

Legislative Assembly,

Tuesday, 4th November, 1930.

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

AUDITOR GENERAL'S REPORT.

Mr. SPEAKER: I have received from the Auditor General, in pursuance of Section 53 of the Audit Act, 1904, the 40th Report, for the financial year ended the 30th June, 1930, which I now lay on the Table of the House.

BILL—FARMERS' DEBTS ADJUSTMENT.

As to Second Reading.

The MINISTER FOR LANDS: I move—

That the resumption of the debate on the second reading, set down for Thursday next, be taken to-morrow.

In explanation, I proffer the assurance that the fullest opportunity will be given to discuss the Bill; but it is of the utmost importance that we should deal with the Bill as early as possible. I have conferred with the Leader of the Opposition on this motion, and he has agreed to it.

Hon. W. D. Johnson: I assume it is not proposed to go into the Committee stage on the Bill to-morrow?

The MINISTER FOR LANDS: No.

Motion put and passed.

QUESTION—CANNING STOCK ROUTE.

Mr. MARSHALL asked the Minister for Works: 1, At what point has the present party, led by Surveyor Canning, reconditioning the Canning Stock Route arrived? 2, Has the route been thoroughly reconditioned up to that point? 3, When is it expected the work will be completed? 4, What will be the total cost of reconditioning this stock route, including both parties—the present and the previous one?

The MINISTER FOR WORKS replied: 1 and 2, No reports have been received since Mr. Canning left Wiluna in May. 3, If Mr. Canning's anticipations are realised the work should be completed next month. 4, Estimated total cost £9,800.

Mr. Marshall: The first party spent more than that.

BILLS (2)—THIRD READING.

1, Metropolitan Market Trust Road.

Transmitted to the Council.

2, Wagin Hospital Validation.

Passed.

ANNUAL ESTIMATES, 1930-1931.

Report of Committee of Supply adopted.

In Committee of Ways and Means.

The House having resolved into Committee of Ways and Means, Mr. Richardson in the Chair.

THE MINISTER FOR RAILWAYS
(Hon. J. Scaddan—Maylands) [4.42]: I move—

That towards making good the Supply granted to His Majesty for the service of the year ending 30th June, 1931, a sum not exceeding £6,329,042 be granted from the Consolidated Revenue Fund, and £126,979 from the Sale of Government Property Trust Account.

Question put and passed.

Resolution reported.

ANNUAL ESTIMATES—STATE TRADING CONCERNS, 1930-1931.

Report of Committee adopted.

BILL — ROMAN CATHOLIC NEW NORCIA CHURCH PROPERTY ACT AMENDMENT.

Report of Committee adopted.

BILL—EDUCATION ACT AMENDMENT.

Council's Amendment.

Amendment made by the Council now considered.

In Committee.

Mr. Richardson in the Chair; the Chief Secretary in charge of the Bill.

Clause 2.—Delete Subclause (9), and insert a new clause to stand as Clause 3, as follows:—"This Act shall continue in force until the 31st December, 1931, and no longer.

The CHIEF SECRETARY: I move—

That the amendment be agreed to.

This is purely a formal amendment. The duration of the Act must be set out in a separate clause, but by some error this was not done.

Question put and passed; the Council's amendment agreed to.

Resolution reported, the report adopted, and a message accordingly returned to the Council.

BILL—HOSPITAL FUND.

Second Reading.

Debate resumed from 30th October.

MR. MUNSIE (Hannans) [4.50]: I recognise the difficulties of the Government from the financial point of view, but I do not think it is fair to bring down a Bill like this for the maintenance of hospitals. These institutions are not going to get the benefit of the money collected. When introducing the Bill the Minister said it was in principle the same as that introduced by the previous Government, and was almost a reprint of it. There are these similarities between the two, that the title is the same and the tax, 1½d. in the pound, is the same. Beyond that, there is no similarity between the measures. How the Minister could say this was a facsimile of the other Bill I do not know.

The Minister for Lands: It is the Bill that passed the other House.

Mr. MUNSIE: It is not like that either. The principle is altogether different from the principle contained in the measure brought down by the previous Government.

Mr. Doney: Is it necessarily bad on that account?

Mr. MUNSIE: Yes. The other Bill was a benefit scheme. The hospitals were to reap the benefit of the tax of 1½d. Under this Bill, neither they nor the public will derive any benefit. If the other Bill had become law, all committee hospitals, public hospitals and ordinary Government hospitals could have been controlled and financed reasonably well on the tax it was intended to levy, and this money and that derived from the entertainments tax and from Consolidated Revenue would have sufficed for hospital needs. It made provision for the definite financing of hospitals even in the future. As the State developed and the number of these institutions increased, so also there would have been an increase in population with a corresponding increase in the revenue derived from the tax. I believe that Bill would have led to the financing of our hospitals for all time. By the Bill before us it is proposed to raise annually £156,000. In my opinion within six months the hospitals will be no better off than they are at present with the money they are receiving from Consolidated Revenue. The Minister said that he wished to contradict a statement that this money would go to Consolidated Revenue. He said he had received various letters asking if the rumour was true, and he desired to give a definite assurance that it would all be paid into a fund for the upkeep of hospitals. I do not deny that the money will be paid into a fund for the upkeep of hospitals, but the £104,000 now in that fund will be removed from it. The money raised will actually benefit Consolidated Revenue to the extent of £105,431. It is estimated that £156,000 will be collected from the proposed tax. The Premier in his Budget speech and the Minister himself said that the entertainments tax, which was now set apart for the maintenance of hospitals, would be transferred to Consolidated Revenue. To make up for that, the sum of approximately £36,000, which was collected last year from the Government hospitals,

would be paid to the hospital fund for their maintenance instead of into Consolidated Revenue. That would make good the £36,000 derived from the entertainments tax, and would make the total revenue for hospitals from all sources equal to £192,000. Against that, since 1924, the approximate collections from entertainments, various functions and hospital appeals, have amounted to about £30,000 a year. I refer chiefly to the result of the efforts made on behalf of committee-run hospitals. If the Bill passes, and the public have to pay the tax of 1½d. in the pound, they will not subscribe that £30,000 a year, so that it is fair to assume the £50,000 will be decreased by that amount.

Mr. Sampson: Will the work be entirely dropped?

Mr. MUNSIE: Yes.

Mr. Sampson: You cannot say that.

Mr. MUNSIE: I believe it will be so. I know the difficulty which committees experienced in raising the £30,000, and many members, particularly those who are interested in their local institutions, will bear me out in that statement. Despite all the efforts put forth to get in money, it was not possible for these organisations to collect more than an average of £29,700 a year.

Mr. Sampson: To many people that work gives great satisfaction.

Mr. MUNSIE: It will not give them so much satisfaction when they have to pay the tax. There is no doubt that £30,000 will for the most part disappear. People will not subscribe as they did before. No doubt button days, sweeps and other efforts will be put forward, but they will meet with less success, and the hospitals will get less benefit than they do now as a result of those endeavours. There is not the slightest doubt that the estimated revenue of £36,000, the collections from Government hospitals this year, will fall far short of expectations. That may have been a fair estimate in past years, as representing the revenue from 33 hospitals, excluding the Perth and Fremantle hospitals and the Children's Hospital, and comprising the patients' fees. I do not, however, believe that more than £15,000 will be realised from this source during the current year. On the 11th October last the secretary of the Fremantle Public Hospital

made a statement in the "West Australian" as follows—

After outlining the efforts which he had made to obtain further financial assistance from the Government, the secretary said that owing to the present depression the percentage of full-paying cases had greatly decreased. Last month 42 per cent. of the total admissions to the hospital were indigent cases, 35 per cent. unemployment cases, and doubtful paying cases, 17 per cent. cases of promised payments, and only six per cent. paying cases. Only 6 per cent. paid in August of this year!

By the closing of the two wards a saving of £1,500 per year was anticipated.

There the secretary is dealing with the economies necessary to make ends meet. He points out that the revenue of the hospital will be reduced. Perth and Fremantle Hospitals, fairly large hospitals, have had average collections of 3s. to 3s. 10d. per patient per day. This year a far less amount will be paid in patients' fees.

Mr. Sampson: Do you suggest a tax of 2d. in the pound?

Mr. MUNSIE: No. The tax proposed is quite sufficient to maintain the hospitals if the Government will give the proceeds to the hospitals and not pay it into Consolidated Revenue as the hon. member interjecting proposed in his Bill.

Mr. Sampson: You know something about that, too.

Mr. MUNSIE: When I was moving the second reading of the Bill of 1928, the hon. member interjected about ten times that the entertainments tax went into Consolidated Revenue. On each occasion I told him that not a penny of it went into Consolidated Revenue. The spending of the proceeds of that tax is shown in the Estimates each year. I admitted then, and I still admit, that the expenditure of that money resulted in better hospital facilities throughout the State, and that thus it may have increased the amount of revenue collected by perhaps £3,000 a year. The Consolidated Revenue did benefit to the extent of that £3,000, but not £37,000 or £38,000, the whole of the latter sum having been spent on upkeep. The Consolidated Revenue is not being protected now, because not one penny piece will be paid under the Bill. The Government are cutting out all the receipts, and are even showing a profit. Last year Consolidated Revenue provided £104,000, and this year it will benefit to the extent of

£105,000, thus showing a profit. Accordingly I hope the member for Swan (Mr. Sampson) will stop talking about protection of revenue. This measure will not do away with street collections and appeals, year after year, for hospitals. They will go on just the same, but I do not know whether the public will subscribe to them. I should not like to be a member of a committee running such an appeal after the Government tax of $1\frac{1}{2}$ d. in the pound is imposed. I do not think such committees will collect anything. Probably they will have to make the endeavour, as it seems that the hospitals cannot go on without such funds. The Bill I introduced merely broadened the conditions covering some 30,000 people in the State. I refer to the miners on the gold-fields, the Collie miners, the timber workers, the railway employees, and numerous members of friendly societies who pay into funds for hospital purposes. When such a person meets with an accident or falls ill, he goes into hospital and 6s. per day is paid from the fund for his maintenance. The Bill I introduced made that system operative throughout the State. It was practically a benefit scheme on the same lines. Under the Bill I introduced, the admissions represented an increase of 10 per cent., because the measure was drafted on the understanding that if it became law there would be a greater demand for hospital accommodation. With that 10 per cent. increase, it meant paying out of the fund for maintenance of patients in Government and committee hospitals—not private hospitals in the metropolitan area—a sum of £130,000 yearly. Not one penny of that amount will be paid under the present Bill. Then how will the hospital committees get on? They will not be able to manage their institutions at all if this measure becomes law. Under the previous Government's Bill it was anticipated that the tax would raise £217,000 annually. The amount expected from the entertainments tax was £40,000 annually. In addition, the previous Government definitely fixed the amount to be paid from Consolidated Revenue at £90,000. We were providing for the maintenance and upkeep of hospitals in this State, together with the payment of 6s. per day for each patient who went into a hospital, a total of £347,000 annually as against £192,000 annually under the present measure. If hon. members agree to the present measure, what will be the

future of the country hospitals as well as the metropolitan hospitals? Most of the country hospitals will be forced to close up. People will not subscribe to keep them going as well as pay the proposed tax for the same purpose. I warn country members in particular that this is what will happen. As an illustration, take the Perth Hospital under the previous Bill and the same institution under this measure. I do not know what the Government are prepared to do in the way of increasing hospital subsidies, but certainly they will have to be increased considerably. Perth Hospital in 1927, the year prior to the introduction of the previous Government's Bill, cost roughly £77,000 to run. Of that £77,000 public effort and appeals produced £6,600, while collections and patients' fees represented £14,000. Under the previous measure the Perth Hospital would not have got one penny of those two latter amounts, which total £20,600. Perhaps the hospital might get £5,000 in patients' fees this year, but that will be about all. Under the previous Bill no person entering the Perth Hospital had a debit raised against him. As regards anyone admitted to either the Perth or the Fremantle Hospital, or to a Government hospital, save in the event of being admitted to a private or intermediate ward, no debit was to be raised. Free hospital treatment was to be given in return for the tax of $1\frac{1}{2}$ d. in the pound on incomes, and the fund was to pay to the hospital 6s. per day for each patient. There is no payment to a hospital under the present Bill. The Health Department went carefully into the figures, and did not forecast the raising of a shilling by sweeps or hospitals appeals or patients' fees, as regards the previous measure; and then the hospital would have shown a profit of £20,233. Under this Bill the hospital will be stone, motherless broke before the end of the year. As regards Government hospitals throughout the State, the following figures show the increases in the number of patients: In 1921 the average number of patients was 230, in 1924 it was 276, and in 1927 it was 346. In the case of the Perth and Children's and Fremantle Hospitals, in 1921 the number of beds occupied per day was 427, in 1924 it was 520, and in 1927 it was 590. In committee hospitals throughout the State in 1921 it was 57, in 1924 it was 81, and in

1927, 139. In other words, the totals for the three classes of hospitals to which this Bill applies, as the other Bill applied to them, in 1921 were 774, in 1924 were 879, and in 1927 were 1,075, on the average. On that figure of £1,075 the fund, under the previous Bill, would have paid 6s. per day, and the hospitals would have been able to live. Under the present Bill, they will not be able to exist; the funds provided are utterly insufficient. If the Minister is optimistic enough to believe that the public are going to subscribe for hospital maintenance as they did in the past, in addition to being taxed for hospital upkeep, he is a bigger optimist than his chief, the Premier, if that is possible.

Mr. Kenneally: His chief has not been much of an optimist lately.

Mr. MUNSIE: In 1927—I am taking the latest figures available—the results from efforts amounted to £30,000. In the same year the amount collected from Government hospitals was £37,256; but from that amount, as the previous measure did not apply to midwifery, £5,000, and workers' compensation, £2,500, these items must be deducted. This left the amount collected from Government hospitals at £29,756. The intention of the Bill I introduced was to set aside those collections and to pay to the institutions 6s. per day for each bed occupied. They would have been £3,857 better off, and making allowances for all expenses and payments that could possibly be included, as well as a fair percentage for collections and the administration of the Act, we would have had a surplus of £58,000. The intention was, had that Bill become law and the money been collected, for the £58,000 to be capitalised after the first year and used for the purpose of paying interest and sinking fund on a loan to be raised for hospital building. Under the Bill now before us there will be nothing for buildings or alterations at all, nor will there be any money provided for upkeep. I do not think that the public, more particularly those who take an active interest in hospital work throughout the State, realise what the Bill actually means. In the country and Fremantle areas, magnificent work has been done in connection with the upkeep and maintenance of hospitals. Year in, year out, people have striven to have the hospitals placed on a proper basis. If those

people knew the true position that will arise under the provisions of the Bill, they would be up in arms. I am satisfied that they do not realise the position. In a statement that appeared in the Press, the Minister denied that the money to be raised was to go into Consolidated Revenue, but he has not said a word about the £104,000 that is to be taken out of Consolidated Revenue. The Government have misled the people, who believe that the measure will provide assistance for the maintenance of hospitals.

Hon. P. Collier: Plus the additional taxation.

Mr. MUNSIE: That is so.

Hon. P. Collier: They are being sold a pup.

Mr. Willecock: The people are being misled.

Mr. MUNSIE: Several people from the country districts have asked me what I think of the Hospital Bill. One man, who is the chairman of a hospital board, said to me, "Don't you think it is a splendid proposition; we shall not have to pay anything to provide for the hospitals, and we shall have £156,000 extra with which to run Government and committee hospitals." When I told him that they were not to receive anything of the kind, he was downhearted, to say the least of it. If such people realised what the Bill meant, the Government would receive severe criticism. Letters of protest and petitions would be lodged by the country people against the measure. There is one other point I wish to make in conclusion. I warn members that if the Bill becomes law, and a tax is levied for the upkeep of hospitals, we shall have to repeal the Bill before we shall be able to do anything to accord legitimate help to hospitals. If the measure is agreed to, when any suggestion is made that Parliament shall provide for the better financing of hospitals, the Government will say, "Why, you are collecting 1½d. on all incomes for the upkeep of hospitals now!" I admit that that is what will be done, but before the year is ended the hospitals will be worse off than they are at present, and there will be no hope of securing the passage of better legislation for the finance and upkeep of hospitals unless this measure is repealed. The Government are hard up for money. That applies to all State Governments and the Commonwealth Government as well. I ap-

peal to the Government not to mislead the people by introducing a Bill to impose a tax ostensibly for the upkeep of hospitals, but from which the hospitals will derive no benefit at all. The Government will make use of the measure to assist in balancing the Budget to the extent of £105,000 a year. That is not fair or decent legislation. It is not right to ask the public to subscribe funds in that way, and to allow the people to think that they are providing £105,000 additional taxation to assist the hospitals, whereas the funds will be used to help straighten the finances. That will be done under the guise of a hospital tax. It is merely misleading the public; it is dishonest, and it is unfair. I hope the Bill will not pass the second reading stage. Should it do so, and be sent on to the Legislative Council, then, should the Council throw the Bill out, I will be one of those who will say, "What a good thing it is that we have a Legislative Council." If the members of the Upper House do what they did on a former occasion, when they refused to agree to a Bill because they contended the tax was not to assist hospitals in the direction suggested, they will throw out this Bill. If they do that, the Legislative Council will at least have justified its existence for one month in its history.

MR. WILLCOCK (Geraldton) [5.21]: The Bill should not be agreed to without further debate. I object to a measure that introduces a different principle in relation to taxation to that formerly adopted in this State. I do not believe in special taxation for specific purposes. There is no more justification for introducing a Bill to provide for a tax for the maintenance of hospitals than there would be for a Bill to levy a tax in order to provide police protection in various parts of the State. If we agree to the Bill, then there will be no justification for objecting to another Bill seeking to impose a special charities tax merely because, in these times of stress, the demands for charitable relief are greater than formerly. We have adopted a system of taxation in Western Australia under which all the necessities of Government are provided for in a comprehensive income tax. We realise that there are many things that Governments have to do for the benefit of the people, and for that reason it is necessary to provide taxation. To suggest that

the House should agree to a Bill for a specific tax for a special purpose, is to ask us to agree to a method of raising funds that is quite unusual. It is a principle that we should not accept. The member for Hannans (Mr. Munsie) has proved successfully that the Bill will not benefit hospitals at all. The Government should be consistent, and if they are to act logically they will introduce legislation to provide funds for extra police assistance, as I have already suggested. To introduce a Bill to levy taxation for a specific purpose, and then to make use of the funds to assist in squaring the ledger, is not right. Government requirements have always been provided for by means of a comprehensive income tax, and that principle has been endorsed by Parliaments time and again. Whenever it has been necessary to increase that taxation to meet the requirements of a Government, there has not been much disagreement with the proposal except that no one is anxious to see additional taxation levied, and neither a Government nor the House would ever find pleasure in dealing with legislation to increase the income tax. If the Government were honest and required additional revenue, they should deal with the position directly. On the other hand, if the House is to agree to the Bill, the Government might come along later on and tell us that it costs £500,000 to educate the children of the State. They might say, "We, as a Government, are not prepared to raise that money in the ordinary way and we think it is only fair that we should levy a special tax to cover the cost of educating our children, and we therefore propose to levy an education tax."

Mr. Kenneally: And then the Government would use that £500,000 to swell Consolidated Revenue.

Mr. WILLCOCK: And that is what the Government propose to do under the Bill now before us. If the measure provided that those who paid the hospital tax would receive accommodation when necessary in the hospitals, it would be a different thing altogether. If a Bill to impose an education tax were introduced, and it provided that those who paid for the education of their children would be exempt from the special tax, something might be said for such a proposal, if the Government urged the necessity for such a tax for educational purposes. On the other hand, the introduction

of a measure for the imposition of a tax that will be called a hospital tax, will merely delude people into thinking they are contributing something extra towards the maintenance of our hospitals, whereas those institutions will not receive any benefit at all. As the member for Hannans (Mr. Munsie) rightly said, that sort of thing is not honest, and is unfair to the people. If the Premier must have more money in order to provide for the hospitals, let him be straightforward with the people, tell them what is necessary, and increase the income tax to meet the position. While no one would take any pleasure in an increase in income tax, the people would at least know what the position really was. It has always been regarded as a responsibility of Government to provide treatment for those unable to pay for it. Now the Government apparently claim that the people should provide extra taxation ostensibly to pay for that treatment, and yet those people are not to get the benefit that most people imagine will result from the passing of the Bill. Rather than have legislation of this description imposing a special tax for a specific purpose, it should be the duty of the Government to deal with the financial position comprehensively through the income tax legislation. There could be no objection to that. We know there must be additional funds raised from the people to meet commitments this year. Therefore there is no necessity for the Premier to secure legislation such as that we are now discussing. The incidence of the tax is such that it will apply even to those who are earning £1 a week.

Mr. Marshall: And this is a back-door method of getting it.

Mr. WILLCOCK: The Bill violates the principle that has governed our taxation during the past 10 or 12 years, namely, that taxes shall be levied only on people who are able to pay. The Bill will impose a tax upon a man receiving only £3 a week, regardless of what his responsibilities might be. Previously a man in such circumstances has not been taxed for hospital treatment.

The Minister for Lands: His dependants would also receive treatment.

Mr. WILLCOCK: In the past he has not had to pay. A man might be a casual labourer, working for six months of the year and making £100 or £120 on which to keep a family. It has been recognised as fair

that such a man should not be charged for hospital accommodation if he or his dependants needed it. No serious attempt was ever made to collect hospital fees from such people. Yet this measure provides that henceforth, no matter what a man earns or what his responsibilities might be, he must contribute the hospital tax. I do not believe in sectional taxation for sectional purposes, or in special taxation for specific purposes. We should follow the policy of the past by imposing a comprehensive tax to provide for all governmental purposes. If the Premier introduced a Bill to increase the income tax because of the special necessities of the times, and could justify it, he would not receive much adverse criticism from me, but a Bill of this kind is only pretence and misrepresentation, and I cannot support it.

On motion by Mr. Marshall, debate adjourned.

BILL—PARLIAMENTARY ALLOWANCES AMENDMENT.

Returned from the Council without amendment.

BILL—ROADS CLOSURE.

Second Reading.

THE MINISTER FOR LANDS (Hon. C. G. Latham—York) [5.34] in moving the second reading said: This is a measure of the kind usually brought down towards the end of the session. It contains only six clauses, and five of them deal with the closure of roads. They affect different parts of the State, and will probably be of more interest to members representing the respective districts than to the House as a whole. One deals with the closure of a road at Geraldton for the purpose of harbour works. Another closure is proposed at Albany because the road is affected by the rifle range. The third deals with the closure of a road at the Claremont showgrounds. The Royal Agricultural Society purchased from the University a piece of endowment land through which there was a road, a condition being that no opposition would be offered to the closure of the road, which is unmade and unused. It has been agreed between the municipality and the Agricultural Society that if the road be closed, the muni-

municipality shall have the right to sell the land to the society for a sum not exceeding £500. In order to secure the society, that provision has been included in the Bill. It is quite a new departure, but the society desired that that should be done. It is proposed to extend the York cemetery, and in order to do so it is desired to close a road running between the cemetery and a piece of land that has been acquired, so that the cemetery will be a complete area, and not be divided by a road. The road is not trafficable, and has never been used, and there appears to be no need for it. Last year Parliament agreed to the closure of portion of Broome Street, York, and it appears that the measure then passed did not give the municipality power to sell it. It is proposed to vest the land in His Majesty the King and then allow it to be transferred to the municipality to be disposed of.

Mr. Marshall: What right has the municipality to dispose of the land?

The MINISTER FOR LANDS: That authority has been given in the past.

Hon. P. Collier: The Government should sell it.

Mr. Marshall: If it reverts to the Crown, why should not the Crown sell it?

The MINISTER FOR LANDS: This is the usual procedure.

Mr. Marshall: It is unusual.

Mr. Willcock: Would the municipality have to pay for opening up another road in place of this one?

The MINISTER FOR LANDS: It will have to provide an additional road, and the money obtained from the sale of the land in question will be used to provide the additional road. If members refer to the Act of last year, they will find that the land in question is a small triangular block which has been used by the mill for several years for stacking wheat. It has never been used as a road, and I understand it has been sold for a nominal sum. There is no departmental objection to the transaction. It was thought that power was given to the municipality under the Act of last year to acquire and dispose of the land. It was originally part of a certificate of title. I propose to lay notes and lithos. on the Table for the information of members. I hope that by to-morrow we shall be able to put the Bill through the Committee stage.

Mr. Marshall: You have not yet got it through the second reading stage.

The MINISTER FOR LANDS: It might be questioned whether the Crown should dispose of such land, but usually when a road is closed, the local authority is involved in additional expense.

Hon. P. Collier: Not always.

The MINISTER FOR LANDS: That is so. It is generally a question not only of having to buy land, but of having to construct roads because of the closures.

Hon. P. Collier: Most of the roads we are closing are unmade.

The MINISTER FOR LANDS: The road in question is not made.

Hon. P. Collier: So there has been no expenditure on it.

The MINISTER FOR LANDS: That is so. At Claremont, because of the society taking over a new piece of land, the road had to be extended to give egress from the new area. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

BILL—RESERVES.

Second Reading.

Order of the Day read for the resumption from the 30th October of the debate on the second reading.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Angelo in the Chair; the Minister for Lands in charge of the Bill.

Clauses 1 to 10—agreed to.

Clause 11—Portion of Geraldton esplanade reserve, 2562 excised:

Mr. WILLCOCK: Will the Minister say what it is proposed to do with this block? Is it intended to hand it over in connection with the harbour works?

The MINISTER FOR LANDS: It is necessary to take a portion of the reserve for the harbour works and until it is required, it will be let to the municipality. The Public Works Department have asked

that this should be done and no objection has been offered by the Lands Department.

Clause put and passed.

Clause 12—Portion of King's Park reserve to be set apart for water supply purposes:

Hon. P. Collier: What is the size of this block?

The MINISTER FOR LANDS: It is less than an eighth of an acre; it fronts Mount's Bay Road and will be under the control of the Metropolitan Water Supply Department.

Clause put and passed.

Clauses 13, 14; Schedules 1 to 3; Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—BEES.

Message.

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

Second Reading.

THE MINISTER FOR AGRICULTURE (Hon. P. D. Ferguson—Irwin-Moore) [5.53] in moving the second reading said: The introduction of this Bill is the result of a promise made by the Government to the beekeepers of the State. Representations were also made to my predecessor in office and I know that he was very sympathetically disposed towards the industry. It is interesting to note that bees were first brought into Western Australia 98 years ago, and for many years no interest was taken in the industry from the point of view of providing legislation which would in any way assist it. At the end of last century when the industry was struggling for a footing, a Contagious Diseases in Bees Act was put through Parliament and it has been definitely proved that it was of very little use to the beekeepers in the prevention of diseases amongst bees. That is the only measure on the statute-book and it consists of only a few short clauses and deals with but one disease. At any rate, it has been proved to be of very little use to the beekeepers, hence their representations for up-to-date legislation. After a close investiga-

tion, and negotiations with those engaged in the industry, the Government have decided to introduce the Bill I am now presenting. It is very similar to legislation in existence in the other States and particularly New Zealand. The beekeepers in those places have received considerable assistance, as the result of that legislation, in the conduct of the industry. I am advised by the Association of Beekeepers, and my inquiries confirm the assertion, that in carrying on the industry the careful man is likely to suffer serious loss from the ignorant and indifferent beekeeper. Because of this, the members of the West Australian Beekeepers' Association have asked that this Bill be presented. In attempting to fortify the old Act, regulations to control diseases were gazetted, but those regulations were found wanting and have not achieved the object for which they were framed. The officers of the department are confident that if the Bill becomes law, it will do very much to assist in the prevention of the devastation of the apiaries of Western Australia by epidemics of disease. The production of honey in this State varies very much from year to year, largely because of the fact that the blossom on the trees, from which the bees extract honey, very often fails to appear for one or two and sometimes three years. The result is that when we have a very heavy year there is a large storage of honey by the bees, and when the trees do not blossom freely, there is something in the nature of a famine, and the bees do not store that quantity of honey which they do in most years when the gum trees bloom prolifically. The principle sources of standard honey are the wandoo or white gum, and the marri or red gum. In 1915 the State produced 122,125 lbs. of honey and 4,584 lbs. of beeswax, valued respectively at £1,659 and £249. In the intervening years considerable progress has been made in the industry, and in 1929 the production of honey reached 612,938 lbs. valued at £10,788. In the same year the output of beeswax was 10,419 lbs. worth £700. Against the local production of 1929 there were imported no less than 111,358 lbs. of honey and 5,031 lbs. of beeswax. The value of those imports totalled £3,546 and £442 respectively. The import figures for 1920 to 1929 show the importation annually of from 104,000 lbs. to 304,000 lbs. of honey. Those figures exemplify the need to encourage the local industry to meet the local

demand and to cultivate requests for our own local products. If we are watchful of the industry's welfare, it will very soon satisfy our domestic needs to the exclusion of honey produced elsewhere, and it is clear, if the local industry continues the progress of recent years, the date is not far distant when our beekeepers will be able to participate in the export trade as they did to the extent of 151,025 lbs. of honey valued at £2,325 in 1923-24, and to the extent of 100,664 lbs. of honey valued at £2,351 in 1926-27. Last year the beekeepers of the State possessed 11,358 frame hives, of which 10,233 were productive and 1,125 unproductive. In addition there were 412 box hives, of which 275 were productive and 137 unproductive, showing that there were about 10 per cent. of the frame hives, and 50 per cent. of the box hives unproductive. From these hives over 612,000 lbs. of honey, valued at £10,000, was produced. These figures were taken from the records of the Government Statistician, who states that quite a number of beehives were not included. So, although as nearly correct as possible, the figures are not absolutely accurate. Still, they demonstrate that the industry is a valuable asset, well worth encouraging. The Bill is framed on lines similar to those of the Victorian and New Zealand Acts. Its provisions are designed solely to permit of action being taken to control and prevent the spread of disease. It does not contain any restrictive provisions likely to hamper those engaged in the industry. It is very similar to the Victorian legislation, but does not go as far as the New Zealand Act under which hives cannot be removed from a district without the permission of the responsible department. That provision is regarded as being too restrictive. Some of the clauses of the Bill are designed to stimulate the keeping of bees in frame hives rather than in box hives, for bees kept in frame hives are much more productive than those in box hives. As showing the productivity of bees in frame hives, in 1926 the average production from box hives was 13.2 lbs. whereas from frame hives it was 51.3 lbs. Owing to education and instruction there are now very few box hives in existence. Statistics for 1929 show only 412, whereas the average for the previous four years was 1,349. A box hive has no interior fittings and cannot be inspected

or treated without the cutting or breaking of the comb. A frame hive is one in which the combs are built into frames, each separate frame being removable without interference with the others. The frames cost about 4½d. each, and there may be from 10 to 40 of them in a hive. As far as is known, there are in Western Australia 11,358 frame hives, and 412 box hives, or approximately 28 times as many frame hives as box hives. It is proposed that the department may prescribe the kind of beehive in which bees may be kept in a proclaimed district. That is necessary because bees in boxes without removable frames are very difficult, and sometimes impossible, to inspect and if a serious outbreak of disease occurs, it may be necessary in order to facilitate inspection to have all bees in the district kept in hives with movable frames. As showing how the industry has developed, I may point out that there are between 500 and 600 beekeepers in the State, and that the number is increasing. The industry is steadily growing and becoming of more value to Western Australia. I find there is in the minds of some members with whom I have discussed beekeeping the belief that the Bill refers to wild bees. It does not. It is specifically stated in the measure that it refers only to bees that are kept in hives. In consequence the Bill does not seek to attach any responsibility to owners of land in respect of bees in trees on their property. It would be distinctly unfair to penalise the owner of any land on which a hive of bees had swarmed without his knowledge. It is not intended that the Bill should deal with wild bees. However, a distinction must be made between wild bees and native bees. Native bees are indigenous to the State. They are small and do not store honey in any quantity. From the commercial standpoint they are regarded rather as a hindrance than an asset. The ordinary wild bees of the bush, as distinct from the native bees, are the progeny of a mixture of introduced races, such as the German or black bees, the Italian, the Cyprean, etc. These are exempt from the provisions of the Bill. The pure-bred Italian bee is generally kept by the commercial apiarist. Recently the Carniolan bee has been introduced into Australia, and is coming greatly into favour. The Department of Agriculture is at pre-

sent breeding the Carniolan bee at Bayswater and on Rottnest Island in order to assist the industry in the improvement of stock. With a view to keeping this breed pure, no other bees will be allowed on Rottnest Island. In beekeeping, as in other industries, it is advisable to have good, high-grade stock, and the department is anxious to assist beekeepers in this direction. Many leaflets dealing with bees have been prepared by the Government Apiculturist (Mr. Willoughby Lance), and members interested in the industry should study those leaflets. Disease is just as serious among bees as among any other stock, and once it gets a hold in a district it may destroy all the bees in that district in one season. A few years ago the Isle of Wight disease destroyed about 70 per cent. of the bees in the South of England, and it became necessary for the British Government to import bees from Holland to re-establish the industry. Fortunately that disease has not yet made its appearance in Western Australia. One of the objects of the Bill is to safeguard the local industry against the introduction of the Isle of Wight disease and other diseases specified in the Bill. The most prevalent bee disease in this State is foul brood. Because that disease may be carried from one hive to another by means of the honey, power is sought to prevent the sale or distribution of honey from infected apiaries, even though it is not in any way objectionable or injurious to human beings. Another provision deals with the ravages of the wax moth. Neglected hives are frequently attacked by wax moth, which feeds on the wax and pollen and destroys the comb. Very soon the whole of the comb is destroyed and the bees are driven out. The hive then becomes a breeding place for thousands of moths, which attack other hives and become a pest against which neighbouring beekeepers have to fight. A provision in the Bill authorises the inspecting officer to order the beekeeper to destroy the moths and disinfect any hives, combs or beekeeper's appliances affected. Other diseases not at present in evidence in this State may become a menace, and power is sought in the Bill to prescribe for them by proclamation. It is very necessary to prevent the introduction into the State of bees, hives, honey, or beekeepers' appliances that have been used in beekeeping, except under a certificate from the Government Apiculturist or De-

partment of Agriculture in the country or State of origin, certifying that such bees, hives, honey or appliances come from a district in which foul brood or Isle of Wight disease do not exist. A similar provision exists in all Acts relating to produce, plant, stock, etc. If disease should increase to any serious extent, and bees, honey or appliances were removed from the infected districts to other parts of the State, the germ of disease might be carried to parts that had previously been clean. To prevent that possibility, provision is made in the Bill for the isolation of the infected districts until the danger is overcome. Compulsory notification of disease is provided for, so that steps may be taken for the eradication of the disease. The prescribed steps will vary according to the disease and the hold it has upon the colony or apiary where it is found. The usual powers of entry and inspection by an officer of the department are set forth in the Bill. No compensation shall be payable in consequence of any measures for the prevention or eradication of disease unless they were taken wilfully and without necessity. No additional appointment will be necessary in the administration of the proposed measure, nor will any additional expense be incurred in the policing of the Bill, for that will be carried out by the Government Apiculturist. Under the Bill, beekeepers will be compelled to disclose to the inspector any information required by him relating to any apiary, bees, bee comb, honey or beekeepers' appliances.

Sitting suspended from 6.15 to 7.30 p.m.

THE MINISTER FOR AGRICULTURE: There are in Western Australia between 500 and 600 apiaries, containing close on 12,000 hives. The average amount of honey produced from a hive is between 50 lbs. and 60 lbs. Some extra good hives, in particularly good years when some of our indigenous trees blossom more freely than usual, have been known to yield as high as 150 lbs. of honey. I was recently informed by one of our prominent apiculturists that in his apiary alone he had something like 1,500 hives. The production from these hives is 3,000 tins of honey a year, and each tin weighs 60 lbs., which is equivalent to 120 lbs. per hive. There are over 35,000 bees in the ordinary frame hive, and it takes 20,000

bees, carrying a full load, to convey 1 lb. of honey. One bee during the course of his ordinary working life produces a teaspoonful of honey, from which hon. members will realise how many working bees there are in a hive that produces the maximum of 150 lbs. per annum. It is generally recognised that honey is a very excellent diet. The member for Claremont (Mr. North) has often told us of the many uses to which it can be put. He has, I believe, convinced members that honey can be used in many ways in which sugar is used. He has convinced me, at any rate, that there is no necessity to use Queensland sugar in our tea when we can get Western Australian honey to take its place. The honey is far more economical. Anyone who takes two teaspoonsful of sugar in his tea will be quite satisfied with one teaspoonful of honey. I have proved that to my own satisfaction. I never want to taste any more Queensland sugar in my tea, because Western Australian honey quite takes its place. I understand further that honey has a much greater food value than sugar. I am afraid the people of Western Australia do not fully realise the value of the industry to the State, for they consume only 1 lb. of honey per head per annum (and most of this honey is produced locally), whereas they consume over 90 lbs. of imported sugar per head. They might do a considerable amount of good for Western Australia by using honey in greater quantities and devoting less attention to imported sugar. The beekeepers of Western Australia recently organised a honey week in the metropolitan area. The result was a wonderful advertisement for local honey, which is of a very high grade. I believe storekeepers in the metropolitan area have stated that as a result of the organisation during honey week they increased their output of that commodity from two to four times the usual amount. I hope the provisions of the Bill will commend themselves to the House. I move—

That the Bill be now read a second time.

MR. MILLINGTON (Mt. Hawthorn) [7.35]: Seeing that this Bill seeks to regulate the bee keeping industry, I presume the only persons likely to object to it are the beekeepers themselves. I am aware that for some time they have asked for amending legislation. It cannot be said that they have

been over-legislated for, because the only Act on the statute-book dates back about 30 years.

The Minister for Agriculture: They have had one Bill in a century.

MR. MILLINGTON: I presume they think it is about time they had some new legislation for the protection or regulation of their industry. Bee keeping should be of great importance to this State, on account of our wonderful forests and the extent of our country. I should say also that in spite of the difficulties we are facing, in respect of the increased cost of production, bees will continue to produce honey at the old rate. Even in these times there is a prospect of the industry expanding. As the Minister has said, if people could be induced to eat more honey, we should import less sugar from the other States. The Act makes certain provisions for the prevention of disease amongst bees. Apiarists themselves have always insisted that this legislation was insufficient for their needs. I took the view that the Act was sufficient to enable the necessary precautions to be taken to prevent disease, but I am assured by the Government apiculturist that there is insufficient power in the law as it stands to enable this protection to be afforded. It is very difficult to localise all apiaries. In some places there are only one or two hives. It is, therefore, necessary to have an inventory of all the hives in the State. This can be brought about, under the Bill, by compulsory registration. I presume only a nominal fee will be charged. It cannot be intended to penalise the beekeeper by doing more than charge a small fee for the purpose. I understand the beekeepers have no objection to this. The only other contentious matter is in respect of the provision that the department should have power to compel beekeepers to use the regulation frame hive. I understand it is not intended that this shall be enforced as a general rule, but only in such cases where it is considered necessary to prevent the spread of disease. It seems that it would be a hardship in certain cases to insist upon frame hives. A man may be keeping only a few hives and may not be depending upon them for anything more than a supplementary living. It might be sufficient for him to knock up a rough hive of his own. I know that when the industry

has been followed seriously as a means of obtaining a livelihood, the apiculturists have themselves introduced the frame hive. They consider it more economical and superior to the old style. This Bill all through is giving the beekeepers merely what they think the industry requires. I presume the measure will be administered sympathetically, and that no undue hardship will be placed upon those connected with the industry. Seeing that the apiculturists have asked for this, and that they will be the ones to submit to the regulations and restrictions, I do not see that any exception can be taken by anyone else. I am pleased that the Government are fostering this industry. The previous Government also had a full appreciation of the importance of beekeeping and appointed an apiculturist. I believe that officer has done good work in the way of educating local apiculturists. Although beekeeping appears to be a simple matter, it is not altogether so. It involves a good deal in the way of breeding and the application of science. The work that was started by the previous Government is being continued and attempts are being made to put the industry on a proper footing. I know from experience that beekeepers are particularly anxious to have their industry put upon a sound basis. They are also enthusiastic about this amending legislation. Each year they have been most persistent over the introduction of a Bill. Whilst I was in Cabinet the applications for this were continuous. I also attended several conferences. It appeared to me that the beekeepers were most anxious to be up to date and to supply a good quality of honey. Good work has been done with regard to the marketing of this commodity, as well as in respect to grading and the preparation of the honey for sale.

The Minister for Agriculture: There is a voluntary honey pool.

Mr. MILLINGTON: Yes. With proper treatment and encouragement and improved legislation, as well as a greater knowledge of the industry on the part of all connected with it, I feel sure it will grow into something of greater value to the State. The Bill has been passed by another place and we have had an opportunity to read it. I did not ask for the adjournment of the debate but have much pleasure in supporting the

second reading. I hope the measure will have the effect that the beekeepers and the department desire, and that it will put the industry on a proper footing, prevent the spread of contagious diseases amongst bees, and thereby save the industry from the harmful effects that would result from the spread of any of those diseases.

MR. SAMPSON (Swan) [7.45]: I welcome the Bill, and desire to pay a tribute to the work of the apiculturist, Mr. Wiltoughby Lance, who was appointed by the late Government, and who is undoubtedly doing excellent work. If any man is enthusiastic in his daily toil, that man is Mr. Lance. The Bill has been asked for by the beekeepers repeatedly. I am glad that it is now before the House, and hope it will have a safe passage. The measure aims to protect growers from disease. Foul brood is indeed a bad disease, and the cause of a good deal of loss. Provision is made in the measure for the care of infected areas. Western Australia is peculiarly fortunate as regards beekeeping. It offers opportunities which in many countries are denied to the beekeeper. It would be a most excellent thing to give the greatest possible encouragement to the industry. The orchardist, or the small farmer, or for the matter of that, the large farmer, living in a district where there is any considerable quantity of flora, or nectar, as it is commonly known, would be well advised to go in for beekeeping. The climate of Western Australia is peculiarly suitable for the purpose, and at present a huge quantity of nectar is wasted. Particularly is that the case when the blossoming of the red gums is heavy. In addition, there is the advantage which orchardists derive from bees in the neighbourhood. Visiting an orchard recently, I was amazed at the number of bees on each apple tree. They were wild bees, which goes to prove the statement that Western Australia's climate offers great opportunities for beekeeping. The importation of honey and wax into this State is interesting. For the 12 months ended on the 30th June, 1930, the value of honey brought into Western Australia amounted to £3,546, of beeswax £447, paraffin wax £5,118, and other wax £932. The main opportunity is in respect of the food value of honey. Honey is not used here nearly to the extent that it should

be, or the extent that it would be if its food value were generally recognised. However, we have had in operation for some time a pool, which has done great work. The result consists in blending and in ensuring that those who purchase pool honey receive a uniform-quality food. Other countries face greater difficulties as regards beekeeping. When I was on the Continent in 1928 with the Minister for Lands (Hon. C. G. Latham), we had an opportunity of visiting the bee school in Vienna, and, later, the school of agriculture in Ottawa, Canada. We were greatly impressed with the interest shown in the industry by the Governments of those countries, and were struck with the amount of consideration given and of money provided to make the work possible. It is remarkable that in honey production New Zealand leads Australia on the London market as regards quality, and consequently as regards price. New Zealand tops the honey market. I do not know much about the disease called diabetes, but I am told that honey is quite a useful food in cases of diabetes and that the evils which follow the use of sugar do not follow the use of honey. From that standpoint the slogan "Eat more honey" might well be carried into greater effect. The food value of honey I have already referred to, but there is another value pertaining to the bee, and one which suffers from rheumatism might consider. I am informed that if one is sufficiently stung by bees, rheumatism can be cured. That is worth trying out, at all events. I hope those members of the public who suffer from rheumatism will try out the effect. There is little need to advocate the Bill, which undoubtedly represents a step in the right direction; and I hope its passing will give to the beekeepers that assistance which is so essential. The measure has been asked for on various occasions by the assembled beekeepers of Western Australia, a small band of enthusiasts who have done much honorary work. Great efforts have been put forward by them in the desire that the industry may flourish. We should produce at least sufficient honey for our own requirements, and those requirements should be considerably greater than they are to-day. I have much pleasure in supporting the second reading.

Question put and passed.

Bill read a second time.

In Committee.

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

Clauses 1 to 17—agreed to.

Clause 18—Regulations:

Mr. MUNSIE: It might be interesting to hear the Attorney General on this clause. During the last six years I have not known of one Bill containing the clause giving power to make regulations to which the Attorney General, when sitting on this side of the Chamber, did not object most strenuously. The hon. gentleman then said he wanted the Chamber to effect by legislation what was desired, and not to do it by regulation. Under this clause the Governor in Council is given a multiplicity of powers by way of regulation, and Subclause 2 authorises the imposition of penalties not exceeding £20. To a certain extent I agree with what the Attorney General said when sitting in Opposition. However, when legislation on a new subject is being introduced it is almost impossible to include in the Bill everything that is necessary; and consequently there should be power to make regulations for carrying out the intentions of the Act in accordance with the Act. Here we do not know what the regulations are to be, and yet for a breach of them we are asked to authorise penalties up to £20.

Mr. Sampson: The regulations will be laid on the Table.

Mr. MUNSIE: But they may lie on the Table for six months before we can challenge them.

The Attorney General: The penalty subclause is very constant.

Mr. MUNSIE: It is utterly contrary to what the Attorney General has said on the subject, and I shall test the feeling of the Committee with regard to it.

The MINISTER FOR AGRICULTURE: I have already explained how necessary it is to give the Government power to provide for inspections and the prevention of diseases in apiaries. Therefore, the power to make regulations is essential so that the Bill may be effectively operated. I do not think the penalty of £20 is too high, but I am not wedded to that figure. The object of the measure is to assist the industry not to hamper it. I am not concerned as to what attitude the Attorney General may

have adopted in any previous Parliament on the question of regulations, but it will not be possible to effectively administer the measure without the authority to make regulations.

Mr. MILLINGTON: I am not one of those who consider that a comprehensive measure can be administered without regulations.

Mr. Munsie: This one could not be.

Mr. MILLINGTON: Despite what the present Attorney General said when sitting in opposition, I regard the action of those who contend to the contrary as amounting to a ridiculous fad. I think the Attorney General realises it, now that he has had some experience in administration. I object to the redundancy of the clause. Paragraphs (a), (b), (c), (d) and (e) deal with specific matters and then Paragraph (f) provides general power for making regulations to carry out the provisions of the Act. Surely Paragraph (f) is quite sufficient.

The Attorney General: Well, move an amendment to that effect!

Mr. MILLINGTON: I am not in charge of the measure. I understand that in law, when certain specific things are provided for, others not mentioned are deemed not to be included. I believe the power to make regulations is necessary because if that provision were excluded and we sought to include everything in the measure, the Bill would become extremely complicated. The powers that the Government could then exercise would be merely those specifically mentioned in the Bill.

Mr. SLEEMAN: The member for Hannans was right in his contention that the regulations are sweeping.

Mr. Millington: They are merely lengthy.

Mr. SLEEMAN: The measure will control amateur bee-keepers who have one or two hives, and it is quite possible that their interests will be hampered under regulations of which the House may know nothing for months. Only when Parliament assembles again, will members have an opportunity to move to disallow any of the regulations.

Mr. MUNSIE: The Minister, when explaining the position, did not mention that penalties are already provided in the Bill itself and yet in the clause dealing with regulations there is again power taken to impose penalties of upwards of £20. It is necessary to have power to make regulations

so as to properly administer the Act, but it is better to have that power generally, without seeking to specify different matters that may be dealt with by regulations. I move an amendment—

That in Subclause 1, paragraphs (a), (b), (c), (d) and (e) be struck out.

That will then leave power to make regulations generally for carrying out the provisions of the measure.

Mr. SAMPSON: The side note to the clause shows that it was taken from the New South Wales Act.

Mr. Sleeman: That does not make it right.

Mr. SAMPSON: I think it does, because in New South Wales there is experience to guide those controlling the industry. Bee-keepers should be afforded some protection. The man having one or two hives, who was referred to by the member for Fremantle, may be the individual whose bees are diseased. The power to make regulations should not be deleted from the Bill, and I hope the amendment will be withdrawn.

Amendment put and negatived.

Mr. MUNSIE: I move an amendment—

That Subclause 2 be struck out.

Penalties are already provided in connection with the various clauses of the Bill, and I do not think it necessary to have a drag-net subclause providing for penalties for breaches of regulations.

The Minister for Agriculture: The subclause provides merely the maximum penalty.

Mr. MUNSIE: But it is not necessary.

Mr. MARSHALL: I do not oppose the power to make regulations on all occasions, as I realise it is often necessary in order to effectively administer an Act. In the Bill itself provision is specifically made regarding penalties, and now we are asked to agree to penalties for breaches of regulations. It may be that a man will be fined £20 for a breach specified in the body of the Bill and another £20 for a breach of regulations, making a total fine of £40. It would be wrong for the Committee to give power to the Minister to frame regulations, perhaps while Parliament is in recess, and when there would not be an opportunity to deal with them for six months or so. When regulations are framed, they have to lie on the Table and if not objected to, become law at the end of a fort-

night. Often regulations become law unknown to members. Some better method of presenting regulations should be adopted. Having regard to the grave danger that might arise under Subclause 2, I support the amendment. The Attorney General should support it because on several occasions he has objected to legislation by regulation.

Mr. WILLCOCK: Generally speaking, it is necessary to have power to make regulations and to be able to enforce them if people do not obey them, but it is a different matter to give power to impose a fine of £20. Such a fine is not warranted for what might be a comparatively trivial offence. Even if the minimum were one-tenth, it would mean a fine of £2 perhaps for a technical offence. If any possible offence were so serious as to justify a fine of £20, it should be inserted in the measure. Before the member for Hannans moves his amendment, I should like to move to strike out "twenty" and insert "two."

Mr. Marshall: Do you approve of the principle of fixing penalties by regulation?

Mr. WILLCOCK: It is useless to have a law unless it can be enforced.

Mr. Marshall: It is the first time I have seen provision for making regulations with a penalty included.

Mr. WILLCOCK: Similar provision has been made in other measures.

Mr. Munsie: Move your amendment and I shall support you to get the penalty reduced.

The CHAIRMAN: If the amendment be defeated, the member for Geraldton will not be able to move his amendment. If the member for Geraldton moves his proposed amendment and it is defeated, the member for Hannans will not be able to move his. The way out is for the member for Hannans to move to delete all the words from "Such" to "exceeding" inclusive, and if that is defeated, the member for Geraldton may then move to delete the word "twenty."

Mr. MUNSIE: I ask leave to withdraw my amendment, and if the amendment of the member for Geraldton be defeated, I shall endeavour to get the clause defeated.

Mr. ANGELO: Has not the penalty already been agreed to under another clause?

The CHAIRMAN: I am dealing only with Clause 18.

Mr. ANGELO: But we shall make ourselves look ridiculous.

The CHAIRMAN: That will not be the fault of the Chairman.

Amendment, by leave, withdrawn.

Mr. WILLCOCK: I move an amendment—

That the word "twenty" be struck out.

Mr. MILLINGTON: May I discuss the principle of imposing penalties by regulation?

The CHAIRMAN: No, the hon. member may only discuss the striking out of the word "twenty."

The MINISTER FOR WORKS: The member for Geraldton is seeking to make the maximum £2.

The CHAIRMAN: The only question before the Chair is the striking out of the word "twenty."

The MINISTER FOR WORKS: It is difficult to discuss that point alone.

The CHAIRMAN: I cannot help that.

The MINISTER FOR WORKS: Similar penalties are provided in other Acts. I have an Act which provides a maximum penalty of £20, or imprisonment not exceeding one month. It was passed in 1925, and I do not remember having heard any objection raised to the principle on that occasion. I refer to the Traffic Act.

The CHAIRMAN: The hon. member is not in order in quoting the Traffic Act.

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

Ayes	..	..	..	..	13
Noes	..	..	..	..	20

Majority against 7

AYES.	
Mr. Collier	Mr. Raphael
Mr. Hegney	Mr. Sleeman
Mr. Kenneally	Mr. Walker
Mr. Lutey	Mr. Wansbrough
Mr. Marshall	Mr. Willcock
Mr. Millington	Mr. Wilson
Mr. Munsie	(Teller)
NOES.	
Mr. Angelo	Mr. McLarty
Mr. Barnard	Mr. Parker
Mr. Brown	Mr. Patrick
Mr. Davy	Mr. Plesse
Mr. Doney	Mr. Sampson
Mr. Ferguson	Mr. Scaddan
Mr. Keenan	Mr. J. H. Smith
Mr. Latham	Mr. Thorn
Mr. Lindsay	Mr. Wells
Mr. J. I. Mann	Mr. North
	(Teller)

PAIRS.		
AYES.		NOES.
Sir James Mitchell		Mr. Johnson
Mr. H. W. Mann		Mr. Withers
Mr. Griffiths		Mr. Corboy
Mr. Tensdale		Miss Holman
Mr. Richardson		Mr. Troy
Mr. J. M. Smith		Mr. Lamond

Amendment thus negatived.

Mr. MARSHALL: So far as my memory serves me, this is the first occasion on which power to make regulations has appeared in a clause the phraseology of which is as we find it here. All the powers that are necessary are given in measures that have already been agreed to, and consequently I intend to oppose the clause.

Mr. MILLINGTON: At times regulations have to be framed to apply to different parts of the State, and they would have to apply at different seasons of the year. There are drastic regulations in respect of quarantine and heavy penalties are provided. This new idea I fail to follow at all. I suppose bees will be classified as stock in this instance. Stock regulations cover all sorts of offences and those who are guilty of breaches can be proceeded against drastically. That must be so, otherwise it would be of no use having regulations.

Mr. SLEEMAN: I suppose it is waste of time saying anything further, seeing that members have made up their minds to pass the clause. But it did seem that the Committee were not prepared to be reasonable by refusing to accept the amendment of the member for Geradton. I suppose efforts will be made to try to get rid of the small man altogether.

The Minister for Agriculture: No, the object is to assist him, not to wipe him out.

Mr. SLEEMAN: It does not seem to me that the clause will assist the small man, and the penalty will be too heavy. I intend to vote against the clause.

Clause put and passed.

New clause:

The MINISTER FOR AGRICULTURE:
I move—

That the following new clause, to stand as Clause 4, be added to the Bill:—"The Governor may appoint officers necessary to carry out the provisions of this Act"

Mr. MARSHALL: I oppose the clause because I see the possibility of creating a new department.

Mr. Sampson: When the bees begin to talk?

Mr. MARSHALL: The drones are talking on the other side of the House. Before many years have passed there will be another elaborate department under the Minister for Agriculture, to control bees. Moreover, I have a great deal of respect for the Governor, whose duties I know are numerous and laborious, and we should not add to those duties by putting him to the extreme trouble of having to appoint additional officers.

Hon. P. Collier: But it is alleged that he has not very much to do.

Mr. MARSHALL: I am a much wiser man now than I was a few evenings ago. I find that he has a multiplicity of functions to attend to.

The CHAIRMAN: Order! We are not discussing the Governor.

Mr. MARSHALL: Yes, we are because we are imposing upon him the duty of having to appoint these extra officers. I have no desire that we should provide more work for the Governor to do. We know that he is departing shortly and his successor should not be given too much work.

The CHAIRMAN: Order!

Mr. SLEEMAN: I welcome the statement made by my friend about the Governor, who will be leaving us shortly.

The CHAIRMAN: The hon. member is out of order in discussing the Governor on this clause.

Mr. SLEEMAN: The new clause provides that the Governor shall appoint new officers. Possibly the Governor will not be here very long, and we may not have a successor if we follow in the footsteps of other States.

The CHAIRMAN: Order! I do not want to ask the hon. member to resume his seat, and therefore I hope he will not trespass on my good nature.

Mr. SLEEMAN: I only expressed the hope that the Governor would not be here very long in his capacity as Governor to make the appointments provided for in the new clause.

The MINISTER FOR AGRICULTURE: The new clause will not mean the appointment of new officers to carry out the work of the measure. The Government Apiculturist will do everything that is necessary, and there is no chance of the establishment of

another hugh department, as foreshadowed by the member for—I forget his constituency.

Hon. P. Collier: Way-back.

The MINISTER FOR AGRICULTURE: The new department that he foresees is a creation of his imagination. Anyway, this is not a matter to joke about and there is no suggestion that new officers will be appointed. It is necessary to have such a clause in the Bill.

New clause put and passed.

Bill reported with amendments.

BILL—INSPECTION OF SCAFFOLDING ACT AMENDMENT.

Council's Amendments.

Amendments made by the Legislative Council now considered.

In Committee.

Mr. Panton in the Chair; the Minister for Works in charge of the Bill.

No. 1. Clause 4—Section 11 of the principal Act is amended by inserting after the word "by" in the second line of the clause the following words: "deleting the word 'human' in paragraph (a) and inserting the word 'the' in lieu thereof, and."

The MINISTER FOR WORKS: I move—

That the amendment be agreed to.

This is only a small matter. The principal Act refers to "human life or limb" and the Council's desire is merely to strike out the word "human" because it is not necessary.

Hon. P. Collier: What a wonderful discovery!

The MINISTER FOR WORKS: Yes, it is really wonderful!

Question put and passed; the Council's amendment agreed to.

No. 2, Clause 7—Delete:

The MINISTER FOR WORKS: This has to do with the imposition of a language test on men employed on scaffolding or gear; no person shall be so employed unless he has a sufficient knowledge of the English language to be understood by his fellow work-

ers. I move an amendment on the Council's amendment as follows:—

That "delete" be struck out and there be inserted in lieu the following:—"amend by inserting '15 feet' in lieu of 'one storey.'"

The idea underlying the amendment is that there should be no language test for men employed on a one-storey building. But since chimneys have to be taken into consideration, I am making it 15 feet instead of one storey. It is only right that we should have the test of language on a building of two or more storeys, but on a building of one storey it is not necessary.

Hon. P. COLLIER: We cannot be too careful in seeing to it that men engaged on buildings where they are liable to be a danger to their fellow workmen are able to speak the English language. But I think the amendment moved by the Minister will meet the position, and so I will support it.

Amendment on the Council's amendment put and passed.

Resolutions reported; the report adopted, and a message accordingly returned to the Council.

BILL—VEXATIOUS PROCEEDINGS RESTRICTION.

Second Reading.

THE ATTORNEY GENERAL (Hon. T. A. L. Davy—West Perth) [8.50] in moving the second reading said: I make no apologies for this measure. Every member of the legal profession, every judge, and a great many members of the public are well aware that one peculiar form of mania in the human mind is the litigious form. The ordinary normal human being, of course, would be quite unable to conduct litigation of any magnitude without the assistance of a member of the legal profession. But there are a few quaint people who have acquired sufficient knowledge of the procedure of the courts to get themselves before the court without help. And apparently, as soon as they have acquired that knowledge, they spend most of their time in bringing absurd actions. Every State in Australia always has one person who is well recognised as a public litigious nuisance.

Mr. Corboy: Why not name them?

The ATTORNEY GENERAL: No, I am naming nobody, because in the 10 years during which I have been practising in Western Australia there has always been at least one of these litigious persons, and it has by no means always been the same one who has been a nuisance in Western Australia at the moment.

Mr. Corboy: I think Mrs. Tracey set the habit.

The ATTORNEY GENERAL: The lady mentioned is one whom I never knew, although I have heard of her. But I have come into personal contact with at least three of these people. It is not always the wealthy person who suffers from them. I had experience of one unfortunate woman, the wife of a wages man, who was proceeded against by one of these people. The cause of action brought against her was frivolous and hopeless from the start, but it was in sufficiently proper form to enable the plaintiff to get before the court. This unfortunate woman was quite unable to defend herself, and had to employ solicitors. The net result was that in defending an action which ought never to have been brought, which had no sound basis at all, this poor woman incurred an indebtedness of £60 or £70. The measure before us is designed to prevent people with this litigious mania from beginning any action except by leave of the court. Before a person can be put under the disability created by this Bill, a definite charge has to be made against that person by the Attorney General before the Supreme Court; and the Supreme Court has to be satisfied that the person involved has habitually and persistently and without any reasonable grounds instituted or commenced vexatious proceedings.

Mr. Corboy: You are only hitting at the mania.

The ATTORNEY GENERAL: Yes. When that is proved to the satisfaction of the court, the person involved is entered on a list of persons who are not permitted to commence proceedings without the permission of the judge.

Mr. Corboy: A new form of the Dog Act.

The ATTORNEY GENERAL: Well, yes. I may say that people put under this disability will be in no worse position than people who have no money and have to pray in aid the provisions of the Poor Persons

Legal Assistance Act. That is all we are doing.

Mr. Kenneally: Will you give us an assurance there is no question of professional jealousy here?

The ATTORNEY GENERAL: I do not think there is.

Hon. P. Collier: What has prompted the thing mainly is that this litigious person has been her own lawyer.

The ATTORNEY GENERAL: The Leader of the Opposition is wrong in assuming that the fact that she does not employ lawyers has prompted this. The point is that people of the kind against whom this Bill is aimed are quite unable to get any legal assistance, because they become so frivolous and absurd that no reputable member of the legal profession would appear for them.

Hon. P. Collier: Then it is time it was stopped.

The ATTORNEY GENERAL: The sort of people aimed at by this measure are the people who could not get any lawyer to appear for them. You will agree with me, Mr. Speaker, that there is a limit even to a lawyer's desire to appear in court. Without further ado I commend the measure to the attention of the House. Although there may be some points which might be raised in Committee, I do not think any member will seriously object to the measure.

Mr. Willcock: In how many States is there similar legislation?

The ATTORNEY GENERAL: I cannot say, but it obtains in Victoria and in England. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Angelo in the Chair; the Attorney General in charge of the Bill.

Clause 1—agreed to.

Clause 2—Interpretation:

Progress reported.

House adjourned at 9.3 p.m.