISTER replied:

The State Transport Co-ordination Act already provides that there shall be a limitation on the hours which the driver of a commercial goods vehicle can be at the wheel. From memory, it is a total of 11 hours in a period of 24 hours, and a stretch of no longer than five hours without a break.

In order to give effect to that provision, it is proposed that this system of log books shall be instituted so that the appropriate authority, the Transport Board, can have some knowledge of what is being done in respect of driving of vehicles which, of course, becomes an important consideration in view of the many persons who will be engaged on contracts for road haulage of grain, superphosphate, etc. in certain areas affected by the cessation of rail operations.

I think it will be agreed that apart from the matter of working conditions, there is also the important matter of the safety factor. In other words, a person in control of a heavy haulage vehicle for unduly long periods without necessary breaks can be a very definite traffic hazard.

(b) Knowledge of Requirement by Tenderers.

Mr. ACKLAND (without notice) asked the Minister for Transport:

When tenders were called for the contract of carting wheat and superphosphate and other things in the areas where the railways have been closed, did the tenderers have any knowledge that this restriction would be introduced?

The MINISTER replied:

I should say not, in very much the same way, as they had no knowledge that the Federal Government contemplated a charge of 1s. per gallon on the oil fuel they will be using.

(c) Statutory Authority for Log Books.

Mr. COURT (without notice) asked the Minister for Transport:

I could not gather from his answer whether the log book required by the Transport Board can be implemented under present powers or whether an amendment to the regulations or to the Act will be necessary. I appreciate his reference to the powers of the board in respect of hours, but the specific question I wanted answered was in connection with the log book itself?

The MINISTER replied:

My advice is that no amending legislation is necessary to give effect to the announcement.

(d) Application of System.

Hon. A. F. WATTS (without notice) asked the Minister for Transport:

Does he know, or can he state whether it is proposed that these log books should be kept not only by persons who are known as road hauliers, but also by persons running commercial goods vehicles, privately owned?

The MINISTER replied:

I am afraid I am unable to grasp the information which the hon. member seeks, because all the vehicles would be privately owned. I do not know whether he desires information with regard to owner-driver vehicles as against one who is a driver in the employ of somebody else.

Hon. A. F. Watts: Put it that way if you will.

The MINISTER: I should say that the owner-driver may be in a different category. Perhaps I should mention that the genesis of these proposals is to ensure that there will not be a breaking down of working conditions. Those who are employed in the railway service are, of course, subject to awards and agreements relating to working hours and all the rest of it. I think it would be a move in the wrong direction if, in certain parts, the existing set-up were to be departed from and the people who are engaged on transport, albeit a different form, have no regard whatsoever to working hours and conditions generally. If the Leader of the Country Party desires further detailed and specific information, I would ask him to place his question on the notice paper.

LICENSING COURT.

Report of Chairman.

Mr. CROMMELIN (without notice) asked the Minister for Justice:

Can he inform me when the report of the chairman of the Licensing Court will be available?

The MINISTER replied:

No, not offhand. I will get the information for the hon. member.

LEIGHTON BEACH.

Schemes for Future Use.

Mr. ROSS HUTCHINSON (without notice) asked the Premier:

In regard to the future of Leighton Beach, is he yet able to give any report of the rival schemes of the North Fremantle Council or of the Fremantle Harbour Trust.

The PREMIER replied:

No, not at this stage. The whole question is being investigated by appropriate officers of the Public Works Department. As soon as a report is made available to me by the Minister for Works, I will pass on the information to the hon. member.

BILL—STATE TRANSPORT CO-ORDINATION ACT AMENDMENT (No. 2).

Third Reading.

THE MINISTER FOR TRANSPORT (Hon. H. E. Graham—East Perth) [4.47]: I move—

> That the Bill be now read a third time.

MR. COURT (Nedlands) [4.48]: I rise to oppose briefly the third reading of this measure. The House is well-informed now on the views of the Opposition on this particular piece of legislation and I have no intention, neither have those who sit with me here, of delaying the matter unduly or unfairly, this being private members' day. However, it is important that we should take this final opportunity whilst the Bill is at the third reading stage, of registering emphatically our objection to the measure.

The legislation is restrictive in character. We feel it does not acknowledge the role of modern road transport; and what is more, it strikes a blow at a section of the community which badly needs the present privileges it has under the existing legislation—a section of the community which normally labours under considerable disadvantages compared with the people in

the metropolitan area; a section which is deprived in many ways of the amenities that are enjoyed in the metropolitan area.

The Minister for Transport: The majority of the people in the country districts do not have the concessions at the present time. It is only the primary producers.

Mr. COURT: If he likes to confine it to the primary producers as a separate section of the community, I have no quarrel with the Minister.

The Minister for Transport: That is the statute, not the Minister.

Mr. COURT: I was, in fact, meaning to refer to precisely those people—the primary producing section of the community—and if the Minister would prefer me to be more explicit on the point, I will confine myself to that reference, the primary producing section. It cannot be denied that the convenience factor of road transport to the primary producer is important—not convenience in the ordinary way of their personal comfort but as a method of carrying on their genuine business.

In some cases it could be proved beyond doubt that the cost of using road transport would be greater than the cost of the service provided by the railways; but having regard for all the circumstances, particularly in moving livestock, there is no doubt they have decided over the years that road transport is a vital part of their business. The figures that have been given officially by the Minister in connection with the transport of livestock by road and by rail, demonstrate conclusively that the considered opinion of the primary producer, after weighing up the merits of both forms of transport, is in favour of road transport, particularly for that type of freight. Road transport has many advantages apart from the fact that the primary producer can regulate the time of delivery of his livestock. He can also have a greater degree of control over its condition; and it is axiomatic that if livestock arrives at the market at the right time and in the best possible condition, it brings a higher yield which, almost without exception, would offset any possible saving in freight had rail transport been used.

A further point in connection with this legislation is the fact that it hits at yet another section of the community—the beekeepers. For some reason or other, they have been picked out for special treatment. The beekeeping industry is one with peculiar conditions which we cannot afford to ignore. It is an industry which has, in a most commendable way, built up an important section of the State's exports, and I think it is an industry that should be encouraged. There are certain practical difficulties as to why they must be given the privilege of road transport, but for some reason they have been selected by the Government to be the subject of special legislation.

The Bill is sectional and it has selected them for special treatment. I cannot imagine that the freight they would produce for the railways would be very considerable; and even if it were, it would be unimportant compared to the contribution that the industry is making to the State. The Bill contains further provisions which directly hit at the timber industry; provisions which, if I read them aright—and the Minister has done nothing to allay my fears during the debate—would have a reaction in respect of unemployment. For some reason, the timber industry has been selected, and I think in a manner which is unrealistic and does not allow for the practical difficulties surrounding the operations of some mills.

As I said during my second reading speech, one of the biggest concerns of the Opposition is the state of mind that the Bill indicates. It is restrictive, and, apart from what has been brought down in the legislation itself, there is no doubt that it is the Government's intention to tighten up the administration of the existing powers possessed under the State Transport Co-ordination Act. During the debate, particularly during the Committee stages, the Minister tried to give the impression that this was not going to be implemented as harshly as we thought. We are not entitled to assume that the board, once the power becomes law, will administer it in any soft manner.

If the board is going to administer the legislation in a soft and weak manner, why does it want the amendments? It is all in the state of mind. When restrictions are brought down, greater powers are sought for inspectors, and industries are singled out for special treatment under the Bill, it follows that the Government of the day wants further control and it is going to tighten up on its administration. An Act alone does not achieve much; it is the administration and implementation of the law which achieves or fails to achieve, as the case may be, the objects of the Government. The Minister, during the Committee stages, endeavoured to create the impression that we were reading much more into the legislation than it contains. I do not think we are. I think we are entitled to assume that this brings in a new era of administration so far as road transport is concerned, particularly with respect to primary producers.

We are firmly of the opinion that the legislation will not achieve the Government's objective. It is obviously intended to force freight on to the railways, but all it will do is to breed discontent and resentment. I do not think it will force as much freight on the railways as the

Government thinks, even if the Government sends out four times the number of inspectors with four times the power they have at present. The Bill is aimed at creating a monopoly and in this regard alone it is undesirable. It also has the effect of being a double-headed penny because if the Government does manage to force all the freight on the railways, it will leave the position wide open for an increase in freights.

It has been argued that the Government would claim that the defeat of this measure would force it to increase freights. On the other hand, I am equally sure that if the Government gets the Bill through, the legislation will be used as a weapon to increase freights, because people will not have any alternative. They will have to use the railway whether they like it or not. For these reasons and those given during a long debate on the Bill, I record the protest on this side of the House against the measure, and oppose the third reading.

HON. A. F. WATTS (Stirling) [4.58]: Nothing has transpired during the course of the debate on the Bill that has induced me to change the opinion I originally expressed, that it should not be passed. I feel that there is an entirely wrong conception on the part of the Government of the situation that exists, and, in my opinion, is likely to continue to exist or to arise under the measure if it becomes law. The situation, as I see it, is that the Bill is likely to prejudice most of all the people who have to transport their goods over the longest distances.

On more than one occasion I have stated, and I can only repeat it now, that a number of those people have already been sufficiently handicapped by the closure of a number of railway lines because, in the great bulk of instances, the sections of railway that have been closed are those that are furthest from the seaboard. If there is one thing more than another that would become more and more necessary each day, so far as the people in the country districts are concerned, it is the means to keep down the cost of production and the cost of living. As a result of the legislation, in my opinion, so far from people being encouraged to use the railways, there will be a spirit of resentment, as the last speaker said, and there will be greater efforts made by any and every means to refrain from using the railways.

The Minister opened up one channel last evening when he referred to Section 33 of the State Transport Co-ordination Act in that little discussion we had on the question of domestic supplies which could, among other things, have that very effect. I am of the opinion, and I would ask the Government to give consideration to this matter, that the quickest and best way of encouraging the use of the railways to the fullest possible extent, is to find some means whereby the freight on the railways may be equalised.

As I see it, one of the greatest problems in this country at present is to maintain and, if possible, increase the population and development in the areas away from the seaboard. To do that, a considerable amount of encouragement has to be given to people to go out and remain in those areas. However, without any question there is, in many cases, an absence of amenities, a considerable degree of isolation and a great deal of hardship. Notwithstanding the many improvements that are available as compared with, perhaps, 100 years ago, there are still a great many cases of hardship in these outer areas. Those people, particularly the farmers and pastoralists, are producing their products under greater difficulties than those who are nearer in, and are able to obtain no more for their products than any other producer, and, in addition, are compelled to pay considerably greater costs in order to get them to market.

I have previously stated here, and I repeat now, that there is every indication that the gap between production costs and product prices is steadily closing. It appeared in one aspect that that situation had been postponed—and that was in relation to the greatly improved prices for wool that were realised last year as against those that were realised a year or so before. But it will have been noticed that in more recent times the position has changed and instead of there being any accretion in prices, there has been a substantial reduction and evidence that that reduction is likely to continue. In consequence, in that item alone, and in the other major exporting industry of wheat, the problem of the closing gap between product prices and production costs is becoming more evident every day.

The only way in which we have any hope of getting the people to go out and remain in the various outer areas of the State is to make opportunities for them there as attractive as possible. That will not be done by increasing in any way the costs they have to bear. It seems to me that it would be a worth-while proposition if, instead of bringing this Bill before Parliament at the present stage, the Government had first undertaken some public form of inquiry to which I am sure, if they were given the opportunity, members of this House would have been willing to contribute.

On the question of what can be done to see that there is no handicap, particularly in the way of transport costs, imposed upon persons who go out into the further areas of Western Australia, I do not say it would be possible immediately to make equal the costs for all distances on all transport; but I am convinced that

something could be done in that direction and probably in quite a substantial way. I am convinced also that that would achieve far greater support and encouragement for the railway system in this State than any legislation such as this, or any proposal such as we have been discussing over the last eight or nine months. But nothing has been attempted in that direction. No specific action has yet been taken to ensure greater satisfaction to the users of the railways in the many aspects that have been referred to here from time to time.

All that is suggested, as the Deputy Leader of the Opposition has just explained, is more restrictive legislation. It did not apeal to me yesterday, nor last week; and it does not appeal to me today unless it has been definitely established that there is no other remedy—and that certainly has not been established—because, as I have said, I know of no effort that has made to find any other remedy commensurate not only with the problems of the railways but also with the problems of many of those people who have to use them, to which problems I have just been referring. I have no option but to oppose the third reading.

MR. ACKLAND (Moore) [5.7]: I have no intention of stonewalling this Bill and I intend to speak for only two or three minutes. I want to protest once again about the introduction of this measure. Neither of the previous speakers, my own leader or the Deputy Leader of the Liberal Party has mentioned the matter which I shall refer to now. Members should realise that the introduction of this amendment to the State Transport Co-ordination Act is the result of a promise made by the Premier to a union which was talking of disaffiliation.

The Premier: That is not true.

Mr. ACKLAND: That is what we read in the daily Press.

The Premier: That is not true, and you have been told before that it is not true.

Mr. ACKLAND: I have never seen the statement contradicted in the Press. "The West Australian" made it quite clear that a very influential trade union had gone to the Premier and because it did not agree to the closure of 842 miles of railway line, its members were talking of disaffiliation.

The Premier: It has been contradicted in this House before.

Mr. ACKLAND: I have not seen any contradiction of it in the Press.

The Premier: The hon. member did not want to see it.

Several members interjected.

The SPEAKER: Order!

Mr. ACKLAND: The second point I want to discuss concerns an item that appeared in this morning's issue of "The West Australian" where it says, "Drivers to Keep Log of Hours" and it goes on to state—

> The Transport Board has decided to introduce a log book system requiring commercial road transport drivers to record daily hours of driving. This is intended to reduce competition with railway services.

Then there is a reference to the A.L.P. by the Locomotive Drivers' Union. I believe that the railways can compete with any form of road transport if the department sets out to give service, particularly to those 100 miles beyond the terminal.

Mr. O'Brien: They will not patronise the railways.

Mr. ACKLAND: I am dealing with distances over 100 miles. If the Commonwealth Government can do it—and that Government did it and practically wiped out road transport competition—I believe we can do the same thing by adopting its attitude, realising that we have to go out and look for business and give service. The Railway Department in Western Australia could do exactly the same thing as has been done in other States. I do not intend to make a lengthy speech but I want to enter an emphatic protest on what I believe is a further restriction imposed on the people. This legislation is another step towards a police State and it is merely to give effect to a promise made to one of the strongest labour unions.

The Premier: You are pretty good at trading lies throughout the country.

THE MINISTER FOR TRANSPORT (Hon. H. E. Graham—East Perth—in reply) [5.10]: Firstly, I wish to comment that it is more than passing strange that the member for Moore was able to find a newspaper cutting of some months back but was not able to get a cutting from a newspaper of more recent date wherein the Premier denied the statement which the hon. member has just made.

The Premier: The member for Moore would rather go through the country telling lies about it than correct the statement.

The MINISTER FOR TRANSPORT: Perhaps it is understandable because the member for Moore was not in the Chamber listening to the debate and did not hear the Premier give a flat denial to such an assertion; but within the past couple of weeks that denial has appeared in the morning newspaper. Apparently, the hon. member did not see that because he did not choose to see it.

The Premier: That is right.

The MINISTER FOR TRANSPORT: As he has libelled and defamed all sorts of people in this Chamber, he apparently chooses to do the same thing on this occasion.

The Minister for Mines: He deals in the sewer always.

The MINISTER FOR TRANSPORT: Others might agree with that observation, too.

The Premier: The member for Avon Valley had him summed up fairly well, I thought.

The MINISTER FOR TRANSPORT: As regards the remarks of the Deputy Leader of the Opposition, he was reasonably right when he stated that the intention was to force more freight on to the railway system. I think I indicated, and surely it should be obvious to everyone, that the railway finances have assumed such alarming proportions that strong action is necessary not in one but in quite a number of different directions. Members will recall I pointed out that this financial year £1,250,000 worth of public works will not be done because of the necessity to fund a deficit which was contributed to in such large measure by the operations of our railway system.

Mr. Andrew: They don't care.

The MINISTER FOR TRANSPORT: It is not a question of anyone's philosophy in connection with this matter; it is a question of what is required and what must be done in the interests of the State.

Mr. Bovell: What has the Government done to effect economies in the railway system?

The MINISTER FOR TRANSPORT: Apparently no matter what is said from this side of the House, it is impossible for it to penetrate the minds of certain people on the other side. On three different occasions in this Chamber I have indicated that there are approximately 500 fewer railway employees today than there were last December, including one railway commissioner. Without going any further, I think that answers the interjection.

Might I say that I have been amazed at the weakness of and the lack of argument, or complete lack of understanding, of the existing legislation displayed by practically every member of the Opposition who has spoken to the Bill. We had another example of it this afternoon from no less a person than the Deputy Leader of the Opposition. He asks, "Why has the Government chosen to make special reference to certain interests, the primary producers, the beekeepers and the rest of them?" It is for the very obvious reason that in the schedule to the State Transport Co-ordination Act, special reference is made to those interests and they receive special consideration. After the passage of this Bill, they will still receive special dispensations which are enjoyed by no other section of the community.

Mr. Court: But not to the same extent as they do now.

The MINISTER FOR TRANSPORT: That is perfectly true.

Mr. Court: You are not arguing that you are maintaining the status quo.

The MINISTER FOR TRANSPORT: If the status quo was being maintained, there would surely have been no Bill.

Mr. Court: That is what I was trying to tell you. Apparently, I had not made myself clear.

The MINISTER FOR TRANSPORT: I trust and hope that I shall say this for the last time: There is one section of the community enjoying these concessions which no other section of the community enjoys. They are substantial concessions. What this Bill does is to reduce to some small degree the concessions they have enjoyed for so long, because of the particular circumstances facing the railways and the State of Western Australia.

Mr. Court: You are getting down to the fundamental difference of approach between yourself and myself, representing opposite sides of the House.

The MINISTER FOR TRANSPORT: We had something of this before. It appears that every step this Government takes to shape up to the railway system, its operation, administration and the rest, is the wrong one, or it is wrongly timed, or it has been applied in the wrong place.

Mr. I. W. Manning: Certainly the wrong place here.

The MINISTER FOR TRANSPORT: That is a matter of opinion and the member for Harvey's opinion on this matter would influence nobody. As long as there are special favours being handed out to his special people for his special personal interests, namely, to keep him in Parliament he is satisfied; that is his primary consideration. I stated on a previous occasion that there comes a time surely, so far as all of us are concerned, when we have to be big enough to realise there is a State of Western Australia, and that certain action is necessary in the interests of the State. In the course of doing things for our State, it is inevitable that there will be inconveniences, and perhaps burdens imposed upon the people of the State, or certain sections of them.

Mr. Ackland: What about reducing the coaching traffic in the metropolitan area?

The MINISTER FOR TRANSPORT: What about the hon. member encouraging some of his friends and fellow farmers to use some of the unused 50 per cent. of stock coaching?

Mr. Ackland: If the Government gave service, they would be glad to use that coaching stock. They would by far prefer to use it than road transport.

The MINISTER FOR TRANSPORT: It appears that it will be necessary for me to give a complete rehash of my second reading speech and some of my lengthy contributions during the Committee stage, but I do not intend to do that.

Mr. Court: Don't you think that the objects of this Bill could have been achieved by a keener advocacy for business by the railways through sheer efficiency, or something of that nature?

The MINISTER FOR TRANSPORT: Let me drive this point home. When we talk of efficiency, and of the railways being run on an economic basis and on more businesslike lines, as I said the other evening it would be necessary to practically double the freight on bulk commodities that are hauled in many cases, but with particular reference to those affecting the primary producers.

Mr. Court: Doubling the freights will not increase efficiency. It will only increase the revenue.

The MINISTER FOR TRANSPORT: There is no business firm with which the hon. member is associated, either directly or indirectly, which has continued for years to sell, or intends in the future to sell, its goods or its services at less than the cost of production or operation. We know it is the procedure in business when there is additional cost, be it basic wage adjustment or anything else, that there is an automatic upward adjustment of the price of goods or services.

Mr. Court: Not necessarily.

The MINISTER FOR TRANSPORT: Not necessarily, but almost invariably.

The Premier: It would be a great help to the State if the member for Nedlands were to sell his ideas in this regard to the oil companies and induce them to sell their products at half price.

The MINISTER FOR TRANSPORT: If the State were receiving in the vicinity of 6d. per ton mile in freight for grain and superphosphate, which incidentally is what private enterprise is charging for the cartage of freight on roads provided by the taxpayers generally and not by themselves, then the railways might be able to pay their way.

Mr. Ackland: Are you going to apply the same to fares in the metropolitan area if freights are to be increased?

The MINISTER FOR TRANSPORT: We will deal with one matter at a time.

Mr. Bovell: The petrol tax pays for the roads.

The MINISTER FOR TRANSPORT: The hon. member should know perfectly well that road hauliers do not use petrol, and therefore they do not make any contribution towards the upkeep of the roads; and that before the last session of Parliament, they were not making anything near their just contribution for motor-vehicle registration. He should know that of the motor-vehicle registration fees collected by the great majority of local authorities, and of the petrol tax received, a great portion of it is used for building cycling tracks, halls and swimming pools; it does not go back into the roads.

Mr. Bovell: It still does not alter the fact that the petrol tax maintains the roads, whether the hauliers pay that tax or not.

The MINISTER FOR TRANSPORT: The point is that those who use the roads for the haulage of goods do not pay for the upkeep of the track.

Hon. A. F. Watts: The road hauliers will soon be paying with the increase in diesel fuel price.

The MINISTER FOR TRANSPORT: Anything might happen in the future. I am talking of the present. The railway does not have its track provided by outside sources. It is compelled to carry the burden in connection with track construction and maintenance.

Mr. Bovell: The taxpayers generally pay for the track.

The MINISTER FOR TRANSPORT: That may be so, and that is one of the reasons for introducing this Bill, so that the taxpayers will not be called upon to pay so much, and the road users will be called upon to pay more.

Mr. Roberts: Do not road services pay licence fees?

The MINISTER FOR TRANSPORT: What that has to do with compelling a greater use of the railways, I do not know. Perhaps the hon. member had better go back to sleep again.

Mr. Roberts: Just answer the question.

The MINISTER FOR TRANSPORT: The Leader of the Country Party has used a double-headed penny. He made a statement in this House that so far as he is concerned not one single mile of railway line is to be closed, and not one mile of existing railway services is to be discontinued; yet at the same time, whilst he is urging the Government to keep the railways in existence, he wants the charter for primary producers to have the railway passing their properties and yet to be permitted to use some other form of transport. I listened intently to what he had to say, and there was a great deal of substance in it with regard to the burden of the cost, particularly on the farmer who is at a great distance from the port, the seaboard or the point of his market, and also from the point where he purchases the goods he requires both

for his personal use and for his operations. There is nothing new in connection with that aspect. There has been a general recognition of that position by Governments, both Federal and State, for the reason that certain special dispensations have been granted which, incidentally, will still be the case with the passage of this Bill.

As is known, no doubt, with regard to shipping, in respect of vessels calling at Fremantle no wharfage charges are paid by farmers on the export of their wheat. Certain costs are involved, but they are borne by somebody else and not by them. However, every item that the worker, for instance, buys in the shop that comes into the State by ships, pays a contribution to the wharf charges. I am not arguing the rights and wrongs of that. I am indicating that there is sympathetic treatment given to primary producers.

There is an arrangement for the cartage of primary products by rail which costs the finances of the railways a considerable sum. That is the scheme known as telescopic freight rates which has been designed to help the person who is at some distance from the point to which his goods are to be railed. If he is at any considerable distance from the port or point of delivery, he pays a minute fraction of the cost of the services for the latter portion of the journey. In this and in may other ways, special consideration has been given to primary producers. If they are beset by codling moth in certain areas, by drought in others, or by bushfires in others, the State, and on occasions the Commonwealth, has come almost immediately to their aid.

But let any group of traders in the towns or in the metropolitan area fall upon difficult time; it will not be found that as a regular practice, Governments, either Federal or State, come to their aid. The ups and downs of being in business on one's own account are risks which are inescapable, but because of the nature of primary industry and because of its importance, Governments have done the things that I have mentioned. The fact remains that Governments have done these things, are still doing them, and no doubt in future will continue doing them.

Mr. Bovell: Governments do not give that aid for the benefit of the individual but the industry.

The MINISTER FOR TRANSPORT: What is industry, if it is not an assembly of individuals engaged in a particular pursuit? In other words, the benefit goes to the individual, and through him to the industry. But it is the individual to whom these concessions are granted. I feel this is hardly the time or place to expound, or expand in connection with this matter. It was raised by the Leader of the Country Party. I feel that the terms of this Bill are in conformity with the general concept that he has put forward, because if this Bill becomes law, I repeat, as I resume my seat, that the primary producers will still be in a more favourable position than any other section of the community.

Mr. Bovell: That is not so.

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

Ayes	24
Noes	17
Majority for	7

Ayes.

Mr. Andrew	Mr. Lapham
Mr. Evans	Mr. Lawrence
Mr. Gaffy	Mr. Marshall
Mr. Graham	Mr. Moir
Mr. Hall	Mr. Norton
Mr. Hawke	Mr. Nulsen
Mr. Heal	Mr. O'Brien
Mr. W. Hegney	Mr. Rhatigan
Mr. Hoar	Mr. Rodoreda
Mr. Jamieson	Mr. Sleeman
Mr. Johnson	Mr. Toms
Mr. Kelly	Mr. May *(Teller.)*

Noes.

Mr. Ackland	Sir Ross McLarty
Mr. Bovell	Mr. Nalder
Mr. Court	Mr. Owen
Mr. Crommelin	Mr. Roberts
Mr. Grayden	Mr. Thorn
Mr. Hearman	Mr. Watts
Mr. Hutchinson	Mr. Wild
Mr. Mann	Mr. I. Manning
Mr. W. Manning	*(Teller.)*

Pairs.

Ayes.	Noes.
Mr. Tonkin	Mr. Cornell
Mr. Brady	Mr. Perkins
Mr. Potter	Mr. Brand
Mr. Sewell	Mr. Oldfield

Question thus passed.

Bill read a third time and transmitted to the Council.

BILL—INTERPRETATION ACT AMENDMENT (No. 2).

Second Reading.

Debate resumed from the 21st August.

THE MINISTER FOR JUSTICE (Hon. E. Nulsen—Eyre) [5.32]: I am sorry the member for Mt. Lawley is not here to listen to my opposition to the Bill. I understand he is suffering from influenza. The Bill proposes to amend Section 36 of the Interpretation Act, and it is a dangerous measure. It proposes to allow either House of Parliament at any time to disallow, amend, vary or substitute any regulation, rule or by-law or any part thereof whenever it is made. Members will see that that is a contentious proposal; and it has a retrospective effect.

Under the existing Subsection (2) of Section 36, either House of Parliament may disallow any such regulation only where notice of motion for such disallowance has been moved within 14 sitting days of the House after the tabling of the regulation. Neither House has power by itself to

amend or vary a regulation. If, however, the Bill became law, either House could by unilateral action disallow, amend or vary any rule, regulation or by-law, no matter when it was made.

I know that the member for Mt. Lawley is sincere in his effort to do something to help in regard to regulations being wholly disallowed. But this measure, being retrospective, would make it possible for either House to go back 50 or 60 years and to amend, vary or disallow regulations, without the concurrence of the other House. Thus the Legislative Council could amend, vary or disallow altogether any regulation, contrary to the wishes of the Legislative Assembly. Members will see how dangerous that could be.

It must be remembered, too that if the Bill becomes law it will come into effect immediatedly, and the Government will not have the same means of adjustment. I have here a legal opinion on the matter and I propose to read it to members.

Hon. J. B. Sleeman: Legal men often differ.

The MINISTER FOR JUSTICE: That may be so. I know that the member for Fremantle is not in accord with regulations. I would point out to him, however, that if we did not have regulations, it would be almost impossible to carry on administrative work, because everything that is now done by regulation would have to be done under the provisions of an Act. It will be plain to anyone with any commonsense what the effect would be. I am not saying that the member for Fremantle has not commonsense; he probably has more than I have myself.

Hon. J. B. Sleeman: Hear, hear!

The MINISTER FOR JUSTICE: I would not like to reflect on the intellect of the hon. member in any way.

Mr. Court: Are you opposing any variation of the present system of dealing with regulations?

The MINISTER FOR JUSTICE: Yes, unless we can have something better than is provided by this Bill. I am opposed to anything retrospective and to either House varying or amending any regulation without placing it on the Table of the House.

The Premier: That is legislation by one House of Parliament, in effect.

The MINISTER FOR JUSTICE: Yes; and it becomes law immediately.

The Premier: It is dangerous.

The MINISTER FOR JUSTICE: We can see what would happen at present. The Opposition would have all its own way in another place with regard to regulations.

Mr. Court: They can disallow regulations now.

The Premier: They cannot make them.

The MINISTER FOR JUSTICE: No; and they cannot vary them.

Mr. Court: But they can disallow them completely.

The MINISTER FOR JUSTICE: Yes; but the Government then has the right to provide other regulations which would be in force until the House reassembled. This is the legal opinion that has been given to me—

> The apparent purpose of the Bill is to enable either House of Parliament at any time to disallow, amend, vary or substitute any regulation, rule or by-law or any part thereof, whenever it was made.
>
> 2. Under the existing subsection (2) of s. 36 of the Act, either House of Parliament may disallow any such regulation etc., but—
>
> (a) only where the notice of the resolution has been given within fourteen sitting days of the House after such regulation has been laid before it and
>
> (b) neither House has power by itself to amend or vary.
>
> 3. If the Bill became law, either House could, by unilateral action disallow, amend or vary any regulation, rule or by-law no matter when it was made and notwithstanding that, with the approval of both Houses of Parliament, it may have been in existence for many years.
>
> 4. The reference to "such regulation" in the third line of the new paragraph (a) to the proposed new subsection (2) must be a reference to a regulation which has been duly made, published in the Gazette and laid before each House. Paragraph (a) therefore would not apply to a regulation which has been amended, varied or substituted by either House of Parliament, unless there is something else in the Bill to make it apply. It is noticed that subparagraph (iii) requires that a substituted regulation "shall thereupon take effect in place of that for which it is so substituted" and it might be argued therefore—
>
> (a) that the substituted regulation shall take effect as if it were a regulation made by the Governor, gazetted and duly tabled, and
>
> (b) that therefore the paragraph has a retrospective operation.
>
> Courts lean against construing any law so as to give it a retrospective operation, and, in my opinion, would be particularly reluctant to do so where the retrospective operation may cover a period of many years, even over fifty years. Neverthless, in the case of a substituted regulation, the

Court may be anxious to infer a power in the other House of Parliament in turn to disallow, amend or vary the substituted regulation. Therefore, the point is open to considerable doubt and argument.

5. It is noticed however that subparagraph (ii) of the proposed new subsection (2) (a) simply requires that a regulation which has been amended or varied "shall thereupon take effect as so amended or varied," and there are no additional words to suggest that the regulation as so amended or varied will take effect in place of the regulation which has been amended or varied. Therefore it is difficult to see how a court could construe this subparagraph as having either a retrospective operation or as enabling the other House of Parliament in turn to disallow, amend or vary it. In my opinion a regulation amended or varied under the Bill would take effect as so amended or varied without power in either House of Parliament subsequently to disallow, amend or vary it. It is not certain whether the reference in paragraph (b) of the proposed new subsection (2) to "any such regulation" is a reference to a substituted, varied or amended regulation or to a regulation as referred to in subsection (1), but for several reasons I think that the reference must (as in paragraph (a)) be to a regulation as referred to in subsection (1). There is therefore no provision for tabling the substituted or amended regulation.

6. A regulation amended, varied or substituted under the Bill, if it became an Act, would take effect as so amended, varied or substituted immediately upon the passing of the resolution by the House. There may be some delay between the date of such passing and the date of the gazetting of the resolution. This could lead to confusion and uncertainty in the interim. It is submitted that while it is proper that a disallowed regulation should cease to have effect as from the date of the resolution disallowing it, nevertheless a regulation amended, varied or substituted so as to be a positive law should not be allowed to have legal effect unless and until formally promulgated in some way, e.g., by notice in the Gazette.

7. If the Bill should become law, then, whenever the Government of the day is in a minority in the Legislative Council, the latter House could, at any time, resolve to substitute regulations for existing regulations and thereupon the substituted regulations would have effect, at any rate unless and until the Government should take the necessary action to override the substituted regulations. The Legislative Council would thus have the power to bring into being regulations which would have the force of law without the concurrence of, and in fact contrary to the wishes of the Legislative Assembly and of the Government of the day.

8. Turning to the second reading speech of Mr. Oldfield, he states that "we have one or two instances before us at the moment where a whole heap of regulations must needs be disallowed because of a few objectionable features." Perhaps Mr. Oldfield is referring to the two sets of Uniform General By-laws regarding buildings published in the Gazette on the 5th June. However, although each set of those by-laws consists of over 500 paragraphs, those paragraphs are treated as comprising only the one by-law.

Paragraph one, which is the definition paragraph, in each set commences "In this uniform building by-law," singular. Paragraphs 4, 5 and 6 each refer to "this by-law." Paragraph 7 in each set commences "Wherever in this by-law British or Australian Standard Specifications are mentioned for use, the latest revision of these Specifications shall in each case apply." It is obvious that each of these references to "this by-law" is intended to refer not merely to the one paragraph in which the expression occurs, but wherever applicable in the remainder of the five hundred-odd paragraphs. Of course this may have been done deliberately so that each House of Parliament must accept or reject all paragraphs in toto. If however each paragraph had been expressed as a separate by-law, then in my opinion either House could have disallowed any one or more of particular paragraphs without disturbing the remainder.

The Member for Mt. Lawley states, "It is not until a regulation has been in force for some time and an anomaly arises, that we become aware of what we have agreed to." The various checks on abuse of legislative powers given by Parliament to subordinate bodies are set out in my minute to you dated 11th May, 1954 on C.L.D. 2486/54.

Section 9 of the Reprinting of Regulations Act, 1954 states that "This Act applies only to regulations which at the time of the reprinting thereof are no longer subject to disallowance under s. 36 of the Interpretation Act, 1918 or under any provision of the Act by virtue of which the regulations were made." Therefore when regulations are reprinted under that Act, there is a degree of

certainty about them which continues unless and until amending or repealing regulations are duly made and published. If the Bill should become law, no further reprints could be made under the Reprinting of Regulations Act, and no one could safely rely upon any existing reprinted regulations without first checking the records of each House to see whether or not there had been any amendment, variation or substitution approved by either House.

Hon. A. F. Watts: That is a very poor argument.

The MINISTER FOR JUSTICE: It may be, but, on the other hand, it is a poor argument for Parliament not to have regulations when it has the privilege to check them. The hon. member was a Minister of the Crown and knows that it is almost impossible for a Government to carry on without some regulations. No Parliament in the world does its work and carries on the administration of its State without regulations, rules and by-laws, as the hon. member knows perfectly well.

Hon. A. F. Watts: Perfectly well, nor will this measure compel them to, if passed.

The MINISTER FOR JUSTICE: To continue with the legal opinion—

> The Member for Mt. Lawley states that any member may move to amend legislation and he should therefore be able to move to amend any regulation. However in the case of legislation, even if a member moves an amendment and it is carried in his House, the resolution does not become law unless and until it is approved by the other House. Parliament normally expresses its will in an Act. If either House is given the power to pass resolutions which have the force of positive law, then the present authority of the other House and of the Government would be prejudiced.
>
> The Member for Mt. Lawley refers to the possibility that mistakes might be made in regulations and that it might take some time to rectify that mistake. However, even Acts often require amendment. It is submitted that it is primarily the responsibility of the Government to initiate any necessary correction to any mistake in an Act, regulation, Order in Council or other Executive act. If the Opposition or any private member is dissatisfied with the action or inaction of the Government, he has his remedy in political action, e.g., by introducing a Bill.

I feel that this measure would be very dangerous if it became an Act, although I believe the member for Mt. Lawley brought it forward in good faith. I can see the danger in perhaps mining regulations that have been in existence for years being varied, and we would probably have no redress for the time being, thus bringing about a state of chaos. At present regulations must be disallowed in toto and I would prefer that to a provision that they should be varied or amended and for that action to become immediately operative.

My legal advisers have gone thoroughly into the question and on their advice I think we should give the measure careful consideration. If any member can put forward suitable amendments, we will give consideration to them. After a great deal of thought, I must oppose the Bill as it stands.

HON. A. F. WATTS (Stirling) [5.53]: I congratulate the member for Mt. Lawley on having introduced this Bill, but that is not to say that I agree with the whole of it, and I can subscribe to part of the concluding remarks of the Minister, when he said that if somebody could produce suitable amendments, he might be prepared to have another look at the Bill, or words to that effect. My main objection to the measure is that it would allow regulations to be amended or varied, or other regulations substituted for them, without the decision of both Houses of Parliament. A resolution of both Houses in that regard is, I believe, essential. Do not let it be imagined that I seek to alter the existing position in regard to the disallowance of new regulations by either House as that provision has been in operation since time immemorial and should, I think, remain.

The Minister for Justice: And it has worked very well.

Hon. A. F. WATTS: Reasonably well, I would say. The only difficulty there has been with it in my experience, is that the effect of the regulations has not been clearly discernible until some time after the period during which disallowance can be moved has lapsed, and in consequence the regulation has had to remain in operation unless somebody in authority could be persuaded to alter it, which is infrequently the case. But where regulations are detected as unsatisfactory before the lapse of the time provided by the Interpretation Act for disallowance, action can be, and has been, taken with satisfaction.

But sticking to the point that a resolution of both Houses should be required for the amendment or varying of regulations already made, or substituting another regulation for one already made, I think there is a tremendous lot to be said for it. It is a well-known fact that it is extremely difficult, if not well-nigh impossible, for a Bill to be introduced to

amend a regulation. If we look through the records of both Houses of this Parliament, we will find that no one has ever successfully attempted it.

The Minister for Justice: It can be done.

Hon. A. F. WATTS: Yes, but it is difficult and very rarely tried, and yet a resolution of both Houses of Parliament can amend the parent Act which gave birth to that regulation, if the resolution is presented in the prescribed form, and so there is not the slightest objection, so far as I can see, to both Houses having the power to amend or vary or substitute, provided both Houses have dealt with the matter, because surely the Legislature which can amend or vary the legislation which gave birth to the regulation, should be entitled to amend or vary the regulation itself! Surely there cannot be any sound objection to that, once we accept the postulation that both Houses have to do it! That, I suggest, would dispose of the Minister's major objection to this proposition, that apart from disallowance under the existing formula, there should be a resolution of both Houses. That would cover 75 per cent. of the objection raised by the Minister, and I would suggest that it is not in the least difficult to prepare amendments to this measure which would accomplish that.

I take note also of the point he raised in regard to the fact that after both Houses of Parliament in those circumstances have amended or varied a regulation, there is no provision in the Bill for a formal promulgation of the Act. I understand that when a regulation is disallowed by either House of Parliament, a notice appears in the "Government Gazette" and in consequence the public, to the extent that anybody sees that publication, is made aware of the fact that the regulation has been disallowed.

The Minister for Justice: I am glad you made that point.

Hon. A. F. WATTS: It would be quite easy to provide in this Bill—and I am in this regard somewhat surprised that it was not provided in any event by the draftsman—that notice of the amendment or variation, when passed by both Houses of Parliament, should be put in the "Government Gazette" also, because that is all that the Minister could expect and that is all we get for public information in respect of the disallowance of even 500 regulations. It would not, therefore, be unreasonable to agree that a notification in the "Government Gazette" informing that section of the public which looks at it, that a regulation has been varied or amended, would be satisfactory, and I think it would. I believe there would be no difficulty in preparing an amendment to this Bill to cover that particular aspect of it.

The Minister also referred to the resolution passed in 1954 dealing with reprinting of regulations which could no longer be disallowed under the existing law by Parliament, or either House of Parliament, because the time had expired. I believe that to be perfectly true, and he also said that this provided a degree of certainty in the reprinted regulations, but I will not have that, because these reprinted regulations have been amended so many times, in some cases, since their reprinting, that they bear not the slightest resemblance, if one takes all the extracts from "Government Gazettes" and glues them into the reprint, to the original regulation. It is a sabbath day's journey if not worse, to find one's way through the various amendments.

I took the trouble some time ago to ask the officers of the House to provide me with a copy of the regulations of the Education Department since they were last reprinted. No copy was available. After inquiring in their usual courteous and careful manner, they informed me that since they had been reprinted there were no less than 225 amendments and if I wanted to find my way through them, I would have to go through about 53 "Government Gazettes". I do not think this degree of certainty to which the Minister refers was of any great value in that case, because I have since been obliged with a copy of the said regulations with the various amendments glued into them and, if the Minister would like to see them, they would effectively demonstrate the truth of what I am saying.

We should, I suppose, not worry ourselves much about that. The main point is that the power of Parliament should be supreme in this matter—not one House, but Parliament. I agree with the Minister on that point whole-heartedly. I think the Bill is capable of amendment in that regard, but I feel that the power of Parliament in this matter should be supreme. If Parliament wants to disallow a regulation under the present system, let that power remain. But if it wants to amend or vary a regulation which has been passed at some earlier time, which it now finds unsatisfactory, and if it has to run the gauntlet of both Houses—there must be sound reasons before both Houses would vary that regulation— and if those reasons exist, Parliament should have power to amend those regulations.

There may be something to be said for putting a time limit on even that. The Minister said that we might go back 50 or 60 years. There may be regulations still operative that have been in existence since then. Perhaps it would be reasonable to put on a time limit of, say, 20 years or something of that nature. I am not pressing for that, however, but if there are sound reasons as the Minister appeared to indicate, why there should be a time limit, then I would not object to that. It would be a comparatively

simple matter. What I am concerned about is that Parliament should have more control over the very voluminous regulations now being made.

If one compares the "Government Gazettes" of the last 30 or 40 years and looks at the amount of regulations in them, one is impressed by the fact that at the present time there are at least three times as many, and possibly more than that, and little or no control is exercisable by this Parliament in respect of them. I do not think this growing—I will allow—necessity, for regulations should not carry with it some amendment to the law, such as is proposed in this Bill, to enable Parliament to give greater consideration to the regulations that are being so rapidly, and in numerous cases, made.

I will conclude by saying that I hope, as the member for Mt. Lawley is apparently laid aside by ill-health today, that the debate on this Bill will be adjourned. If that is done, I will certainly take the opportunity along the lines I have been speaking, to discuss with the Minister the question of amendments so that we may meet the major points I have mentioned, which, I think it will be agreed, I have demonstrated are not without some possibility of successful amendment.

On motion by Mr. Roberts, debate adjourned.

BILL—CHIROPODISTS.

Second Reading.

Debate resumed from the 21st August.

THE MINISTER FOR HEALTH (Hon. E. Nulsen—Eyre) [6.5]: This is a Bill with which I am in sympathy. I feel it will be very helpful to the people concerned, especially those with bad feet. The member for Canning moved the second reading of this measure, and I think he gave a very fair exposition of the situation generally in regard to the good work being done by chiropodists. This Bill seeks to protect men and women and to keep them on their feet. When I say that I do not mean they have indulged in intoxicating liquor or something like that—I refer to the fact that they possibly have sore feet.

There have been times when my feet have been very sore indeed, and I have frequently had occasion to visit the chiropodists, who have kept me very well. This measure will also help to keep elderly people on their feet. It is an important piece of legislation, because chiropodists form a very necessary part of our everyday life, and there is not much danger of their doing any great harm to the feet of the community generally.

In my opinion, these people provide a most essential service for the protection of the public. On the other hand, I think they need some training because I am sure members will agree that a foot disability is most inconvenient; it generally causes a person to become very depressed. If we could train these people and put them on a basis where they feel they have something to look forward to, without too much training or too much education, and without their having to get a university degree or anything like that, then I am certain it would be a very good thing.

At the same time, I feel that they should have sufficient knowledge to diagnose the reasons for one's feet not being in proper order. In such cases it is very necessary for them to look into the matter at an early stage. I have also been told that chiropodists did some very good work during the war years. We all know that while there are some very good chiropodists, there are also some very bad ones and instead of being helpful, they do more harm than good.

We are all aware of the fact that sore feet, ingrowing toenails, corns, etc., cause a real breakdown of the nervous system. I think there are three main features which are most essential to a person's health. The first of these is that they must have good and sound feet, and be able to walk about and obtain the maximum physical exercise that is possible. The second of these is the necessity to attend to one's hearing and see that it is not in any way affected, and the third is, of course, the necessity to ensure that one's eyesight is not impaired. So far as chiropodists are concerned, I would employ the three letters "V.I.P.." because I think they are very important people.

Mr. Ross Hutchinson: Can you guarantee there will not be a Bill introduced to register the profession of manicurists?

The MINISTER FOR HEALTH: I do not know about that. I am not a conceited man and do not worry overmuch about my fingernails. I do think, however, that we should have people look after our feet and toenails, especially ingrowing toenails. Some consideration was given to this question in South Australia, in 1950. If the people in Adelaide have really good chiropodists to attend to their feet then I am sure they will be both healthy and comfortable.

Personally, I can remember an occasion many years ago when I just did not know what to do because I had a bad ingrowing toenail. I went to a doctor and asked him to pull the nail off because it was a nuisance and would not permit me to get about. I told him it was very sore. Instead of pulling the nail off, the doctor sent me to a chirodopist and, after being there half-an-hour, I felt I had been in a Turkish bath, and I came out very light-footed.

The Premier: How was the chiropodist?

The MINISTER FOR HEALTH: She was very nice, and very pleased because she knew I would be happy after her treatment.

The Minister for Lands: He couldn't miss.

The MINISTER FOR HEALTH: I have an incorruptible mind! I would like to commend the member for Canning for bringing this measure down. It is the first Bill he has introduced and he did a very good job indeed. I have been in touch with Miss Cook, my chiropodist, and she is perfectly satisfied with this Bill. I think the world of her because she keeps me on my feet. I have much pleasure in supporting the Bill because I think it will be very helpful to people generally.

As I said before, there are three important features in life which ensure that a person remains reasonably well; the first of these is to be able to remain on one's feet; the second, to be certain one can hear properly and the third to see that one's eyesight is not affected. This measure will ensure at least one of those factors. It will give people the opportunity to have their feet treated properly and, as I have pointed out, it will help to keep elderly people well and on their feet. If they are not able to stand on their feet it naturally follows, it is impossible for them to indulge in healthy exercise which is so necessary. I have much pleasure in supporting the Bill.

On motion by Mr. Ross Hutchinson, debate adjourned.

Sitting suspended from 6.15 to 7.30 p.m.

BILL—CREDIT-SALE AGREEMENTS.

Second Reading.

Debate resumed from the 21st August.

THE MINISTER FOR JUSTICE (Hon. E. Nulsen—Eyre) [7.30]: This Bill is similar to that prepared in New South Wales. However, I do not know if it is yet law in that State. It is a companion measure to the Hire-Purchase Agreements Bill and I think, after due consideration, with probably a few amendments it might be brought in as an Act to assist those people with not very much money. Nevertheless, it is something which we will have to look at very closely.

I notice from the Bill that the banks are making sure of the position so far as they are concerned. The relevant portion of the Bill reads as follows:—

> Any person, other than a banker, who (whether or not he carries on any other business) carries on the business of lending or making loans to other persons for the purpose of enabling those other persons to pay the deposits required by or under Subsection (1) of Section 3 of this Act upon the purchase of goods under credit-sale agreements, shall be guilty of an offence against this Act.

I do not see any reason why a bank should have a monopoly in regard to lending where hire-purchase is concerned, or where goods are on credit under credit-sales.

Mr. Court: I think they are eliminated for a technical reason.

The MINISTER FOR JUSTICE: Nevertheless, it is creating a monopoly. Further on the Bill says—

> Any person who accepts as a deposit upon the purchase of goods under a credit-sale agreement any money or other consideration that he has reasonable cause to believe or suspect was lent to the buyer by any person, other than a banker, shall be guilty of an offence against this Act.

That makes the buyer responsible as well as those who lend. I feel it is rather drastic and there must be more than sentiment attached to it; there must be profit as well. So far as hire-purchase is concerned, we are up to 19.45 per cent. per year and it runs over a contract for three years. That does not happen to the same extent under credit-purchase sales. Under hire-purchase, the whole of the equity in the goods is lost before they are paid for. I do not think the member for Leederville brought it in for the sake of helping the banks to make more profit.

Hon. A. F. Watts: It is a business, not a service.

The MINISTER FOR JUSTICE: It seems to me that they are deeply involved and it is very difficult now to borrow money other than under the provisions of these various Acts, such as that dealing with hire-purchase. I know a particular person in my area who wanted to buy some machinery. He had assets and security, but unfortunately was sent to a hire-purchase agreement firm to procure the implements.

Hon. A. F. Watts: He is only one of them.

Mr. Court: Did he have an existing overdraft?

The MINISTER FOR JUSTICE: I think the flat rate of interest is deceptive and helps those who have money, but makes it more difficult for those who have no money, but probably have assets. In presenting this Bill I think the member for Leederville has been fair and has recognised the vendor as well as the purchaser. He has brought down this Bill in order to put these matters on a proper basis. When I questioned the Deputy Leader of the Opposition the other evening as to whether he would purchase under a hire-purchase agreement, he said that he had other means of doing so. I have, too, because I am not desirous of paying that high interest.

However, I think this Bill should have been introduced into the Federal Parliament, because then we could have had uniformity throughout the whole of Australia. If this Bill becomes an Act, we are faced with Section 92 of the Constitution, and I hope it will not be detrimental to the manufacturer. I do not think that the member for Leederville wants to have any men thrown out of work. We have to be careful. Generally speaking, traders are fair, but there are a few who are unfair, and it is necessary to have legislation to deal with them.

Mr. Court: I do not think the Commonwealth Government has the constitutional power to bring it in.

The MINISTER FOR JUSTICE: I am not sure of that, but I just heard someone say that they probably could, under the Banking Act. I feel the Bill will be of benefit and it will give us something by which we shall be able to deal with those traders who are unfair. Probably 95 per cent of the traders are above-board and honest, but a percentage will take every advantage they can. Therefore we should have some legislation in order to deal with those persons.

This Bill was analysed at my request by a legal officer and I shall read what he has to say about it. His opinion reads as follows:—

> This Bill relates to agreements for the sale of goods under which the purchase price is payable by instalments of at least nine times in any period of twelve months, but does not apply to agreements for the sale to a retailer of goods of the same nature or description, or to agreements the subject of the Hire-Purchase Agreements Act, or to agreements under which the goods are not to be delivered until the whole of the purchase price is paid. This appears to exclude sales by "lay-by" from the Act.
>
> This Bill is a companion measure to the Hire Purchase Agreements Bill, also introduced by the member for Leederville and the provisions are identical with the New South Wales legislation.

I do not know whether that legislation is in operation.

The Minister for Transport: I understand they intend to repeal it.

The MINISTER FOR JUSTICE: Whether that is so, I do not know. The statement continues—

> It is explained that a credit sale is a transaction wherein the ownership of the article immediately passes from the vendor to the purchaser and the purchaser can resell the goods, whereas in connection with a transaction under a hire-purchase agreement the ownership in the goods remains in the possession of the vendor until such time as payment is completed. Under a credit sale the vendor has no right of repossession as in the case of a transaction under a hire-purchase agreement.
>
> The objects of the Bill are, therefore, to regulate transactions by credit sales as distinct from transactions by hire-purchase agreements which are regulated under the Hire Purchase Agreements Bill.
>
> The provisions of the Bill may be briefly summarised as follows:—
>
> Clause 3—requires minimum deposits as prescribed, and if not prescribed then of not less than 10 per cent. The credit sale entered into in contravention thereof is void, except for the buyer's rights.
>
> Clause 4—makes it an offence for a person other than a banker to carry on the business of lending money for the purpose of enabling the payment of deposits required.

The Deputy Leader of the Opposition thinks there is something there, but I cannot see it other than the banks wanting business.

Mr. Court: It is not a question of the banks wanting business. If you reflect, you will see there is a reason why the banks have to advance money to people in the ordinary course of business.

The MINISTER FOR JUSTICE: This allows nobody else to advance money, other than the banks.

Mr. Court: I do not think the Minister follows this. There is a good reason for the exclusion; it is not the profit, but to overcome a technical difficulty.

The MINISTER FOR JUSTICE: There may be some technical reason. The statement continues—

> Clause 5—makes it an offence for a person to accept as a deposit any money lent by a person other than a banker.
>
> Clause 6—sets out requirements relating to credit sale agreements. The vendor must give to the prospective buyer a written statement of the purchase price of the goods, setting out the cash price, freight, licence fees, insurance premiums, the total amount payable and the amount of the deposit; within 21 days of the sale the vendor must give a copy of the agreement or a note or memorandum thereof and a copy of any insurance policy (an exception being made where the vendor is a banker and the insurance policy is a "declaration

policy"). Non-compliance does not invalidate any credit sale agreement.

Clause 7—relates to the necessity for the consent of a spouse to a credit sale of household furniture or effects used or intended to be used in the home. The vendor is required to retain for 12 months the consent of the spouse.

Clause 8—requires provision to be made for regular weekly, fortnightly or monthly instalments of equal or approximately equal amounts; otherwise the agreement is void.

Clause 9 — relates to "additional charges" being freight, licence fees and insurance premiums, and provides they shall not, when calculated at a rate per centum per annum in accordance with a formula contained in the Bill, exceed various rates per annum. A credit sale agreement contravening this clause is void, except in favour of the buyer.

Clause 10—enables regulations to prescribe rates for insurance in respect of any class or classes of goods.

Clause 11 — contains special provisions for agreements adding goods to agreements already existing.

Clause 12—prohibits any attempt to evade the provisions relating to deposits or lending money for the purpose of deposits.

Clause 13 — sets out the penalties for offences.

I have read through the Bill but have not analysed it very carefully. However, I feel it contains a lot of good points. I think it is nearly time that some steps were taken to protect people, especially when the flat rate is introduced, from paying such high rates of interest. A rate of 20 per cent. seems abnormal although I will admit that no one firm gets it. It seems to be equally distributed over a number of, shall I say, capitalists. We who have sufficient money to pay cash for our requirements would not take advantage, even of the system of credit-sales, on account of the high rate of interest. My objection is that where a man has security and he goes to a bank, the bank tells him he can go to some firm and get what he requires. This is hard so far as the primary producer is concerned in many instances. The same thing, I suppose, would apply to the mining industry.

Mr. Court: What is the Government's attitude towards the spouse clause in the Bill?

The MINISTER FOR JUSTICE: Speaking for myself, I think there should be some protection because on occasions there is irresponsibility on both sides.

Mr. Crommelin: What is your attitude to the minimum deposit of 10 per cent.?

The MINISTER FOR JUSTICE: I think it is little enough, generally speaking. If a person has not a deposit of 10 per cent., then he has not very much. It is to the purchaser's advantage to make as great a deposit as possible because he saves the extra interest. Unless a person pays a fair amount down, he would never finish paying but would always be owing under either the hire-purchase or the credit-sales system.

Some firms seem to have the habit of keeping people going, even though only on small amounts, so long as they are sufficiently secured. They get to know the personal equation and that people are honest. I feel the rate of interest is too high. If this point can be overcome, I would not mind, because people are entitled to a fair rate of interest. However, 20 per cent. is extortionate and at the end of a few years there is no equity left in the article purchased.

Mr. Bovell: Could not the existing legislation be amended without the introduction of a new Bill?

The MINISTER FOR JUSTICE: Probably we could bring down legislation that would provide for a maximum of 10, 15 or 20 per cent. That would depend on the time. If the loan is for only a month it would not, at 10 or 15 per cent., be worth while borrowing a small amount. Quite a number of people who lend money are going out of business on account of the percentage being so low on small amounts. When a person borrows money for a month at 10 per cent. per annum, the lender receives interest of only one-twelfth of 10 per cent.

Mr. Bovell: It appears to me that a complete new Act is necessary.

The MINISTER FOR JUSTICE: I do not see why not. Why should we go along in the same old way? Why should we not have more changes and provide protection for those who cannot always protect themselves? Many of these people are honest and good-living people, and if they would only save the money, they would be much better off. I support the Bill.

MR. JOHNSON (Leederville—in reply) [7.50]: There does not seem much to reply to, there having been only two speakers to the Bill. I am not pretending that I consider the measure is of major immediate importance. As I said when introducing it, the intention is to block one of the major loopholes known to exist, following the hire-purchase legislation at present

before the House. An interjection has been made that it is understood that the legislation is being withdrawn in New South Wales. I must admit that is completely fresh news to me. I have been in close touch with everyone who seems interested in the Bill, and there seems only to have been some disagreement with the idea of the husband and wife clause, or spouse clause; and one group is concerned about the possibility of cutting out no-deposit trading.

The matter of the husband and wife clause is one which should be debated by itself, if possible, because it is almost new in legislation; it is certainly new in this form. This provision stems from the fact that a wife can commit a husband for articles bought in relation to their way of life. It is not unknown for wives to commit husbands in a manner that is beyond their financial capacity. Most metropolitan members, if not most country members, will be well aware that they receive a rather constant number of difficult problems based on that one fact, namely, the wife has committed the family purse for more than the family purse can stand; and possibly, in some cases, for more than the husband thinks it should stand.

The type of sale which the legislation is designed to cover is principally the one that takes place at the door. I believe there is a real cause for this form of protection of the unprotected husband. In the larger Bill on hire-purchase there might be slightly less cause for it because of the more detailed documentation that is required. However, even under that measure, I think there is a case for this type of protection.

It can be said that any wife should automatically be able to commit the family purse for periodical payments related to, say, household linen. After all, she would be the best judge of that. But would it be right to allow her to commit the husband for the purchase of, say, a large refrigerator if the family income were not in the highest scale? I certainly think it would be unwise for any wife to do that without consultation, and this legislation intends to ensure that that form of consultation shall take place and that it will act as a brake on the hard-pushing salesman who almost forces goods upon people who are not completely unwilling but possibly financially unwise in committing themselves.

The Minister for Justice: It remains in operation for three years.

Mr. JOHNSON: Yes. But there would be very few agreements under credit-sales that would extend for three years if the legislation were agreed to. I feel, however, there is a grave possibility, if the legislation is not there, that a large number of sales which should take place as hire-purchase agreements, would be made under credit-sales agreements lasting three years, and at interest rates higher than those under the hire-purchase legislation. It is for this reason that the legislation is introduced.

Mr. Court: Don't you think the spouse clauses in this Bill and the other one are out of step with modern trends towards legislating for the equality of the sexes?

Mr. JOHNSON: I think this clause is very much in step with that trend inasmuch as it puts them both on the same footing. Those of us who have contact with the organised women's groups know that the one thing they are seeking is absolute equality. They want to be treated as equal people, and this certainly produces a complete degree of equality. The situation here is that the wife cannot, as under the common law at present, commit her husband for expenditure with which he does not agree; but similarly—and I know there will be many members who disagree with this—it provides that the husband may not commit the family purse for something with which the wife does not agree. If that is not complete equality, I do not know what is.

Mr. Court: There would be a great outcry about it if the first person who had to parade his wife into a store to buy an article of this kind were a member of Parliament. He would be the first to rush back and want to alter this law.

Mr. JOHNSON: Not being one who is given to buying under hire-purchase, because of the extra cost, I testify, if I may use the word, that there are no items in my home that have been bought other than after consultation. Some of them have been bought after detailed consultation and both of us seeing the item, but more frequently after consultation in the form of—"Can we afford so much," and then the better three-quarters saying just how the money will be expended and whether the item will be a blue carpet or a pink one, or whatever it may be.

I believe in consultation between husband and wife because I consider friction can be avoided in that way. I believe in equality, and I say the Bill tends to emphasise the equality of the sexes. If members would like, it might be a good idea to take advice from a body like the Marriage Guidance Council and get the psychological point of view. I know that there are out of date views in connection with financial relationships inside families and I know that unhappy financial relationships inside families are frequently a cause of family strife.

The only point that I wish to drive home is that if the legislation fails to pass, it is probable that the hire-purchase legislation currently before the House, which from the notice paper appears likely to go through, will be of very little effect because we are all agreed—and the form of amendments to the other Bill appears to show that, in

fact, there is agreement on it—that there is need for some form of control of the pirates in the time-payment and hire-purchase industry, the pirates being those who trade in an unfair way—those who exploit. If this Bill is not passed, it will be possible for those exploiters to transform their method of working slightly and thus be outside the hire-purchase legislation. I feel sure that if the Bill is passed, very little trade will come under it and those items which are affected will be mainly small articles of a level below the larger electrical goods. It will cover mainly household furniture, carpets, pillows, sheeting and items of that kind.

However, if this legislation is not passed, I am sure we will see credit-sales agreements of a nature which all of us would desire to prevent. It certainly would produce a form of no-deposit trading and it certainly would allow interest rates in excess of those which we regard as absolute maximums. I appeal to members to expedite the passage of the Bill in parallel with the hire-purchase legislation of which it is, in effect, a companion measure.

Question put and passed.

Bill read a second time.

BILL—HONEY POOL ACT AMENDMENT.

Second Reading.

MR. OWEN (Darling Range) [8.2] in moving the second reading said: This is a small Bill which has come to us from another place and its aim is to amend the Honey Pool Act of 1955. Many members here will recall when that legislation was passed and it was introduced to give those engaged in the production of honey a statutory body to pool and blend their honey, to fix the price and to arrange sales of the commodity. Generally speaking, it has worked very satisfactorily; but during the two years that it has been in operation experience has shown that it has a weakness which this amendment seeks to overcome.

Under the present Act, in the section this Bill proposes to amend, in dealing with interpretations, it sets out the interpretation of "marketable quality" as follows:—

> "Marketable quality" applied to honey, means honey in value equal to or above the minimum valuation fixed annually by the trustees for pool appraisement.

It has been found that the fixing of the valuation annually has caused serious inconvenience.

It is well known that honey varies considerably. The quality varies not only from season to season but also from district to district, and it varies according to the sources of the nectar from which the honey is made by the bees. Therefore, it has been found that to fix the price only once annually makes it difficult to dispose of certain grades of honey. Also, the demand for honey varies because some people require one blend of honey and some require another. As honey varies in quality, so does the demand for it and the price at which it can be sold.

One of the main difficulties appears to be in arranging sales overseas where the price has to fit in with the world's market price for the particular grade. I have been informed that the price of honey in the world market fluctuates up and down very quickly, and if the price is fixed, say, at the present time, it might in a month's time fall by as much as £40 or £50 a ton, and this places the trustees of the honey pool, those who manage the affairs of the pool, in a very awkward situation. They feel that if they have the power to fix a price more than once annually, it will overcome those difficulties.

The Bill seeks to do just that. It aims to give the trustees of the honey pool power to fix a price not just once a year but from time to time. I think members will be able to follow that line of reasoning and I hope that they will agree to the measure. I move—

> That the Bill be now read a second time.

THE MINISTER FOR AGRICULTURE (Hon. E. K. Hoar—Warren) [8.8]: I do not know whether any member desires to ask for the adjournment of the debate, but I had a look at the Bill after Sir Charles Latham introduced it and I can see no objection to it. In fact, I think it will facilitate the operations of the honey pool and enable it to proceed on a better basis than is possible at present. The case in support of the measure has been clearly set out by the member for Darling Range. As he has informed us, there is no elasticity in the Act so far as altering the minimum price is concerned.

Trustees of the pool each year endeavour to fix what they consider to be a reasonable price for the honey, based on their experience and their knowledge of the world's market, and they are able to make only one assessment each year. We had an experience last year when the price of honey was fixed at 1s. per lb. In a normal year that would have been a very good payment for the quality of honey that was coming in at that time but as a result of Germany, in particular, creating such a huge demand that year for this type of honey, the price immediately rose and, as a consequence, the trustees of the pool, who handle the honey on behalf of the growers, had to stand idly by while those who sold the honey—the traders and other private interests—were able to sell to Germany at higher rates.

The parent Act, which was passed in 1955, was designed to encourage all beekeepers to use their own pool and I feel that this small amendment, which will enable the trustees to alter the price from time to time instead of making it mandatory for them to fix the price only once a year, will be in the best interests of the beekeepers and give the trustees of the pool an opportunity to work it on a far better basis than is possible at present. As I said, I had a good look at the Bill some two or three weeks ago and as it does not cut across Government policy in any way, I think it will be a distinct advantage. Therefore, I support the second reading.

MR. BOVELL (Vasse) [8.10]: I would like the member for Darling Range, in replying to the debate, to give us some indication of from where the Bill emanated and perhaps quote some examples of the benefits the producers of honey will receive. The hon. member, when he introduced the Bill, did not indicate whether the Beekeepers Association had been consulted on this matter or whether they approved of it. Where legislation concerning primary producers is introduced, and those producers have an organisation, I feel the legislation should be discussed with that body.

Mr. Nalder: I think the Minister has indicated that.

Mr. BOVELL: I do not know that he did. The Minister indicated that as far as he could see—and he had given it some consideration—the Bill did not cut across Government policy. As the member for Katanning knows, the policy of the present Government does not always coincide with the interest of the producers and therefore that is no guarantee to me—

The Minister for Agriculture: That is not the only thing I said.

Mr. BOVELL: —that Government policy in this instance is in the interests of the producer. There is a fairly big honey producer in the electorate which I represent.

Mr. Hearman: Father Cunningham is now in the electorate of Harvey.

Mr. BOVELL: I am not referring to the Reverend Father Cunningham, who is a personal friend of mine and who was the parish priest in Busselton for a number of years, but I am referring to Mr. O'Keefe, who is a big honey producer and perhaps at times operates in the Warren district. However, he lives in Busselton and operates over an extensive area in the South-West. If the member for Darling Range could tell us whether the producers have been consulted in the matter, I will certainly support the legislation. I think he will agree that where legislation is introduced in regard to primary producers it should first of all be discussed with those whom it will affect. Personally, I cannot see that this will be any disadvantage to the primary producer and provided the hon. member can convince me, which I am sure he can, because I know that he is interested in beekeepers, that the producers know all about it and do not object to it, I will support the Bill.

MR. OWEN (Darling Range—in reply) [8.13]: I would like to point out to the member for Vasse that the honey pool is a voluntary affair and any producer can ask for his honey to be taken in by the pool. It would form part of the pool and the proceeds would be returned to all those whose honey was involved. There is no compulsion upon producers to market their honey within the pool. They are free to dispose of it outside of the pool, but if they offer the honey to the pool, it has to be accepted. The request for this measure came from the trustees of the pool because it is in the interests of the beekeepers generally to receive the best price possible for their honey.

Mr. Bovell: Do you know if the majority of beekeepers pool their honey?

Mr. OWEN: I cannot give the exact figures. I should say that a large proportion of the producers would send their honey to the pool. The Bill will operate to the advantage of beekeepers in this State. I doubt very much if the member for Vasse has had representations from producers objecting to the measure. The way that beekeepers have supported the measure indicates that they are not opposed to the Bill. As the trustees of the honey pool have asked for power, in this Bill, to fix the price of honey more than once a year, I can see no objection to it.

Question put and passed.

Bill read a second time.

In Committee.

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

PAPERS—GOVERNMENT COAL CONTRACTS.

Details Regarding Negotiations.

Debate resumed from the 4th September on the following motion by Mr. Court:—

> That in the opinion of this House, and in view of the information apparently already made available to the Collie Miners' Union, all papers in connection with the negotiations over Government coal contracts be tabled.

HON. SIR ROSS McLARTY (Murray) [8.19]: The Premier seemed to show resentment in regard to this move by the member for Nedlands. He said that the time was not opportune for such a motion. I wonder why he said that, because

I remember in his speech delivered in 1953, he had much to say about coal?

The Minister for Lands: It was a good speech.

Hon. Sir ROSS McLARTY: That is a matter of opinion. I do not want any help from the departing Minister.

The Minister for Lands: I think you will, before you have finished.

Hon. Sir ROSS McLARTY: The Premier had much to say about coal in that speech. He was very critical of what he termed the cost-plus system. Again, in the last elections he had a good deal to say about coal, and he used many of the extravagant adjectives which we know him to use so freely, such as outrageous, grim, and others. His vocabulary is so extensive in that direction that I need not take up the time of this House to quote them at length.

Although the Premier dealt most trenchantly from his point of view with this question as far back as 1953, even today he is not able to produce any agreement in regard to coal contracts. I should think that the Premier must feel pretty uncomfortable about this. Why has he taken so long? He has had years to think about it. I suppose he has been thinking about it for years.

Mr. Roberts: It has worried him.

Hon. Sir ROSS McLARTY: It probably has. After all these years, he has not been able to produce an agreement which he said would be reached shortly. As far as I know, it has not yet been reached, otherwise he would have told us about it.

The Minister for Transport: It took us a long time to unwind the McLarty-Watts web.

Hon. Sir ROSS McLARTY: It has certainly taken a long time to reach a decision, and I am glad the Minister admits it.

Mr. May: It was in an awful mess at the time.

Hon. Sir ROSS McLARTY: The Premier went on to say that he did not want to indulge in mud-raking about past transactions with coal companies. As far as I am concerned, I would have no objection to the Premier raking up the past because Parliament knew what my Government was doing. Members opposite knew perfectly well what price was being paid for coal at that time; they did not hesitate to ask questions; they did not hesitate to ask for papers to be tabled; and they knew what the coal was costing the railways and the electricity commission.

Let me remind members of this fact: For the greater part of the time in which our Government was in office, the price of coal was fixed by the Commonwealth tribunal. I remember on one occasion that tribunal made a certain grant, or allowed an extra cost to be charged by a certain company in order that it could make a profit and pay a dividend to its shareholders.

Mr. May: That company was not operating under the cost-plus system.

Hon. Sir ROSS McLARTY: That is true. I also remember that when I visited Canberra from time to time, the price of coal was one of the matters which I used to discuss with members of the coal tribunal, because I wanted to find out what were the coal costs in the respective States. I did not find any objection being taken against the price which the Western Australian Government was paying for its coal. The Commonwealth tribunal knew what it was, because it received a report every month, and its representatives came over here. So far as my colleagues in the previous Government and I myself were concerned, everything was well and truly aboveboard.

Mr. May: That was due to the shortage of coal at the time.

Hon. Sir ROSS McLARTY: I am at a loss to understand the attempt of the Premier to find a skeleton of some sort to create a doubt in the public mind. If any improper practices did take place, it was the duty of the Premier to expose them, or if necessary, to appoint a Royal Commission to go into the ramifications of the coal industry during the period to which he referred.

I know that this question of coal is not an easy one, but that is no reason why the Government should take years to arrive at a decision. The Premier said that our Government provided £1,500,000 for the coal companies. That is true. I do not know how he can take any valid objection to that sum being made available to the coal companies. Let us look at the facts that faced us when my Government took office. As members who were in this House at the time are aware, it was extremely difficult to get sufficient coal to keep even the railways running, and particularly over holiday periods, it was doubtful whether trains would be able to run. We were suffering from blackouts, and foundries were not working.

Mr. Heal: Members of your Government were suffering from blackouts.

Hon. Sir ROSS McLARTY: The hon. member knows nothing about this matter. Foundries were not working because of this acute shortage of coal. Something had to be done and we had to make decisions pretty rapidly, otherwise industry would have closed down in this State. To get coal, a certain price had

to be paid and certain conditions agreed on. At the time the public knew the conditions, and they knew from time to time what was being paid for coal. I would say that the Premier, if he had been in our position, could not have vacillated as he has in regard to the coal agreement. He would have had to make a decision and make one quickly, otherwise a large portion of transport and industry in this State would have closed down. Instead of criticising the previous Government, it would have been more in keeping if the Premier had commended it for the action taken.

The Premier said that we provided this money in one way or another, to one company through hire-purchase, as the member for Collie knows, to another by bank guarantee, and we had to ensure that that money was made available to the company. We did it on the most expert advice that we could obtain. We were very seriously concerned as a Government when we knew what amount of money was involved. Like the present Premier, we were concerned with the public works programme, and we wanted every £ that we could get hold of. Of course when we had to meet this large sum of money, it gave us very considerable concern. We had to ask ourselves this question: What are we to do? Are we to see industry close down, are we to see transport greatly curtailed, or are we to do something to make the finance available to the coal companies concerned? We came to the conclusion that we would have to make this finance available to the companies.

The Premier has also stated that because of the large sums of money that had been secured to these companies by Government action, there was an obligation on the present Government to see that each of the companies received part of the Government contracts. I do not know, and will not know until we see the agreement, just what proportion of the contracts are being given to each company; but I think the Premier's attitude in this regard is the correct one.

All the companies have received Government assistance and have to meet their obligations; and because of that, it would be a fair thing that the Government should see that each company received a proportion of contracts from the Railway Department and the State Electricity Commission. I noticed that the smallest quota that one company was to receive was 3,000 tons per fortnight. Whether that is guesswork or not, I do not know; but there has been a great deal of conjecture as to how the contracts will be allotted, and I can only assume at this stage that each company will receive some portion of the contracts from both the Government concerns I have mentioned.

I sometimes wonder why, in the case of these coal contracts, tenders were not called through the Tender Board with conditions of tender specified, as in the case of other tenders. Why has it become necessary for Ministers to have to form a Cabinet sub-committee to consider these tenders? I readily agree that the tenders are of such importance that they merit full consideration by Cabinet. No one would deny that for a minute. But why a sub-committee should have had to examine tenders before the Tender Board had made any recommendation, I cannot understand. Our contract with the company ended in June, 1955, and this pernicious cost-plus system has been in operation ever since. Really, I think the fact is that the system which has been so roundly condemned by the Premier in the past is not nearly as bad or pernicious as he made it out to be.

The Premier says some extraordinary things when he gets on to the public platform; and I would remind him how he told the people what a terrible fellow I was, and how I had dipped into the trust funds; and he was going to play the very devil about that if he got back into office. But of course, he has been dipping into trust funds ever since; so one cannot take much notice of what the Premier says on the public platform. Still, I do not want to embarrass him too much at this time.

The Premier: Thank you!

Hon. Sir ROSS McLARTY: This motion is justified. I can fully appreciate what would have been the attitude of the Premier had he been on these benches at this time, and had it taken the then Government month after month—

Mr. Hearman: Year after year!

Hon. Sir ROSS McLARTY: —to come to a decision in regard to those contracts, particularly when the opportunity had been available, ever since 1953, to deal with them. It has taken the Government all this time to deal with the matter, and we do not even know now what are the terms of the contract. I am glad that the Premier has agreed to table the papers. Not only will Parliament be interested to know what the agreements are, but the public of Western Australia generally.

There is some uneasiness in the public mind, and many people are asking the reason for the delay in finality being reached, especially as the Premier led the people to believe that it was such an easy matter to decide, and was so critical of the actions of the previous Government. There was every justification for the Deputy Leader of the Opposition to move this motion, and he was justified in asking for the information he sought.

On motion by Mr. May, debate adjourned.

REGISTRATION OF CHIROPRACTORS AND OSTEOPATHS SELECT COMMITTEE.

Appointment of Personnel.

Debate resumed from the 4th September on the following motion by the Minister for Health:—

> That the following members be appointed to serve on the select committee:—Mr. Ackland, Mr. Crommelin, Mr. Jamieson, Mr. Marshall and Mr. Norton.

The MINISTER FOR HEALTH: I desire to move an amendment to add the words "and the mover" to the motion. The reason for so doing is to comply with the Standing Orders.

The SPEAKER: I direct that the words suggested be included, because the Standing Orders are very specific on the point that the mover of the motion for a select committee must include his own name on the panel of names suggested.

Hon. A. F. WATTS: We seem now to be in a peculiar position; and I am sorry that, through the shortening of various proceedings that we thought would require attention until 9 o'clock, the member for Moore is not able to be here at this moment. I do not know what the position of the Minister for Health is going to be in this matter. While I do not agree that a select committee is the most desirable body to inquire into this matter—a point which we have already dealt with—I know that the appointment of such a committee would be a great deal more acceptable to the member for Moore if the Minister were included on it.

However, it has not been made clear to me whether the Minister proposes actually to take part in the deliberations of this select committee, because the proposal now is to have six members thereon, of whom the Minister for Health will be one. I understood that that proposal was made, or suggested, in the first instance, merely in order to comply with the Standing Orders, and that the Minister had no intention of doing other than facilitate the first meeting of the committee, after which he would proceed to take as little part in it as circumstances permitted.

The number on the committee being six, and no suggestion having been made for a reduction, and no explanation having been given by the Minister, I feel that that might be his intention; and I think we should have the position clarified by him. I understand from the member for Moore—and I notice that he has arrived and will be able to speak for himself—that he, like myself, is particularly anxious that the Minister should not only take part in the proceedings of this select committee, but also lead it; and that that alone would make him willing to agree to its appointment.

I ask the Minister whether he will clear up this position so that I may know where he stands. If we are going to have him as a regular attending member of the committee, we do not want six members, but only the normal five; and that would be the proper way and the only way, I repeat, to satisfy me. I am not telling him that now; I told him so a week ago. I would have opposed the proposal for a select committee a great deal more than I did had I not believed that under the Standing Orders he, having moved for it, would have to be a member of it. I hold the same view now as I did then. I have no wish to say anything uncomplimentary to the Minister; rather the reverse. But I do want to know what he has to say about this matter.

Mr. ACKLAND: I am sorry that I am late for this debate. But I discussed this matter with the Minister this afternoon, and I would like to know whether I am correct in saying that he has agreed to put himself on the committee.

The Minister for Health: That is correct.

Mr. ACKLAND: I would like to ask him another question. Has he put himself on a committee of five or six members?

The Minister for Health: As one of a committee of six members.

Mr. ACKLAND: I will ask the Minister another question. The normal committee is one of five members and the Minister has put himself on a committee of six members. Will he give me an assurance that he will be an active member of that committee and will accept the position of chairman if he is nominated at the first meeting? I know that a committee of five is all that is necessary. But it has been suggested to me that the Minister may agree to attend a meeting of a committee of six members, see that someone else occupies the chair at the first gathering, and then absent himself from the remainder of the meetings. I would like the Minister to clarify that position.

The Minister for Transport: I think you know the answer.

Mr. ACKLAND: I happen to know that the Minister does not intend to be an active member of that committee. I heard it outside the precincts of this Chamber. I want to make it clear that the motion originally moved in this Chamber favoured the appointment of a Royal Commission. In moving that motion, I stated clearly that I did not seek the appointment of a select committee because I did not feel competent to deal with the legal profession and knew of no member likely to be on that committee who would be competent in that regard. I have not a bad opinion of myself, but I have no legal training and know nothing about the medical profession. I believe that the Minister has been advised either by a medical man in the Medical Department,

the B.M.A. or a member of another body he mentioned. I understand one of those three bodies advised him to secure the appointment of a select committee.

The Minister for Health: That is wrong. It was not suggested to me but was done on my own initiative.

Mr. ACKLAND: I am surprised to hear the Minister say that, in view of the information I received this afternoon. But, the Minister having said that, I cannot tell the House who gave me the information in the corridor this afternoon.

The Minister for Health: If you bring that person along, I am prepared to deny it face to face.

Mr. ACKLAND: I do not intend to place the Minister in that position. I move—

> That the Order be discharged from the notice paper.

I do not know whether I am in order in doing that, but my reasons are that the Minister has decided to alter the motion. He is usually known as, and always previously has been, a man extremely fair in all he does, but on this occasion he intends to saddle me—I understood from what he told me that I would be asked to be chairman of the select committee—with a committee consisting of three Labour members, together with the member for Claremont and me. In other words, there would be three Government members and only two Opposition members. I have no doubt, having heard the Minister's attitude towards the Bill, that the committee would be loaded to the detriment of the verdict—

The Minister for Lands: That is an insult to the committee.

Mr. ACKLAND: If the motion to have the Order struck off the notice paper—

The SPEAKER: The hon. member cannot move that motion at this stage. There is a motion before the House and members of the committee have been nominated. The hon. member can vote against that motion but cannot move another motion at the present stage.

Mr. ACKLAND: If I am not in order, of course I cannot do it, but I would inform the Minister that I am not prepared to be a member of a committee with the composition that he has suggested, and with him not taking the responsibility of chairman, as mover of the motion for the appointment of a select committee.

I think I have every justification for saying that no member on this side of the House will consent to be a member of the select committee if the Minister does not shoulder his own responsibility, with the committee loaded as he intends it to be loaded. I will, therefore, vote against the motion although I have no doubt it will be carried, but I tell the Minister that no member of the Country Party will act on the select committee, and I think I have every justification for suggesting that no member of the Opposition will take part in the activities of a committee composed as the Minister has suggested it should be, and so unjustly loaded.

Mr. JAMIESON: I wish to clarify the position of some members of this House. When the select committee was appointed, I, together with several other members, was unfortunately not quick enough to dodge and, having no prior knowledge of it, found myself nominated as a member of the select committee. The Minister, being in a bit of a spot at the time, nominated me in all good faith, and I accepted the position. I do not think that on a private member's motion such as this, that could be considered to be a loading in favour of the Government. I know very little about the matter and would have preferred someone with greater knowledge of and interest in the subject than I to be appointed to the select committee.

However, together with others, I was nominated and was prepared to act, not particularly, as a Government nominee but as one of those picked by the Minister, who selected the first members available to him, the House being thinly populated at that time. Unfortunately, if it now is a matter of backing up the decision made by the Minister on the spur of the moment, I must support him because he acted in good faith and with no intention of loading the committee in favour of the Government. Knowing, as he should, the members of the select committee, I thought it was humorous that the Minister nominated the personnel he chose, but I am prepared to stick to what he did.

Mr. COURT: The situation in connection with this motion originally moved by the member for Moore has developed into something of a farce. Unfortunately that hon. member was not present at the time when the basic concept of his motion was changed, but I recall that when he moved his motion, he made it clear that he did not consider himself to be a person with the necessary knowledge properly to examine the subject. The inquiring body was intended to be a Royal Commission to inquire into certain aspects of this subject and make recommendations.

It was the considered opinion of the member for Moore that the inquiries required expert knowledge and, frankly, I felt it would be difficult to obtain a Royal Commissioner with the necessary knowledge and impartiality. However, the Minister, in his wisdom, saw fit to step right outside the original concept of the motion and move for the appointment of a select committee and, owing to the support he could marshal in this House, he had his amendment carried. Then came the task of nominating the members of the select committee and, what the member for Beeloo has said in that regard is in accordance with fact.

The Minister made no secret of the fact that he was caught unawares and had then hurriedly to select the personnel of the select committee. He then divulged that he did not intend to be a member of it himself. However, after a dispute as to the interpretation of the Standing Orders, it was ruled that he would have to be a member of the select committee and we have now the situation where the number of members of the select committee is to be increased, if the motion before the Chair is successful, from five to six members, the sixth member being the Minister himself.

Standing Order No. 334 states that all select committees shall, unless the House shall otherwise direct, consist of five members, whereof one shall be the mover. If our information is correct, it is not the Minister's intention to sit as a member of this committee once it has been convened and has held its initial meeting. I want to inform the House now that, if that is so, we desire to withdraw the member for Claremont from the Committee, for very good reasons, because it is not fair to have a committee constituted in this way, where the Minister has substituted it for the original intention to appoint a Royal Commission and immediately wants to get off the committee himself.

Once the House had decided that there was to be a select committee, the Leader of the Opposition reluctantly agreed to the name of one of the Liberal members being included, but on the strict understanding that the Minister should be chairman of the committee. It must be remembered that it is the Minister and not the member for Moore who moved for the appointment of a select committee. In practical effect, the motion has now become that of the Minister and not that of the member for Moore who at all times made it clear that he did not want a select committee, but a Royal Commissioner who would not be a member of Parliament and who would be a person with special qualifications. I do not know how one should go about this because I cannot find anything in the Standing Orders to enable a member, having been appointed to a select committee, to be excused from service on it.

I understand that when a member is appointed by the House he becomes a lawful member of the committee but can absent itself from its meetings and the House cannot take any disciplinary action for his having done so, but that is a dog-in-the-manger attitude which would be unsatisfactory and unfair to the member concerned.

The Minister for Health: I do not want to be unfair to anybody but I have plenty to do and I wanted to help the hon. member out. If that does not suit him, I do not mind what you do.

Mr. COURT: He wanted a Royal Commission and not a select committee but the Minister decided it should be a select committee and, in practical effect, the Minister has taken the matter out of the hands of the member for Moore and has made it an official Government matter to have a select committee of which three members will be Government supporters, together with two members from the Opposition.

The Minister for Health: We can adjust all that directly.

Mr. COURT: The Minister says we can adjust all that directly, but does that mean he will agree to be a serving member of the committee and act as the chairman?

The Minister for Health: No.

Mr. COURT: I give notice now that in view of what the Minister has said and the fact that he does not intend to act as a full-time member of the committee, I wish to move for the deletion of reference to the member for Claremont in the motion. The member for Moore may want to anticipate me with an amendment, in which case I would be prepared to withdraw. Can I do that, in view of the amendment before the Chair?

The SPEAKER: There is a motion for the appointment of a select committee before the Chair and under the Standing Orders, being the mover of that motion, the Minister must be included on the committee, but the hon. member can move an amendment for the deletion of any name.

Mr. COURT: In view of the intimation given by the Minister that he has no intention of serving on the Committee, and so as to protect the situation, I move—

That the name of Mr. Crommelin be struck out.

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

BILL—BETTING CONTROL ACT AMENDMENT.

Second Reading.

Debate resumed from the 4th September.

MR. WILD (Dale) [9.1]: The member for Gascoyne has moved a small amendment to the Betting Control Act in which he desires to amend Section 11 to allow of somebody engaged in the liquor trade to operate as a licensed bookmaker on certain days of the year. That really cuts right across the path of what Parliament had to say in 1954 when this legislation was placed on the statute book. I have looked back through Hansard to peruse the debates both in the second reading and Committee stages of the Bill then before the House and in no place can I find that exception was taken by anybody to that section being included in the legislation. This seems to indicate pretty fully that the Government must have been unanimous then in its opinion that liquor and s.p. betting should be completely divorced.

I would say further that there was no adverse move from anybody on the Opposition side. They too must have concurred. I will concede, however, that in this case there are very special circumstances, and I am prepared to support it, provided the hon. member who introduced the Bill would agree in Committee to an amendment which I propose to move. Unfortunately, I have not been able to place the amendment on the notice paper as I only had it prepared this afternoon. In view of the isolation of these northern towns and in view of the fact, I would say, in practically all of them—at least in those I have visited—that when there is a small picnic race meeting, it is fairly reasonable to assume that they do not get bookmakers to operate from down below and, as a result, there is the usual half dozen willing folk in the town who come forward and are prepared to be chairman, judge and starter, while a couple of others may be willing to operate as bookmakers at that meeting.

Accordingly, I think there is some justification for this amendment, provided the hon. member is prepared to confine the legislation to the far North. I am most certainly not prepared to allow it to go through as it stands at present with its reference to a 30-mile limit of the G.P.O. because, in the first place, Parliament had no intention of allowing that when the legislation was placed on the statute book in 1954. Further, I would submit that at least as far as Geraldton—and I give that as my most northerly point—bookmakers are always available.

Members who follow race meetings are aware that if they go to Kalgoorlie they see the men from Perth operating; if they go to Meekatharra, they still see men from Kalgoorlie, and so it goes on right through the State from Geraldton south to Geraldton east. I am prepared to support the amending Bill but I intend to move in Committee to make this provision applicable to the area north of the 26th parallel. That should meet the requirement for which the hon. member has introduced his amendment, and with that reservation I will support the second reading of the Bill.

On motion by Mr. O'Brien, debate adjourned.

BILL—HIRE-PURCHASE AGREEMENTS.

To Refer to Select Committee.

Debate resumed from the 4th September on the following motion by Mr. W. A. Manning:—

> That the Bill be referred to a select committee.

MR. JOHNSON (Leederville) [9.6]: I do not intend, on my own behalf, to agree that this Bill be referred to a select committee. A good deal of time and study has been put into the preparation of amendments to this legislation, and since the Bill was first printed a good deal of interest in it has been shown by a number of persons and organisations. I feel that those members who are interested in this particular type of legislation have had considerable opportunity to inform themselves on the subject.

Furthermore, a detailed investigation of the hire-purchase industry has, so the Press tells us, been undertaken by Mr. Wallwork in his capacity as Commissioner of Unfair Trading. It seems, therefore, that it should be unnecessary for us to make a further inquiry. I interviewed Mr. Wallwork to inquire just what he had done and so on, because of the proposal to refer the Bill to the select committee proposed, and he very properly told me that he could not give me the information I wanted. So we have a situation existing where an inquiry has already been made, but until it is completed and action taken, the particular information will not be available to us.

I have examined the Standing Orders and have read May on the subject, and I imagine that if a select committee were appointed, it would be possible to call Mr. Wallwork and obtain the information we require. Whether he could refuse to answer is doubtful. It is possible he could seek protection under his legislation. Standing Orders and precedents read in May show that files, which would be available to the members if the House were to order their tabling, could not be obtained by requiring them to be produced before a select committee.

While I oppose the appointment of a select committee, I would advise the hon. member that if he were to move for the tabling of the relative files from the unfair trading inquiry, I would not object to that in the least, and all the information that a select committee could secure, and possibly a good deal more, would then be on the Table of the House. Personally, I do not think that particular action is necessary, nor completely desirable, but I think it is preferable to the appointment of a select committee. A large number of amendments have been placed on the notice paper and I thank the member for Nedlands for giving me an early copy of them, because they indicate that he is prepared, on his own behalf and on behalf of those he represents, to proceed with the matter.

I delayed putting a number of small amendments—mainly of a drafting nature—of my own on the notice paper, because I thought that those foreshadowed by the member for Nedlands could cover most of them. I find that has been the case, with the exception of three minor amendments. I did not expect this Bill to come before the House until next week. However, as I believe we should all be ready to proceed, I oppose the motion for a select committee.

MR. W. A. MANNING (Narrogin—in reply) [9.12]: When I moved for the appointment of a select committee on this Bill, it was to protect the situation until we were able to investigate the possibility of preparing suitable amendments to the measure in order to make it workable. This has been done and it appears that with the co-operation of members, it will be possible for something desirable to emerge from the Bill before us. In view of the fact that the amendments are on the notice paper, I would ask leave, Mr. Speaker, to withdraw my motion.

Motion, by leave, withdrawn.

In Committee.

Mr. Norton in the Chair; Mr. Johnson in charge of the Bill.

Clauses 1 to 3—agreed to.

Clause 4—Interpretation:

Mr. COURT: I understood that the Committee stage was not to be taken until next week, and with that in mind, I have not got all the detailed references that I wanted to present to the Committee. I would suggest that progress be reported.

Progress reported.

House adjourned at 9.15 p.m.

Legislative Council

Thursday, 12th September, 1957.

CONTENTS.

The PRESIDENT took the Chair at 2.30 p.m., and read prayers.

QUESTIONS.

LIBERAL PARTY MEMBERS.

Absence from House.

Hon. E. M. DAVIES (without notice) asked the Minister for Railways:

Is there any reason why the Liberal Party members of this House are absent, without notice, this afternoon?

The MINISTER replied:

I know of no reason other than that those members have been having a meeting and probably time has got ahead of them.

TRAMWAY DEPARTMENT BUSES.

High Entrance Steps.

Hon. A. F. GRIFFITH asked the Minister for Railways:

(1) Does the Tramway Department propose to take action to minimise the risk of serious accident and inconvenience to the elderly and infirm arising from the extremely high entrance steps on the new Government buses recently brought into service?

(2) If so, and pending necessary action, will he take steps to ensure, wherever possible, that the use of these buses will be reduced to a minimum on days when pension payments of various types are made?

The MINISTER replied:

(1) This type of bus with under-floor engine, necessitates the provision of steps slightly higher than those on other buses, but it is considered that the steps as designed do not constitute a danger hazard. The identical type of bus with similar step design has been in use by a private bus operator for approximately two years, during which time no serious accident has occurred.

(2) It would not be economical or practicable to restrict the use of these buses as suggested.

LEAVE OF ABSENCE.

On motion by Hon. E. M. Davies, leave of absence for 12 consecutive sittings granted to Hon. G. Fraser (West) on the ground of ill-health.

BILL—HONEY POOL ACT AMENDMENT.

Returned from the Assembly without amendment.