

Legislative Assembly

Wednesday, 5th September, 1956.

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The DEPUTY SPEAKER (Mr. Moir) took the Chair at 4.30 p.m., and read prayers.

QUESTIONS.

HOUSING.

Funds Available and Amounts Spent.

Mr. WILD asked the Minister for Housing:

(1) What funds were made available during the financial year ended the 30th June, 1956, for the following:—

- Commonwealth - State rental homes;
- Workers' homes;
- War service homes;
- McNess Housing Trust?

(2) What amounts were spent under each of the above headings during the same period?

(3) What is the amount of deferred payments under each of the above headings for the same period, and to what dates were they deferred?

The MINISTER replied:

- £5,000,000.
 - £2,600,000.
 - £3,571,000.
 - £25,000.
- £3,560,000.
 - £2,570,000 (includes deferred payments).
 - £3,571,000.
 - £45,000 (including matured McNess investment).
- £310,833—all for workers' homes under the State Housing Act.
 - Deferred to the 31st July, 1956—£145,709.
Deferred to the 31st August, 1956 £165,124.

BUS SHELTERS.

Agreements With Local Authorities.

Mr. MARSHALL asked the Minister for Transport:

(1) Will he indicate what local authorities have agreed to accept the subsidised scheme for the erection of bus shelters for patrons using public transport in suburban areas?

(2) If any agreements have been made, has he been informed how many bus shelters are proposed to be erected, and the locations, by the local authorities concerned?

The MINISTER replied:

(1) The Government's offer has been taken up by the Swan, Cockburn, Rockingham and Perth Road Boards.

(2) The position regarding erection of shelters is as follows:—

Swan Road Board—Six shelters approved and erection completed being—two at Middle Swan, two at East Guildford and two at West Swan.

Cockburn Road Board—Ten shelters approved, of which six have been erected being—three at Spearwood and three at Hamilton Hill. Sites for remaining four not decided.

Rockingham Road Board—Seven shelters approved and erection completed being—three at Safety Bay and four at Rockingham.

Perth Road Board—Twenty shelters approved of which two are erected, sites approved for six and sites still to be approved for the remaining 12.

In addition, approval has been granted for payment of a subsidy of £20 per shelter to Shelter Advertising Pty. Ltd., in respect of 24 shelters already erected and 75 to be erected before the end of January, 1957.

LOAN WORKS.

Employment by Commonwealth Government, etc.

Mr. JOHNSON asked the Minister for Labour:

(1) Does the Commonwealth Government normally employ persons on loan works in Western Australia?

(2) Has there been any noticeable increase in this type of employment in Western Australia since the 30th June, 1956?

(3) Is the payment of unemployment relief a function of his department, or of a Commonwealth department? If so, which?

The PREMIER (for the Minister for Labour) replied:

(1) It is understood that all Commonwealth works in Western Australia are paid for out of revenue.

(2) No.

(3) The payment of unemployment benefit is a function of the Commonwealth Department of Social Services.

PUBLIC TRANSPORT.

Running Costs.

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

What is the cost of running—

(a) ferries;

(b) trolley-buses;

(c) trams;

for—

(i) fuel;

(ii) repairs;

(iii) depreciation;

(iv) wages?

The MINISTER FOR TRANSPORT replied:

The average hourly operation costs based on a year's operation are:—

	Fuel s. d.	Repairs s. d.	Depreciation s. d.	Wages s. d.
Ferries	10	1 8	9½	21 10
Trolley-buses ..	3 8	3 5	1 4	15 0
Trams	4 6	4 8	2 6	16 0

NORTH-WEST.

Parliamentary Tour.

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

(1) Is he aware that only a small proportion of the members of Parliament have a detailed knowledge of the North?

(2) Does legislation affecting the North depend on the votes of members who are not fully informed?

(3) Can he make arrangements for a tour of the North by members during the next parliamentary recess?

The MINISTER FOR NATIVE WELFARE replied:

(1) No.

(2) The Minister is not aware that such is the case. In recent years Parliament has been informed at great length of the disabilities and potentialities of the North. All legislation is fully explained.

(3) It is not possible to arrange adequate accommodation and transport facilities for a large entourage. Members are entitled to certain concessions on State ships as far as Wyndham, when berths are available.

BREAD.

Prices and Variations.

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

(1) What are the prices as now fixed by the Wheat Prices Products Fixation Committee for bread—

(a) in the metropolitan area;

(b) in country towns?

(2) What variations are permitted to cover cost of delivery, entry, etc., in each case?

(3) If a baker charges up bread in a customer's account at prices greater than those fixed by the committee, should a customer decline to pay the excess?

(4) In that case could the baker recover the extra amount by any process of law?

The PREMIER (for the Minister for Labour) replied:

(1) The Governor, by proclamation, fixes prices.

The present proclaimed maximum prices, and prices which will operate from Saturday, the 8th September (in parenthesis) are—

		Wholesale per doz.		Retail Cash	
		1 lb.	2 lb.	1 lb.	2 lb.
Metropolitan Area		6 6 (6 9)	13 0 (13 6)	7½ (8)	1 3 (1 3½)
Rottnest and Garden Islands	....	—	—	8 (8½)	1 4 (1 4½)
South-West Division—					
Delivery Towns		7 0 (7 3)	14 0 (14 6)	8 (8)	1 3½ (1 4)
Non-Delivery Towns	....	6 6 (6 9)	13 0 (13 6)	7½ (7½)	1 2½ (1 3)
Kalgoorlie-Boulder		6 4½ (6 7½)	12 9 (13 3)	7½ (7½)	1 2½ (1 3)
Other Areas—					
Esperance	....	7 0 (7 3)	14 0 (14 6)	7½ (8)	1 3 (1 3½)
Norseman	....	7 0 (7 3)	14 0 (14 6)	7½ (8)	1 3 (1 3½)
Coolgardie	....	7 6 (7 9)	15 0 (15 6)	8 (8½)	1 4 (1 4½)
Marvel Loch	....	7 0 (7 3)	14 0 (14 6)	7½ (8)	1 3 (1 3½)
Southern Cross		7 0 (7 3)	14 0 (14 6)	7½ (8)	1 3 (1 3½)
Bullfinch	....	7 0 (7 3)	14 0 (14 6)	7½ (8)	1 3 (1 3½)
Leonora	....	7 6 (7 9)	15 0 (15 6)	8 (8½)	1 4 (1 4½)
Gwalla	....	8 0 (8 3)	16 0 (16 6)	8½ (9)	1 5 (1 5½)
Cue	....	—	—	9 (9½)	1 6 (1 6½)
Meekatharra	....	7 6 (7 9)	15 0 (15 6)	8 (8½)	1 4 (1 4½)
Mt. Magnet	....	7 6 (7 9)	15 0 (15 6)	8 (8½)	1 4 (1 4½)
Carnarvon	....	8 0 (8 3)	15 6 (16 0)	8½ (8½)	1 4½ (1 5)
Wittenoom Gorge	....	—	—	9½ (10)	1 7 (1 8)
Broome	....	—	—	9½ (10)	1 7 (1 7½)

Cash means payment within 7 days, after which period ½d. per loaf is allowed for booking.

(2) The difference in price between delivery and non-delivery towns in the South-West Land Division is ½d. per 1 lb. loaf and 1d. per 2 lb. loaf.

A delivery town is one in which a door-to-door delivery is made; a non-delivery town is one in which a door-to-door delivery is not made.

A booking fee of ½d. per loaf is allowed if payment is not made within seven days.

(3) This is a matter for decision by the customer, but he can report the matter to the Chief Inspector of Factories who is authorised to police the prices and take appropriate action in the case of over-charging.

(4) Not if his action was contested by the customer.

RAILWAYS.

Lime Lake and Boyerine Renovations.

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

(1) How many men were employed in painting and renovating the railway buildings at—

(a) Lime Lake;

(b) Boyerine?

(2) How many days were men employed in painting and renovating the railway buildings at—

(a) Lime Lake;

(b) Boyerine?

The MINISTER FOR TRANSPORT replied:

(1) (a) 2.

(b) 2.

(2) (a) 4.

(b) 4.

PERTH-KWINANA HIGHWAY.

Fencing of South Perth-Como Section.

Mr. GRAYDEN asked the Minister for Works:

(1) Has the Government decided to fence the South Perth and Como portion of the proposed new Perth-Kwinana Highway?

(2) Is the decision based on the experience of authorities in other parts of the world?

(3) What type of fence is intended, and how high will it be?

(4) Have any requests been made by the South Perth Municipality or any other organisation in the district requesting that the fencing of the highway be deferred until such time as the highway is in use and the need for such a fence is more clearly established?

(5) Is any restriction on the speed of vehicles travelling on the new highway between the Narrows bridge and Canning Bridge, intended?

The MINISTER replied:

(1) No.

(2) and (3) Answered by No. (1).

(4) Yes.

(5) Yes.

NATIVE WELFARE.

(a) Report of Shooting at Giles.

Mr. GRAYDEN asked the Minister for Native Welfare:

(1) Has the Government received a report regarding the alleged shooting of a native at Giles?

(2) Is it a fact that a Commonwealth report discounts the shooting; and if so, how was the finding arrived at, in view of the fact that the natives who claim to

have been at Giles at the time of the incident are now at the Warburton Mission and have not been interviewed in respect of the allegations?

The MINISTER replied:

(1) No.

(2) No advice has been received from the Commonwealth Government. However, a report will be sought and I would appreciate the hon. member supplying me with any information he may have on the matter.

(b) *Particulars of Warburton Reserve.*

Mr. GRAYDEN asked the Minister for Native Welfare:

(1) What is the extent of the area in the Warburton Native Reserve which has been ceded to the Commonwealth for defence purposes?

(2) What is the extent of the area in the Warburton Native Reserve which has been made available to a mining company for the purpose of prospecting for nickel?

(3) Does the Government plan to give greater assistance to natives in the Warburton area to offset the above intrusion on their tribal grounds; and if so, what form of assistance is intended?

The MINISTER replied:

(1) No area has yet been excised for Commonwealth defence purposes. Application was made for approximately 285,000 acres and the request is receiving the consideration of the Lands Department and the Commonwealth Property Office. The Native Welfare Department has concurred in the excision.

(2) 4,798,700 acres of which natives will not be deprived its use.

(3) Yes. Better care, education and training of the children and youths. The development of an economic and social future for them. Better care of the aged and otherwise indigent natives.

(c) *Government Policy on Warburton Reserve.*

Mr. GRAYDEN asked the Minister for Native Welfare:

(1) Is there any substance in the reports that the Government intends to move all natives in the Warburton area to Cosmo Newbery, near Laverton; and if not, will any natives be required to go to Cosmo Newbery?

(2) Is any large scale change in Government policy contemplated in respect of the natives in the Warburton area?

The MINISTER replied:

Children and indigent natives now at the Warburton Ranges United Aborigines Mission will be transferred to Cosmo Newbery United Aborigines Mission as proper facilities at the latter can be prepared. The Mission Council has agreed to this change in the interests of the natives.

The Warburton Ranges area provides no economic outlet for the children now being educated there, whilst at Cosmo Newbery there is ample scope for educational and training facilities, with avenues of gainful employment and integration into the Australian way of life.

LOAN MONEYS.

Amounts Available for Sanitation.

Mr. EVANS asked the Treasurer:

(1) What are the prospects of loan moneys being available to local authorities this financial year for the implementation of sanitation projects such as sewerage and septic tank installations?

(2) Is there likely to be a cut in the amount available, or is there likely to be money additional to that available last year?

(3) In view of the fact that the Kalgoorlie Road Board is planning the installation of about 750 septic tanks, will he see that from a regional aspect there is a fair allocation of loan moneys for these projects?

The TREASURER replied:

(1) and (2) Total funds available to local authorities in this financial year should be approximately the same as for 1955-56.

(3) Yes, to the extent of approving the necessary borrowing programme for the project. However, it is pointed out that the Government does not provide loan moneys to local authorities, and these bodies must make their own arrangements with lending institutions to raise loans within the limits of the approved borrowing programme.

KING'S PARK BOARD.

Appointment of Ecologist.

Mr. ROSS HUTCHINSON asked the Minister for Lands:

(1) Does he believe that a trained ecologist should be on the King's Park Board?

(2) Is any member of the board a trained ecologist?

(3) If not, will he give favourable consideration to the appointment of one at the earliest opportunity?

The MINISTER replied:

(1) Not necessarily so.

(2) and (3) The board has persons of high scientific qualifications amongst its members and the advice of Government officers, such as the botanist; plant pathologist; entomologist; agrostologists, and others, is obtained when considered necessary.

JURORS.*(a) Accommodation and Amenities.*

Mr. COURT asked the Minister for Justice:

Is he in a position to advise what improvements can be expected in accommodation and amenities for jurors when deliberating to arrive at decisions?

The MINISTER replied:

The jury room was inspected this morning. The accommodation is reasonably adequate and comfortable. The amenities, including heating, ventilation and toilet facilities, are satisfactory. Any reasonable requests made by a jury are met. It cannot be seen that any improvements are needed.

(b) Meal Arrangements.

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

With reference to his answer to my question, is he satisfied with the meal arrangements for jurors when juries have to sit over the evening meal period—that is, when they have to deliberate until 8.30 p.m. or 9 p.m.?

The MINISTER replied:

I have not gone into that aspect. I visited the jury room this morning, and, to my way of thinking, it is very satisfactory. However, I will make inquiries in regard to meals and reply to the hon. member later.

COPPER.*Transport from Ravensthorpe.*

Mr. COURT asked the Minister for Transport:

(1) From which port is it proposed that Ravensthorpe copper ore shall be shipped when mined?

(2) What method of transport is envisaged from Ravensthorpe, and to which port or rail-head?

The MINISTER replied:

(1) A proposal is at present under consideration for shipment from Albany.

(2) The method of transport is not finally determined but members of the Transport Board will be visiting the area next week.

CONSTABLE HARDY.*(a) Personal File and A.L.P. Deputation.*

Mr. ROSS HUTCHINSON (without notice) asked the Minister for Police:

Is he going to show Constable Hardy's personal file to the members of the A.L.P. deputation that is to meet him on Friday next at 10 a.m.?

The MINISTER replied:

No file relating to Constable Hardy's record, or any police file, will be shown to any deputation.

(b) Query as to Promotion.

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

Press reports disclose that Constable Hardy is now engaged on plainclothes duties in the Liquor Inspection Branch. Is it not a fact that plainclothes policemen are paid more than uniformed policemen? If that is the case, does it mean that Constable Hardy has been promoted since the Trobridge case?

The MINISTER replied:

If the hon. member will put that question on the notice paper, I shall obtain the relevant information.

(c) Divulging Information to Deputation.

Mr. ROSS HUTCHINSON (without notice) asked the Minister for Police:

Is he going to divulge information from Constable Hardy's personal file to the members of the deputation?

The MINISTER replied:

All I want to look at the file for is to see whether certain allegations that were made by the deputation this morning are substantially true. That is why I want to look at the file.

(d) A.L.P. View on Government Financial Assistance.

Mr. ROSS HUTCHINSON (without notice) asked the Minister for Police:

Would he explain whether he agrees with Mr. F. E. Chamberlain, the State secretary of the A.L.P., when he said, as was reported in today's "Daily News", that the deputation appreciates the Government's act in financially assisting Constable Hardy because it would indirectly assist Trobridge as the Government's action would assist Trobridge to recover his costs?

The MINISTER replied:

I agree that what Mr. Chamberlain said would be possible, but it was not done by the Government with that intention.

COCK-EYED BOB, GOSNELLS.*Compensation for Property Damage.*

Mr. WILD (without notice) asked the Premier:

On the 2nd August last I asked the Premier when he was going to let me have a reply to the representations I made on behalf of the people who lost their homes in the cock-eyed bob at Gosnells. He stated that he would endeavour to send me a reply in the near future. As that was six weeks ago, can he inform me when I may expect it?

The PREMIER replied:

Yes, within the next two days.

SPECIAL UNEMPLOYMENT AID.*Proposed Expenditure of £4,000,000.*

Hon. Sir ROSS McLARTY (without notice) asked the Treasurer:

Did he decide on the amount of £4,000,000 of special financial assistance to be sought from the Commonwealth Government because that was the amount which this State Government has to meet in deferred payments?

The TREASURER replied:

No.

WHEAT STORAGE.*Cave System Experiment.*

Mr. HALL (without notice) asked the Minister for Agriculture:

Has the Agricultural Department ever experimented with the cave system of wheat storage and conservation? If not, would the department be prepared to study the merits or demerits of such a system?

The MINISTER replied:

So far as I am aware, the department has not experimented along these lines, although I believe that, as a result of certain information that came from other countries to this State and reported in the Press only a few months ago, there is a very similar system which can be operated with success here, and at a very reduced cost compared with the normal storage system. I do not know any more about that at the moment, but I shall find out for the hon. member and will let him know exactly what the department thinks about the system.

LOCAL GOVERNMENT ELECTIONS.*Franchise in Other States.*

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

What qualifications are necessary in respect of the franchise for local government elections in each of the other States of the Commonwealth?

The MINISTER FOR JUSTICE replied:

From information readily available the qualifications of electors for local government elections in other States of the Commonwealth are as follows:—

Queensland.—Elections are held every three years and it is the duty of the Returning Officer to compile a Voters' Roll for the area or each Division, as the case may require, and in doing so he shall observe the following rules:—

- (a) The voters' roll shall consist of the names of all electors enrolled up to and immediately preceding the 31st day of December on the electoral roll or rolls of the electoral districts or district or parts thereof comprised within the area or division as the case may be.

- (b) The voters' roll shall be in the form prescribed for the State electoral rolls and shall be a correct alphabetical roll showing the names numbered in regular arithmetical order.

There is a proviso that the returning officer for the local government elections may, wherever practicable, use the electoral roll or rolls as compiled up to immediately preceding the 31st day of December or the electoral districts or district or parts thereof comprised within the area or division with such eliminations from or corrections in such rolls as may be necessary in consequence of the boundary of the area or division not being continuous with such electoral district.

The provision is for adult franchise.

South Australia.—Every person of the age of 21 years or more, who is an owner or occupier of any ratable property within any area, and whose name as such owner or occupier is inserted in the assessment hereinafter directed to be made shall be entitled to be enrolled on the voters' roll and vote at all elections and meetings and polls of ratepayers.

No person who is not a natural born or naturalised British subject shall be entitled to vote on the voters' roll or vote at any election or poll of ratepayers.

No person shall vote unless he is of the age of 21 years or more but certain servicemen who are owners or occupiers of ratable property but not of the age of 21 years could, under some conditions, be entitled to be enrolled on the voters' roll.

No person shall be entitled to vote at any election of a council or councillors for any ward unless at least six days before the day appointed for polling he has paid all rates payable to the council.

No occupier of any ratable property who produces to the returning officer a receipt showing that he has duly paid up all rent due to the owner of the property shall be deprived of his right to vote by reason of the non-payment by the owner of any rate due for the property.

New South Wales.—Section 50 of the Local Government Act provides the qualifications of electors.

Subject to the provisions of this Act and unless disqualified by this or any other Act, every person being a natural-born or naturalised British subject of the full age of 21 years, whether male or female married or unmarried, shall, if he has the requisite qualification, be qualified to be an elector.

- (1) In order to have the requisite qualification of an elector in respect of a ward or riding a person must, on the day prescribed for enrolment, be either an owner or ratepaying lessee of ratable land in the ward or riding, or an occupier of land in the ward or riding.

(2) For the purposes of this part, ratable land shall include all land upon which any rate is leviable or levied under this Act.

(3) A person who on the prescribed day possesses one or more qualifications for enrolment shall not be deemed to lose his right to enrolment merely because of a change of qualification or a loss of one of his qualifications between the prescribed day and the last day for the receipt of claims for enrolment.

A person shall be an "owner" for the purposes of enrolment and voting if—

- (a) he is jointly or severally the owner of ratable land; or
- (b) he is the person nominated in writing as an elector by a body corporate, which is, or trustees who are, such owner as aforesaid: Provided that the body corporate or trustees may not nominate more than one person for enrolment as owner in any one ward or riding; or
- (c) he is the holder or a lease, promise, or contract of lease from the Crown of ratable Crown land; or
- (d) he is the resident manager of a lease, promise, or contract of lease from the Crown of ratable Crown land.

A person shall be a "ratepaying lessee" for the purposes of enrolment and voting if —

- (a) he is severally the lessee of ratable land, and under a lease in writing or other document of title relating to such land, liable to pay to any person the whole or any part of any local government rates which may be made and levied in respect of such land; or
- (b) he is jointly such lessee as aforesaid and so liable as aforesaid; or
- (c) he is the person nominated in writing as an elector by a body corporate which is, or trustees who are, such lessee so liable as aforesaid:

Provided that the body corporate or trustees may not nominate more than one person for enrolment as ratepaying lessee in any one ward or riding.

A person shall be an "occupier" for the purposes of enrolment and voting if —

- (a) he has been continuously, during the three months next preceding such prescribed day,

in joint or several occupation as direct tenant (but not as ratepaying lessee within the preceding section) of the owners or ratepaying lessees of ratable land of the yearly value of five pounds or upwards; or

- (b) he is the person nominated in writing as an elector by a body corporate which is, or by trustees who are, in occupation as tenant or occupier as aforesaid of ratable land of the yearly value of five pounds or upwards: Provided that the body corporate or trustees may not nominate more than one person for enrolment as occupier in any one ward or riding; or
- (c) he has been continuously during the three months next preceding such prescribed day jointly or severally the occupier of ratable land by virtue of a miner's right or business licence under the Mining Act, 1908, or any Act amending or consolidating the same; or
- (d) he is upon such prescribed day enrolled on the electoral roll for any electoral district and his place of living as described on that roll is within the ward or riding.

Victoria.—Section 73 of the Local Government Act provides:—

Every person who on the tenth day of June in any year is of the full age of 21 years and is liable to be rated in respect of any property within any municipal district shall be entitled to be enrolled in that year, according to the provisions hereinafter contained, upon the municipal roll, according to the following scale (that is to say):—

- (a) In a borough, if such property, whether consisting of one or more tenements, is rated upon a value of less than Fifty pounds he shall have one vote; upon a value amounting to Fifty pounds, and less than One hundred pounds, two votes; upon a value amounting to or exceeding One hundred pounds, three votes:
- (b) In a shire, if such property, whether consisting of one or more tenements, is rated upon a value of less than Twenty-five pounds, he shall have one vote; upon a value amounting to Twenty-five pounds, and less than Seventy-five pounds, two votes; upon a value

amounting to or exceeding Seventy-five pounds, three votes:

Provided that—

- (c) No person shall be entitled to be enrolled in respect of property of a less annual ratable value than Five pounds unless there is a house upon such property, and such person resides there.
- (d) The person in occupation of any ratable property shall be entitled to be enrolled in respect of such property instead of the owner thereof; and in no case shall the person in occupation of such property and the owner thereof be both separately enrolled in respect of such property or any part thereof.
- (e) No married woman shall by reason of coverture only be disqualified from being enrolled or be deemed incapable of exercising any rights with respect to voting which are conferred by this Act.
- (f) No person shall be entitled to be enrolled unless he is a natural born or naturalised subject of His Majesty.
- (g) Every person who on the tenth day of June in any year is of the full age of 21 years and is liable to be rated as being the occupier of any ratable property held under lease or licence from the Crown shall be entitled to be enrolled in that year upon the municipal roll according to the provisions hereinbefore contained.
- (h) No person shall be disqualified from being enrolled upon the municipal roll of any municipality by reason only of non-payment of rates.

Section 74 (1) The occupiers of property in any municipal district (not being vacant land) which is exempted from being rated because it is vested in the municipality shall have the same right to be enrolled in the municipal roll and of voting which they would have if they were liable to be rated or rated in respect of such property, and such property shall be included in every valuation and the names of the occupiers thereof shall be placed by the clerk of the municipality upon the voters' list.

(2) The occupiers in any municipal district of property (not being vacant land)—

- (a) which belongs to the Commonwealth of Australia; and

- (b) in respect of which there is made to the municipality on or before the tenth day of June in any year a contribution in lieu of rates and equivalent to the amount of rates which would be chargeable thereon if the land were rated—

shall have the same right to be enrolled in the municipal roll and of voting which they would have if they were on the tenth day of June in that year liable to be rated or rated in respect of such property, and such property shall be included in every valuation and the names of the occupiers thereof shall be placed by the clerk of the municipality upon the voters' list.

Section 75 (1) When a corporation is liable to be rated in any year in respect of property in any municipal district or subdivision such corporation may by writing under its common seal delivered on or before the tenth day of June in such year to the municipal clerk appoint any person to be enrolled in the place of such corporation.

Tasmania.—No information is readily available regarding Tasmania.

Any further information required would necessitate inquiries being made at the Local Government Departments in each of the Eastern States.

STATE BUDGET.

Date of Introduction.

Hon. Sir ROSS McLARTY (without notice) asked the Treasurer:

Can he indicate when he expects to introduce the Budget?

The TREASURER replied:

Not at this stage.

BILL—MARKETING OF POTATOES ACT AMENDMENT.

First Reading.

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

Standing Orders Suspension.

The MINISTER FOR LANDS: I move—

That so much of the Standing Orders be suspended as is necessary to enable the second reading of the Bill to be proceeded with forthwith and, if necessary, passed through all its remaining stages at one sitting.

Mr. BOVELL: Yesterday afternoon the Minister stated that he would grant an adjournment after the introduction of the second reading of the Bill to a later stage of the sitting. I would like an assurance from him that he will give us at least till after the evening meal to consider his second reading speech.

The Minister for Lands: I will be quite agreeable to do that.

Question put.

Mr. DEPUTY SPEAKER: I have counted the House. There is an absolute majority present and voting, and there being no dissentient voice, I declare the question carried.

Question thus passed.

Second Reading.

THE MINISTER FOR LANDS (Hon. E. K. Hoar—Warren) [4.53] in moving the second reading said: Yesterday I gave some information to the House relating to the very serious position which has cropped up in this State on account of the fact that a number of our potato growers are more concerned at the moment about obtaining the fictitious, the totally unreal, prices for potatoes which exist in the Eastern States than about a continuity of supplies to their best customers, the consumers of Western Australia, who have been responsible over many long years for paying prices for potatoes that have enabled the producers to face the future with some degree of security. As a result of that, it has become vitally necessary for the Government to take as strong action as it possibly can in an endeavour to save the potatoes now available in this State for consumers living here.

In making reference to this most important subject, I think it would not do any harm if I gave a brief outline of what actually inspires the marketing board as it exists under the 1946 legislation to service—

Mr. Nalder: Are you referring to the Potato Marketing Board?

The MINISTER FOR LANDS: Yes. I am giving a brief history of the set-up in Western Australia in order to indicate to this House and to the public at large what a splendid job the board has been doing over a most difficult period. If members look back to the days prior to 1946—and quite a number in this House represent districts which are prolific growers of potatoes—they will remember that there was not only no security in the industry in those days, but it was also very difficult indeed to have a balanced economy from year to year that would encourage growers to produce potatoes under any conditions at all. So we had a tremendous boom in potato growing at one period with a subsequent glut; and the next year, through bad prices, the reverse occurred.

Mr. Bovell: Which was disastrous to growers.

The MINISTER FOR LANDS: Yes. There was no regularity whatsoever with regard to the supply and distribution of

potatoes; and it was with the object of giving some measure of security and a regular return to the growers on a payable basis on the one hand; and, on the other, a fair price to the consumers, that the 1946 legislation was passed and the marketing board came into existence. One of the first considerations to which it had to give attention was a stabilised price to the grower and a continuity of supplies at all times to the State. To do that, it became necessary for the board to define a policy for the fixation of prices on the one hand, and to have a system of planned production on the other.

I think quite a lot of us remember very clearly that it was necessary to fix the price of potatoes in those earlier years—not at the beginning, but a little later on—under the price-fixing conditions which existed by law at that time. As a result of conferences and investigations by the Potato Marketing Board, the Potato Growers' Association, and the price-fixing officials of this State, there came into being a formula for fixing the price of potatoes that was accepted by everybody—growers and consumers alike—as fair and reasonable. In spite of the fact that price fixing came to an end on the 31st December, 1953, that formula is still operative so far as the Potato Marketing Board is concerned, so the people of this State have been served faithfully and well by the board.

The situation which has arisen today is not only a threat to the consumers of the State as such, but to the continuance of a marketing authority which has received the approbation of other States of the Commonwealth that have been jealous of our potato-marketing laws for many years. Therefore, it does indeed become a matter of vital importance for members to consider, no matter what party they belong to—and the same applies to the Legislative Council—what action can be taken to preserve the stability of this industry for the future, and the continuance of the operations of the board, which has been able to serve the industry and the consumers so well in the past.

Mr. Ross Hutchinson: Then how can you account for the present bungle?

The MINISTER FOR LANDS: There is a formula in existence which the State used under its price-fixing laws; but even with the emergency which has occurred over the last two months, the board could quite easily have panicked had it not been composed of the type of men who are at present its members. It could quite easily have given in to the growers of this State and that would have forced the price of the product up to a fabulous level; but the members of the board have resolutely set their faces against any increase in price to the consumers of Western Australia.

Mr. Bovell: I think the growers have had a hand in that, too.

The MINISTER FOR LANDS: The Potato Marketing Board, because of its representation, has naturally taken into account the opinion of the growers. Not only has the board acted on behalf of the growers in enabling a steady price to be paid for this commodity over the years, but it has also given its closest attention to the maximum price which the consumers of this State should pay for potatoes.

Mr. Ackland: For how long do you want this power?

The MINISTER FOR LANDS: Which power?

Mr. Ackland: The power contained in this Bill.

Mr. Lawrence: You mean for how long do the growers want it.

Mr. Ackland: No. For how long does the Minister want it?

The MINISTER FOR LANDS: The point is this: Once the power proposed in the Bill is accepted by Parliament, it will remain the law of this State until such time as Parliament removes it from the statute book; because if there is any need for vesting today—and that is what the Bill provides for—the same position might arise in the future. As a matter of fact, under existing marketing laws there is power to vest potatoes in the board after they have been delivered to it. But where the weakness lies, in my view—particularly in an Act which lays down that all potatoes must be marketed through that channel—is that the Act does not provide for vesting prior to delivery.

As a consequence, there is a weakness in that regard from the moment the potatoes are dug until such time as they are received by the board. That weakness is being used today to serve the interests of people who are not at all concerned as to whether the security which has existed over the years and perhaps they never experienced the early days prior to orderly marketing—will continue in the future. Those people are not at all worried about whether this State will be without potatoes in a matter of a week or two. They are concerned only with taking advantage of a situation which has developed by an act of God, or something else, in the Eastern States and which has made these fabulous prices possible.

Mr. Bovell: You know that many loyal growers are not taking advantage of the position?

The MINISTER FOR LANDS: I am glad the hon. member realises that. It is perfectly true that there are many growers who are not taking advantage of the position and we can be very thankful that those who are, are still in the minority. But whereas some 10 days ago I was able to assure the House that possibly not more than 20 or 24 growers would be engaged in this type of traffic in potatoes, that number could be increased to about 100 today.

It is hard to determine with any degree of certainty; but there has been a substantial increase and if the present figure is maintained or increased, as it could be under the present arrangement whereby rail and perhaps later shipping traffic may be used to transport potatoes to the Eastern States, this State would undoubtedly, in a very short time, be without potatoes.

Some 2,000 tons of potatoes will, I understand, be on hand at the end of this week and, under normal circumstances, that could possibly see us through, with a little care, to the 1st October when the new crop starts to come in. But if the panic, which has now taken hold of certain of our growers, spreads to the rest and they see what easy ready money is available to them, these potatoes, instead of being available for the people who have given security to our growers for 10 years, will be sent to the Eastern States. As I have said before, the prices offered are simply fantastic.

Mr. Roberts: How many tons did you say are on hand at present?

The MINISTER FOR LANDS: At the end of this week there will be something like 2,000 tons.

Mr. Roberts: I thought you said 200.

Hon. A. F. Watts: How many licensed growers are there?

The MINISTER FOR LANDS: I think the total is in the vicinity of 1,000; but I would not be too sure about that. However, it indicates that the member for Vasse was right when he said that there is a large body of loyal people who still stand by the policy of the board. Only last evening I had an opportunity to meet the president and secretary of the Potato Growers' Association. They assured me that we had their fullest support in introducing this measure.

While I was outside for a few moments last evening I received a telephone message, second hand, from a friend of mine who is a responsible person in the potato growers' organisation in my district which, thank heavens, is one of the loyal districts in the State at present. He informed me that he was speaking for about 200 growers and that there was not one dissentient voice against the proposal that the Government has introduced. Not only is there a reason for introducing such a proposal as this, but also the growers, so far as we have been able to ascertain, are solidly behind us, with the exception of those who have possibly never experienced the bitterness of trying to grow potatoes under conditions such as existed before 1946. But, as I said yesterday afternoon, so far as I personally am concerned, they do not matter.

Hon. Sir Ross McLarty: I have had a few telegrams asking us to oppose the Bill.

The MINISTER FOR LANDS: I would like to show members how serious the position is. It has been computed that in

order to encourage our growers to abandon the Eastern States markets at present, we would have to raise the price of potatoes in this State to £90 a ton to the grower which is an increase of £55 15s. At present the price paid to the grower is £34 5s.

Mr. Ross Hutchinson: Did not you anticipate this trouble a couple of weeks ago.

The MINISTER FOR LANDS: Let me finish this point first! When all other charges and costs are added to the total, the retailer would dispose of the potatoes to the public at a price of £117 a ton or 1s. 1d. per lb. as against the present price of 5½d. That is one alternative and that is one position which we have to face to-day. The other alternative, unless this Bill is passed, is—no potatoes. That is the issue; there is no other. So far as the Government is concerned, it does not intend to stand idly by and do nothing about the position.

Mr. Ross Hutchinson: You stood idly by for a fortnight.

The MINISTER FOR LANDS: I wish the hon. member would take his hand away from his mouth.

Mr. Ross Hutchinson: You stood idly by for a fortnight.

The MINISTER FOR LANDS: Look! It was not a question of standing idly by—

Mr. Ross Hutchinson: Of course it was.

The MINISTER FOR LANDS: —for a fortnight because if the hon. member had listened, he would have known that the quantity of potatoes being lost to this State was negligible at that time.

Mr. Ross Hutchinson: That is just the point.

The MINISTER FOR LANDS: It is! Ever since the questions were asked in this House, which caused a general statement of the position to be made known not only to the growers but also to those in the Eastern States, the quantity of potatoes lost to the State has been increased many times.

Hon. Sir Ross McLarty: It did not have the slightest effect. Surely you do not believe what you have just said!

Mr. Ross Hutchinson: Surely the Minister does not believe that!

Mr. Roberts: Of course not; it is nonsense.

Mr. I. W. Manning: That is an insult to the potato growers.

Hon. Sir Ross McLarty: The questions did not have the slightest effect.

The MINISTER FOR LANDS: How does the hon. member know?

Hon. Sir Ross McLarty: The Eastern States people knew the position just the same as our growers knew the position in the Eastern States.

The MINISTER FOR LANDS: If the questions did not have any harmful effect, they certainly did not do any good.

Hon. Sir Ross McLarty: They should have done some good.

Mr. Ross Hutchinson: Are you suggesting that the questions asked by the member for Blackwood have had a lot to do with the present position?

The MINISTER FOR LANDS: I suggest they had quite a lot to do with it.

Hon. D. Brand: Rubbish!

Mr. Hearman: The answers the Minister gave to the questions had a lot to do with it.

Hon. D. Brand: Does not the Minister think it was common knowledge?

The MINISTER FOR LANDS: So far as I am concerned, they aggravated the position.

Mr. Roberts: The growers were all aware of the position before the member for Blackwood asked the questions.

The MINISTER FOR LANDS: The member for Bunbury will have an opportunity to have his say in a few minutes. In fact, I would like every member to speak on this Bill so that we will know where each one stands.

Mr. Bovell: The question is whether this measure will have the desired effect.

The MINISTER FOR LANDS: I have set out the position and the two alternatives. Never mind what members say about who is responsible; we know that in the main the greed of certain people who probably have never produced potatoes in their lives and who, if they did, would not know how to dig them, are responsible for the present position. They are the people who batten on the community in times of shortages and they are prepared to sacrifice the consumers of Western Australia so long as they themselves have their pockets lined with money. That is the temptation which is held out by these people to our growers, and if I were a grower I say quite frankly that, faced with the prospect of receiving £34 5s. a ton from my own marketing board, and the offer of £110 a ton—as has been offered in recent weeks—it would be a great temptation.

Hon. D. Brand: A mighty big temptation.

The MINISTER FOR LANDS: What makes me pleased is the knowledge that 80 or 90 per cent. of our regular growers are still standing by the board, despite this temptation.

Mr. Evans: Hear, hear!

The MINISTER FOR LANDS: We have to look the position squarely in the face. Following on the figures which I have already given members in regard to the possibilities of one alternative or the other, for every 1d. per lb. increase in the price of potatoes, for a full quarter, the basic wage would be increased by 10.33d. per week. That is the estimate of the

State statistician who has been acquainted of the facts. He has told us that if the price of potatoes were increased to 1s. 1d. per lb. the basic wage would be increased by 6s. 6d. a week.

The Government is not going to stand idly by and allow that sort of thing to happen without attempting to do something about it. The alternative is that if the present rate of exporting potatoes to the Eastern States continues or increases, we will be in serious trouble in a very short time. This is likely to occur because of the open slather—one might almost say—and the use of our railway services and possibly the use of shipping.

I have just received a note indicating that 60 tons are being loaded at Fremantle today. I know for a fact that 500 or 1,000 tons are between here and Burekup waiting to be transported either by rail or ship. So do not let anybody imagine for a moment that this is not a serious matter.

Mr. Bovell: That statement does not verify your comment that 90 per cent. of the growers were sending their produce to the board. You said that 2,000 tons will be on hand next week.

The MINISTER FOR LANDS: That does verify it?

Mr. Bovell: No, it does not. You said that there will be 2,000 tons on hand and a few moments ago you spoke of 1,000 tons awaiting shipment. That is 50 per cent. of your total.

The MINISTER FOR LANDS: It does not include that amount. The figure I quoted previously includes only the quantity which the board can receive. Today the board received 150 tons, and by the end of this week it will have received 2,000 tons from loyal growers—from people who have a sense of decency. The board knows that if this trafficking continues, a good deal of the 2,000 tons, which will be on hand at the end of this week, will rapidly disappear before the next crop becomes due early in October. If this trend is allowed to continue for any length of time, it will certainly seriously undermine effective control by the board, and increase the temptation, which is already great, amongst our other loyal growers, to share in this temporary El Dorado, if one might call it that. So, strong action should be taken by this House now.

Mr. Bovell: Why do you not make the Bill a temporary El Dorado?

The MINISTER FOR LANDS: The Bill is not meant to be an El Dorado in the first place.

Hon. D. Brand: If it becomes law there will be no more El Dorado.

The MINISTER FOR LANDS: The information I have just given to the House as it affects the increasing number of growers who, apparently, are prepared to sacrifice the consumers of this State—who, incidentally have been their loyal friends

over the years—as well as the other phases mentioned by me, have motivated the Government in taking action itself and bringing this Bill forward in the hope that members will consider it fairly and squarely on its merits regardless of any political side issues whatever.

I want to tell the growers clearly, and in no uncertain terms whatever, that they had better make up their minds immediately as to what they wish to do. They had better make up their minds whether they desire a continuation of the Potato Marketing Board or not, because obviously they cannot have it both ways. I would like to remind the growers, and I hope it is broadcast as widely as possible, that the security and firm prices they have enjoyed over a great many years have been paid by the consumers of this State, and not by the consumers of any other State of the Commonwealth. I would also like to remind them that their future depends on the consumers of this State and on nobody else.

When I say that, I must also, of course include the Potato Marketing Board with whom, of course, their future does rest and which body, in my view, has held the scales of justice evenly between producer and consumer. The board was created to give the producer a fair standard of living, and it has done that all through the years. This is not the time, in my view, to sabotage our efficient marketing machinery. It is hardly the time to abandon our consumers to potatoless meals, and it is certainly not the time to listen to the whisperings of unscrupulous people—parasites in my view—who would cheerfully sacrifice the consumers of any commodity, at any time, so long as their own pockets are well and truly lined in the process.

So we have a most ridiculous situation. We do not know who these people are but they go along in taxis or unidentifiable cars with their pockets full of money and suggest the most ridiculous things in order to encourage the growers and relieve them of their potatoes. I have a letter here that came from my district. I will not read it in its entirety but I would like to tell the House of an approach that has been made by these people who, in my view, are working against the interests of the people of this State. They first of all tell the would-be client that the board is completely useless; that the grower has to work hard for his living and remain poor, and that he will continue to do so as long as the board exists. They also say that "E. K. Hoar is a so-and-so." For the information of members, I would like to add here that I have long suspected that myself.

Accordingly, they go on tempting our growers with more money so that they can make up a load and send it over to the people in the Eastern States. What we are proposing to do in this Bill is to vest

the control of potatoes well and truly in the hands of the board from the moment they are dug. The grower will then act as a bailee on behalf of the board until such time as it has been able to take delivery of the potatoes.

When we reach the Committee stage, I propose to move a small amendment. In my view, there is a slight omission from the Bill—the Potato Marketing Board has also drawn my attention to it—and I would like to insert in the appropriate place an amendment setting out that it shall be “every licensed grower of potatoes” who shall become the bailee in possession and not “every grower.”

As it is at present constituted, the Act does not stipulate in any term whatever whether the grower should be a licensed grower or not. It simply states that on or after an appointed day the grower shall not sell or deliver potatoes to any person or body other than the board and so on. I want to make it clear and definite that it shall be a licensed grower. If we do not include the proposed amendment, then anybody can grow potatoes and, under the Act as it now stands, the board will be obliged to accept them willy-nilly; it would have no power to refuse to accept potatoes grown by anybody in the State.

But if we make the provision refer to a “licensed grower,” the board will then know that it will take potatoes only from those growers licensed to grow them which, in effect, means that the board itself will always have complete control of the quantity of potatoes grown in the State. It will know where they are and the licensed grower will be the bailee for the board. I thought I would mention that point now to give members an opportunity to consider the matter; I did not wish to rush it through the Committee stages.

Finally, I would like to say that while this Bill may not be all we require, it will at any rate give power to the board to take delivery of potatoes from the moment they are dug. Under its existing policy it will be able to estimate each year how much per lb. per head the consumers of Western Australia require, plus the 25 per cent. which it always adds, and this State can then be assured of potatoes. At the same time, in good seasons, it may perhaps be able to export potatoes, as the board has done previously.

Mr. Court: What is your estimate of the future position after the present crisis is dealt with?

The MINISTER FOR LANDS: If we can get back to normal, it will not harm in any way the grower who is going to have his potatoes vested in the board. The position will get back to normal in the course of time. Does that answer the hon. member?

Mr. Court: The position I want to appreciate is the continuation of the shortage in the Eastern States. Have you made an appraisal as to how long the pressure from the Eastern States will continue?

The MINISTER FOR LANDS: I understand that their potato crops will be coming in in a matter of weeks. The position here is entirely different from that in the East.

Mr. Court: Will they be any good?

The MINISTER FOR LANDS: I do not know what the position will be then. I only know that the Eastern States are based on one crop a year whereas we are fortunate enough in being able to grow three. At the last meeting of the Agricultural Council I suggested to the Ministers representing the other States of the Commonwealth that if they could let us know, or give us some indication that they might need more potatoes at any time, we in this State could certainly grow them because we have the growers and the land. We grow a very good class of potato here which would help to some extent in overcoming any difficulty they may have in the future. There is no doubt however that we will eventually get back to normal here, but unless provision is made to give extra power to the board at this time, then in any other future emergency which should occur, we would be in the same position as we are now.

Mr. Court: Has any attempt been made to enable growers to share in a portion of this fortuitous trade?

The MINISTER FOR LANDS: I mentioned a few minutes ago that the policy of the board is based on the known requirements of the State plus 25 per cent. Members will recall that earlier this year we experienced great rains which flooded and destroyed quite a number of our potato crops at that time. When we get over that, we shall have what is considered to be the right quantity of potatoes required by our own people. So naturally there would not be a surplus here to send overseas or to the Eastern States without denuding our own market. But under normal circumstances the board does export potatoes. Since 1950 it has exported 55,000 tons of potatoes and naturally that goes into the pool and is shared by all the growers of this State. The board is not opposing the export of potatoes in any way at all. It has that position well in mind every year when it arranges its planning. This year, however, happened to be one in which we required our own potatoes. The unfortunate situation that has arisen has been due to disease and other reasons. In order to overcome this emergency as far as possible and to prevent any recurrence of it in the future, it is necessary to strengthen the hands of the board and what we propose in the Bill, in my view, and in that of the Government, is the best way to do it.

Hon. A. F. Watts: Have you sought the opinion of the Crown Law Department as to how effective this Bill will be against Section 92 of the Federal Constitution?

The MINISTER FOR LANDS: I have information that leads me to believe we are fully justified in proceeding with a Bill of this description. There are other cases which have occurred over the years in other States of the Commonwealth relating to other produce where the marketing boards of those States have won their cases for acquisition either in the High Court or the Privy Council. I have those precedents here with me. In 1951 there was the wheat case of New South Wales v. the Commonwealth where the acquisition was declared valid. In 1939 there was the milk case in that State where milk was being sent over the border to some adjoining State and the acquisition in that case was also declared valid. In 1952 there was the case of Wilcox and Moffin also in New South Wales relative to hides and it was submitted that in the case of all those hides accepted for appraisement the acquisition was valid. Accordingly, on the basis of that we feel justified in proceeding with this Bill and treating it as an emergency measure, although as far as I am concerned once it is placed on the statute book I think it should remain there. I move—

That the Bill be now read a second time.

MR. HEARMAN (Blackwood) [5.29]: I have consulted the member for Vasse and have given this matter some attention. I am quite prepared to go straight on with the debate although in doing so I do not wish in any way to interfere with the right of any other member who may seek an adjournment at a later stage. I am quite prepared to assist the Government by proceeding.

The Minister has given the House a fair reason for wanting to see this legislation placed on the statute book. In other words, he admits a critical position has arisen in connection with the marketing of potatoes in Western Australia. Generally speaking, I think that there could be a little ground for the Minister's statement that the present position is critical. I would be prepared to go further and say it was even worse than the Minister has suggested and that the time has gone when we can do very much about it. To use a colloquialism, the horse has bolted.

The next question is whether this Bill will accomplish what the Government wants it to do. In other words, will it stop individual growers selling the whole or portion of their crop to the Eastern States? Does it get around Section 92 of the Commonwealth Constitution or not? I have sought some legal advice on this matter and my information is that we cannot specifically legislate to get around that section of the Constitution, which simply

means that there shall be no restriction of trade between States. So it seems to be very much open to question whether this matter can be solved by the introduction of legislation of this nature.

Mr. May: What about the wheat industry?

Mr. HEARMAN: I will tell the hon. member what happens in that regard as I have read the relevant portion of the Wheat Marketing Act and if the member for Collie had done the same, he would not have interjected. There is another reason for my suggesting that the position may not be as the Minister has suggested. At one time marketing boards operated in all the potato-producing States of Australia, and in the Eastern States every one has foundered on this rock of interstate trade.

The Victorian board at one stage was embarrassed because it had arranged for the importation into that State of potatoes from Western Australia, but no sooner did the potatoes arrive than they went over the border, as the board had no power to stop them going to Sydney. I have had a trunk call from the Eastern States in order to get further information on the matter and to go into the question of vesting. I consider that vesting is not the answer, as it would not stand up under Section 92 and, in point of fact, in Victoria today there is no board because of the difficulty of trafficking in potatoes. With the dense population in Victoria and New South Wales it was just too simple for growers to take their potatoes over the border and bring them back in order to get over the restrictions which made it an interstate transaction.

It is extremely doubtful in my mind if the legislation proposed by the Government will have the effect the Government expects, as there certainly seems to be some indication that it will not. The member for Collie interjected and asked how the Wheat Marketing Act works. If the member for Collie had read that Act recently he would have noticed that Section 3, which is known as the "Construction"—it is Section 6 of the Marketing of Potatoes Act—is included so that State legislation will not override Commonwealth legislation.

Mr. Ackland: It is well known throughout Australia.

Mr. HEARMAN: Yes, that is the object of those portions of the two Acts, and they are word for word in every respect with the exception that in the wheat Act there is a further section which reads as follows:—

(2) This Act shall not apply to—

(a) wheat retained by the grower for use on the farm where it is grown.

I would like members to bear in mind that this would give a grower authority to dig his own potatoes for his own use.

- (b) wheat which has been purchased from the board.

In other words, a grower can sell it interstate if he wants to.

- (c) wheat sold or delivered to any person with the approval of the board;
- (d) wheat the subject of trade, commerce or intercourse between States or required or intended by the owners thereof for the purpose of trade, commerce or intercourse between the States.

Therefore, we find that the Wheat Marketing Act specifically provides against any infringement of Section 92 of the Constitution. Lastly—

- (e) wheat which the board refuses to accept on the grounds of inferior quality.

Mr. May: You try to sell it!

Mr. HEARMAN: I am just quoting what the Act says.

Mr. May: I am telling you from experience.

The Minister for Lands: The draftsman was well aware of Section 92 and put the legislation up so it would not be in conflict.

Mr. Ackland: It is the same in all States.

Mr. HEARMAN: Yes, as the member for Moore has said by interjection. We have a Potato Marketing Act and board and it certainly does pose the question that if it is necessary to put the section I have quoted in the Wheat Marketing Act, why should it not be necessary to put it in the Potato Marketing Act also?

So it seems to me that there is considerable room for doubt and speculation as to whether our Potato Marketing Act and the Bill which the Government is introducing today will stand up under Section 92 of the Commonwealth Constitution. I have the gravest doubts as to whether it will do so and for that reason and for the reason that I consider the present situation has deteriorated to an extent that we are due for a shortage of potatoes, there does not seem to be a great virtue in racing through this Bill and suspending Standing Orders until these matters have been more fully explained.

The whole drafting of the Bill indicates that this matter has been very hurriedly considered by the Government and by the Minister because the legislation, as originally drafted, did contain very definite shortcomings. I feel the Minister has drawn attention to one when he referred to the licensed growers and I do not think that will overcome the Minister's difficulty, because anybody not licensed can make his own arrangements about anything. The board will not buy his potatoes because they are not vested.

The Minister for Lands: He is breaking the law and the board can take action against that man. The hon. member should read the Act.

Mr. HEARMAN: It has been explained that we cannot stop a man from growing potatoes whether he is licensed or not; he can only be stopped from selling them in Western Australia.

The Minister for Lands: He can be stopped from growing them if he has not a license.

Mr. HEARMAN: Within Western Australia?

The Minister for Lands: Yes.

Mr. HEARMAN: But if a grower is unlicensed, he cannot be stopped from growing.

The Minister for Lands: Growers can be stopped growing without the authority of the board.

Mr. HEARMAN: It has never been done.

The Minister for Lands: But it could be done.

Mr. HEARMAN: It is generally accepted that the board cannot stop a man growing potatoes in Western Australia.

Mr. Johnson: Where will he get a market? In the Eastern States?

Mr. HEARMAN: We will come back to that. In the Act there is a definition of a "commercial producer" but there is no such thing as a "licensed grower." I am of the opinion that this indicates the extreme haste with which this legislation has been drafted. There has been no provision whatsoever in the Bill to delete any existing sections in the Act. There is a clause which overrides any other sections which may be in conflict but it is an extremely poor way of doing it and I think the parliamentary draftsman drafted this Bill in a very hasty manner and did not see its implications.

There is another provision which I think is wrong. The Bill refers to producing, but does not give a definition to make clear the stage when potatoes are produced. I do not know what the position is if a man sells his crop under the ground. According to the Bill, potatoes are to be vested in the board as soon as they are produced and for all practical purposes they are the property of the board.

What is the position in the case of any loss through storage? Is the board going to stand that loss? They are not the grower's potatoes and it seems to me that it would be embarking upon something which is extremely tricky and which wants looking into very carefully. I would say that if a grower complied with the legislation, storage would be his responsibility. If it subsequently happened that there was a breakdown in storage, which always does occur to a greater or lesser degree, according to the conditions under which the crop

is grown and dug, and the length of time that it is stored, it seems to me that any loss that should occur would obviously fall on the board. We want a clear definition of where we stand so as to know what we are letting the board in for.

If we pass the Bill, we should know the position. It is logical to assume that if the potatoes are vested in the board from the time they are dug, or produced, as the Bill puts it, then quite obviously the board has to stand all losses. Furthermore, as an indication of the looseness of the drafting of the measure, we find the term "all potatoes." To my mind, "all potatoes" means all potatoes right down to pig potatoes and unmarketable potatoes. Surely that is not what the Government means!

Surely to goodness the board is not interested in potatoes that are fit only for stock feed! Yet, from the way the Bill is drafted that is just what the Government intends. Heaven knows whether that is what it has in mind. This raises the whole question of the drafting of the Bill. This particular part of the measure leads me to wonder whether it has ever been referred to the board, because I cannot understand the board allowing a reference like that to go through without querying it.

There is a clear-cut obligation on the part of the Government to refer these matters to the board because, after all, the board is vitally interested. Before legislation of this sort is brought to the House it should be referred to the board, and if it has not been referred to the board, then ample time should be given to the House to examine the legislation in all its implications, and no attempt made to steam-roller it through.

It seems to me that this question of vesting in the board, under the terms envisaged here, is extremely difficult. For a start, it is very hard to say what tonnage of potatoes a man might have. Potatoes can go anything from 14 bags to 16 bags, and, in some circumstances, 17 bags to the ton, so the number of bags is not a sound method of assessment of the actual tonnage. Then again there is the quality of the potatoes. Under the present set-up, they are vested in the board once the board has accepted delivery, but the board does not accept delivery until such time as the potatoes have been passed, as up to grade, by the Department of Agriculture. Under this set-up, it is completely impossible to determine whether the potatoes are up to grade or not. The grower might have done everything in good faith, as often happens, but for some reason or other the potatoes will not be of the required grade.

Furthermore, it is physically impossible to make an accurate check of the quantity of potatoes held on a particular farm. A representative of the board could go on to a farm and be shown a stock of potatoes, and be told that it amounted to about

130 tons, or whatever it might be, but it would be physically impossible for the agent to check them. He could make an estimate, perhaps, but he certainly could not determine whether they were up to grade or not, because that is the function of the Department of Agriculture. He could perhaps express an opinion about it.

All these aspects seem to me to present problems respecting which the Minister has not as yet given any indication of how he thinks they should be tackled. I know that at present the board has to get some assessment of what stocks are held, and the knowledge that all those potatoes will have to be passed by the Department of Agriculture as being up to standard before they are accepted by the board, does have the effect of making the growers careful. Notwithstanding that, a certain amount of difficulty is experienced before the board takes them over. It seems to me that we are presenting the board with an almost insurmountable problem.

This position is not comparable with that under the Wheat Marketing Act because under that legislation the farmer has to deliver the whole of his crop, I understand, to the board or its agent. The exact amount is determined at the time of delivery, and the quality is also determined then. Wheat is not highly perishable as potatoes are. I am not suggesting that wheat is not perishable, but it is not perishable in the sense that potatoes are. The problem is an entirely different one. I think that members, particularly the member for Collie, should not get carried away by any similarity that they might think exists between the respective marketing problems of wheat and potatoes.

The Minister did talk at great length on the fact that the growers were behind the board, and as one who represents a potato growing district, I am well aware of the fact that, generally speaking, an appreciable and substantial majority of the growers are in favour of the board's system of marketing. I have no objection to the board whatever. In fact, my party believes that where a majority of the growers ask for a board, a board should be set up and given the necessary statutory power to operate. But we do believe that this is a matter that should be referred to the board. In the same way we also believe that, as a matter of principle, everything that is likely to affect the growers should be referred to them, and if it has not been referred to them—

The Minister for Lands: How do you know whether it has or has not?

Mr. HEARMAN: I am informed by the president of the Potato Growers' Association that this question of vesting has never been referred to the growers. He is certainly able to express his personal opinion only, which he did as late as this

afternoon. It is completely idle for the Minister to try to bluff and ask, "How do I know?"

The Minister for Lands: I was talking about the board. You said this matter had not been referred to the board.

Mr. HEARMAN: I did not say that at all. I am discussing the question of vesting.

The Minister for Lands: You are going from the board to the Potato Growers' Association.

Mr. HEARMAN: I said the growers were in favour of the board, and I am well aware of that. It is completely consistent with my own party's views. I then went on to say that by the same line of reasoning the question of vesting is a matter that should also be referred to the growers.

The Minister for Lands: You said it should have been referred to the board and I said, "How do you know it has not been?"

Mr. HEARMAN: I said, to the growers.

The Minister for Lands: You said, to the board.

Mr. HEARMAN: I said, to the growers. I am now discussing the rights of the growers in this matter. The question of vesting is an important matter to the grower, and it is one that he should be consulted on. The Minister indicated that he did not think that the growers should be consulted on this matter, but that we should go straight ahead with it. The growers do not seem to be of any consequence to him.

The Minister for Lands: Do not talk silly!

Mr. HEARMAN: I emphatically disagree with the Minister's viewpoint.

The Minister for Lands: I disagree with yours.

Mr. HEARMAN: It is a matter—

The Minister for Lands: Are you for the Bill or against it?

Mr. HEARMAN: The Minister will find out.

The Minister for Lands: Nobody knows yet.

Mr. HEARMAN: I do not know how dense the Minister can become. I have explained that the Bill will not do the things he wants it to do and I have said why I think that. What more does he want me to say? Is that not plain enough for him?

The Minister for Lands: You are talking all around it.

Mr. HEARMAN: I am not. I have explained that it will not do the jobs that the Minister wants it to do. Furthermore, it has been rushed along here without the growers even being consulted, and for that reason I do not think Parliament should

agree to it. Because the question of vesting affects the growers vitally, I do not think we should involve them in the matter without some consultation. At present we cannot even get an opinion from the president of the association because, as he points out, it has never been referred to the growers and so has not been discussed by them. I do not think we, as a Parliament, are justified in agreeing to this legislation which involves a vital principle as far as the growers are concerned, without consulting them or giving them an opportunity of knowing just what is involved.

The Minister for Lands: It is too urgent.

Mr. O'Brien: You reckon they should sell to the highest bidder.

Mr. HEARMAN: I do not say that at all, but, as a Parliament, we are not justified in imposing this situation on the growers—this matter of vesting—without ascertaining their views; and at the present time no one can say what the growers' views are for the simple reason that they have never been consulted.

The Minister for Lands: If you had your way there would be no potatoes in another couple of weeks, while you are messing around.

Mr. HEARMAN: That comes very badly from the Minister.

The Minister for Lands: It comes pretty good.

Mr. HEARMAN: It comes very badly from the Minister, as far as I am concerned, because on the 8th August I first raised this matter. I could see then the way things were going. At that time the Minister made no effort to do anything. In fact, all his replies indicated that everything was all right and there was nothing to worry about. His reply as late as the 23rd August indicated exactly the same thing, and now he says I would waste time.

The Minister for Lands: You are prepared to.

Mr. HEARMAN: Has anyone here heard such hypocrisy and nonsense from a Minister? As a member of the Opposition, I had a perfect right to raise the matter, as I could see what was happening, and I drew attention to it and suggested that something should be done. I asked the Government what it intended to do, and the Government said it could not do anything; and anyhow the position did not warrant its doing anything. Now, at this stage, the Minister suggests that I would procrastinate. Has anyone ever heard such stupidity from a Minister?

The Minister for Lands: Yes, when you speak.

Mr. HEARMAN: If the hon. gentleman has heard something equally stupid from a Minister, it has probably been from his own side of the House.

The Minister for Health: Would you be in favour of abolishing the potato board?

Mr. HEARMAN: Here is another Minister waking up and asking me whether I would be in favour of abolishing the board when I have just explained that I believe in the board and that it is consistent with my party's view. We have another Minister who is quite as capable of stupid thinking as the Minister for Lands, and from the same front bench he is asking: Would I be in favour of abolishing the board? How can one reason with them?

The Minister for Transport: The best service you can render is to sit down.

Mr. HEARMAN: Obviously the Minister for Transport is embarrassed about the matter. I can appreciate his position. There are only about three Ministers in the House and two of them are falling over to make goats of themselves!

The Minister for Lands: Why do you not get down to tintacks?

Mr. HEARMAN: I am endeavouring to reply to the interjections of the Minister. He suggests I am procrastinating, when I have been endeavouring to get the Government to appreciate the position.

The Minister for Lands: You are not doing anybody any good at the moment.

Mr. HEARMAN: Well, I am certainly not doing the Minister any good because I do not think he deserves to have any good done for him in this matter. I consider he has been negligent and unrealistic in the suggestions put forward. He will not take any advice at all or even appreciate the position. I have been endeavouring to do this for a month now, and the Minister has done exactly nothing about it until finally he has panicked and brought down this legislation at a moment's notice. And now he accuses me of wanting to waste time!

The Minister for Transport: I think there is a new moon.

Mr. HEARMAN: Has anyone ever heard anything so ridiculous? He accuses me today not only of wanting to waste time, but he blamed me yesterday for causing the position that has arisen to create this situation.

The Minister for Lands: I said that you are partly responsible for it.

Mr. HEARMAN: Surely we have arrived at a new state of affairs here if a member of the Opposition is not justified—

Mr. Potter: Are you supporting the Bill?

Mr. HEARMAN: Here is another!

The Minister for Lands: You have done more than anybody to encourage this situation.

Hon. Sir Ross McLarty: That is nonsense.

Mr. HEARMAN: It is complete nonsense. Furthermore, as long as I remain a member of the Opposition, I shall exercise my right to draw the Government's attention to difficulties lying ahead with a view to trying to avoid them. In addition, I object strongly to this form of criticism that the present Government is indulging in. The moment anybody makes any criticism of the Government at all, he is held up as being someone who is not acting in the best interests of the State. That is simply the Stalin technique whereby anybody who does not agree with the Government is held up as not acting in the best interests of the State.

Mr. Ackland: Why not say, the Chamberlain technique?

Mr. HEARMAN: It could be the Chamberlain technique. If that is what they—

Mr. DEPUTY SPEAKER: Order! There are too many interjections in the House.

Mr. HEARMAN: I think I have had a fair round of interjections, and I hope the Minister will desist from now on.

Hon. D. Brand: If the board could have come to its own conclusions in regard to this matter, it might have dealt with the problem more satisfactorily.

Mr. HEARMAN: That introduces a new aspect to the matter and it is an aspect which is at present exercising the minds of growers quite considerably. It is right that it should be raised in this House. Among those growers who have shown considerable appreciation of the work performed by the board in the past, there is a feeling that the board has regulated and managed its affairs—especially when dealing with marketing problems—in the long term sense to the benefit of the growers. However, there is now the feeling among them that the board which has given such good service over the years has now, for some reason or other, become rather unrealistic in its approach to this problem.

The Minister for Transport: What is your reaction to—

Mr. HEARMAN: I will first develop my theme before the Minister makes any more interjections. Therefore, the growers are mystified as to the reason why a board which has generally handled a difficult situation quite well in the past, should suddenly become so unrealistic in its approach to this matter and allow the present position to develop. Of course, it has been developing over a number of weeks.

The Minister for Transport: I think it is the fault of the unrealistic growers.

Mr. HEARMAN: Among many growers it is considered that some governmental pressure is being brought to bear on the board.

The Minister for Transport: That is wrong, of course.

Mr. HEARMAN: That is what the growers are thinking because the board in the past has always acted so realistically in its approach to the growers. They cannot understand the board's attitude now when the price is £34 5s. 6d. on rails, Perth, and the price in Sydney is £160, especially when it is known that there are no legal barriers against growers sending their potatoes to the Eastern States.

The Minister for Transport: It is still an unpayable price.

Mr. HEARMAN: For the information of the Minister for Transport, I would advise him that the growers were concerned about this position as long ago as the middle of June and the executive of the Potato Growers' Association endeavoured to approach the board at that time to discuss this question, but the board refused to meet the executive. To give the House some idea of how reasonable they have been in this matter, the executive of the Potato Growers' Association decided that to have an increase in the local price was not the best way to meet this problem.

They endeavoured to approach the board in the hope that some potatoes could be exported to the Eastern States—it was well known that at that time there was a surplus of potatoes available for export—and that the advantage of the increased price could be spread among all the growers which would have the same effect as granting them an increase in the local price. That indicates that the growers were well aware of this position as far back as the 15th June. Therefore, it is a great pity that the board did not meet them at that juncture. Perhaps the Minister will be able to tell us why the board did not meet the executive of the Potato Growers' Association at that time.

Hon. L. Thorn: You have broken his heart! He has left the Chamber.

Mr. HEARMAN: It looks as though he has gone for cover.

The Minister for Health: Do not you think that the growers have let the consumers down in this matter?

Mr. HEARMAN: No, I do not. They wanted to keep the local price at the same level, but they realised what effect the price on the Eastern States market would have and they wanted to consult with the board then so that some understanding could be reached in regard to the particular situation, but, for some reason or other, the board would not meet the growers.

Mr. Hall: None have gone East from Albany.

Mr. HEARMAN: The hon. member is like the previous member for Albany. He says exactly the same sort of things.

Mr. Hall: I am talking of potatoes, not harbours.

Mr. HEARMAN: I merely point out that the growers are well aware of their responsibility to the local consumers and are also well aware of the fact that in the past the local consumer has paid more for his potatoes than otherwise would have been the case.

Mr. Court: Did the growers make known to the board their reasons for wanting to meet it?

Mr. HEARMAN: I cannot believe that their reasons were not known to the board because a member of the Potato Growers' Association is also a member of the board. So it does not seem likely that the board would not be aware of the reason why the growers wished to meet it. In representing an area in which there are many potato growers and in view of the fact that I move freely among them, I feel quite sure that it was because of the board's attitude that they became upset.

The growers in my electorate felt that an increase in price was justified because many growers in some areas had suffered considerable loss. The Benger swamp was one area and many growers in the Donnybrook district had considerable losses in production as a result of flooding. They had also suffered considerable hardship because, in order to collect the potatoes, everybody had to wade up to their knees in mud. Men, women and children were engaged in carrying them out in buckets and baskets so that some of the potato crop could be salvaged. Therefore, the members of the Potato Growers' Association felt that the producers in those particular areas, at any rate, were entitled to take advantage of some increase in price because, at the existing price, quite obviously they were not going to get anything out of their crop.

Those growers not only did not obtain an increase in price, but the board would not agree to discuss the matter with the executive of their association. Naturally, as a result, and in their endeavour to get a few more shillings for their product, an element of dissatisfaction was created among the growers. It appeared that the growers who were most prominent in dealing with the Eastern States were those who had their properties in the areas that had suffered the greatest losses and apparently they were endeavouring to convert a loss into a profit.

That fact must be well known to the members of the board—in fact, I am certain that it was—and for the board to give such slight consideration to a situation that had arisen in those areas seems to me rather inconsistent with the general attitude the board had adopted in the past. After all is said and done, the members of the board have worked and lived among potato growers for many years and they must have been well aware that its refusal even to consider this question of price would have a bad effect on the

growers in those areas where losses have been incurred. They must also have been well aware of the situation that would be created as a result of this extreme and unusual shortage of potatoes in the Eastern States.

The Minister for Health: When potatoes are plentiful in the Eastern States and the price drops to zero, what will be the position then?

Mr. HEARMAN: That was one of the reasons why the Potato Growers' Association did not ask for an increase in the local price, notwithstanding the fact that its members knew that the growers in some areas had a fairly sound case to put forward for such an increase. Also, that was why the growers hoped that this surplus in Western Australia could have been utilised by the board for the benefit of growers throughout the State and thus prevent the position from drifting.

I could see the position drifting because these events were developing even before I asked questions in this House about the matter. It had been a subject that concerned the Potato Growers' Association for a matter of approximately seven weeks before I asked any questions in the House. The growers were talking among themselves about this matter before Parliament even met. That shows how ill-informed the Minister is, especially when he accuses me of precipitating this difficult situation when, in fact, I was merely issuing a warning to him of what was likely to happen and of what growers were discussing at least two months before.

Mr. O'Brien: Did you fear that good potatoes would be sold in the Eastern States and bad potatoes sold locally through the board?

Mr. HEARMAN: The drift had started in a small way, but I knew that the exporting of potatoes to the Eastern States was being organised, therefore I knew that the volume would become greater. I feared that money would come from speculators in the Eastern States to purchase potatoes in this State for export to the Eastern States with a view, of course, of making more money for the speculators concerned.

It was at that juncture that the matter should have been seriously tackled. Some steps could have been taken then to prevent the worst of what has happened because even as late as the 23rd August the Minister answered a question asked by the Deputy Leader of the Opposition and said that the position was quite all right. In fact, he said that we could even export another 300 or 400 tons of potatoes without prejudicing local supplies. Those are the Minister's own words.

The Minister for Transport: That was the position a fortnight ago.

Mr. HEARMAN: I do not know of any better way the Minister could have encouraged people to go on exporting potatoes to the Eastern States and advertising to the world that there was a surplus of potatoes in Western Australia. This is the statement that emanated from the Minister —

In addition, they know that they can quite safely dispose of some 300 to 400 tons of first-grade potatoes without in any way affecting the supply for the local market.

The Minister for Transport: That is a factual statement.

Mr. HEARMAN: It might be, but is there any statement the Minister could have made that would have been more conducive to encouraging the speeding up of this traffic of potatoes to the Eastern States than that one? The question I asked was—

The Minister for Transport: What is there in that statement to encourage the export of potatoes?

Mr. HEARMAN: The question I asked was—

Is the Government still of the opinion that traffic of potatoes to the Eastern States is not of sufficient consequence—

Mr. Lapham: In the light of the knowledge that you have, did you go to the Minister and inform him of all the difficulties or did you merely ask a question in the House?

Mr. HEARMAN: I asked questions in the House, and I also informed him privately.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. HEARMAN: Before the tea suspension, I was trying to convince the Minister for Transport that the answers given by the Minister for Lands in reply to a question by the Deputy Leader of the Opposition, indicated that the Minister was not at that juncture very greatly concerned with the situation that existed. I would emphasise that this answer was given on the 23rd August. The actual questions asked without notice were—

(1) Is the Government aware that 200 tons of potatoes left Donnybrook at 10 p.m. yesterday for the Eastern States in a convoy of road vehicles?

(2) Is the Government aware that £60 per ton is on offer for potatoes from Donnybrook?

(3) Is the Government still of the opinion that such trafficking in potatoes to the Eastern States is not of sufficient consequence to have any effect on local supplies?

(4) Has any consideration been given recently by the Potato Marketing Board to the raising of the price of potatoes to local growers.

(5) What is the price per ton paid by the board to local growers?

The reply of the Minister was—

As I have only just received a copy of this question I was unable to get any details. In regard to No. (1), I am not aware that 200 tons of potatoes left Donnybrook yesterday, but it would not surprise me if that was a fact because in recent days there has been a change in the policy of the board respecting the export of potatoes sent to the Eastern States. I understand that up to 200 tons of second-grade potatoes have been approved by the board for sale in the Eastern States, and it could well be that a fair proportion of the 200 tons mentioned in this question consisted of that grade of potato, but without notice I am unable to give a definite reply.

Dealing with that portion of the answer first, I would draw the attention of the House to the fact that the Minister mentioned a change of policy on the part of the board which would indicate that up to that stage the board was not, as a matter of policy, exporting potatoes to the Eastern States. The Minister went on to say—

I am aware that £60 is being offered for potatoes from Donnybrook. The Potato Marketing Board and the Government, if I might be permitted to speak on behalf of the Government although the matter has not been referred to it . . .

That was as late as the 23rd August last, and the Minister had not referred the question of potatoes to the Government. He went on to say—

. . . . I do not consider that the quantity of potatoes being exported from Western Australia to the Eastern States has had a serious effect on home supplies up to the present, so much so that at present they are arranging for quite a considerable quantity of second-grade potatoes to be sent to the East. In addition, they know that they can quite safely dispose of some 300 to 400 tons of first-grade potatoes without in any way affecting the supply for the local market.

The Potato Marketing Board has given consideration to the raising of the price of potatoes to local growers, but as I have explained before, the board, in carrying out its function in the present excellent manner, has not only given thought to the requirements of growers, but at all times has taken into account what should be paid by consumers. That is the reason why the consumers in this State can buy potatoes at a reasonable price, this State being the only one in the Commonwealth where that position applies.

In answer to No. (5), I believe that the price per ton of potatoes payable by the board to local growers is approximately £34.

The actual price is £34 5s. on rail Perth. That would indicate that as late as the 23rd August, less than a fortnight ago, this position which had been foreseen by the growers because some action had been taken by them in the middle of June, had not even been referred to the Government by the Minister. Furthermore, the Minister made the statement which was reassuring to everybody on the supply of potatoes, and which indicated that not only was the position satisfactory so far as local requirements were concerned, but that there would be a surplus for export.

Mr. Ackland: Yet he blames you for the present position!

Mr. HEARMAN: Yet the Minister blames me for the present position and says that the questions which I asked precipitated the situation.

The Minister for Lands: I said they did not help the position, and I repeat that they do not.

Mr. HEARMAN: Nothing I did would be nearly as deleterious to the present position as the reply given by the Minister on the 23rd August when he said the position was good, the board had changed its policy, and it was going to start exporting potatoes.

The Minister for Lands: Second-grade potatoes.

Mr. HEARMAN: And first grade.

The Minister for Lands: I said the board could but was not going to.

Mr. HEARMAN: The Minister said that, in addition, it could quite safely dispose of some 300 to 400 tons of first-grade potatoes. If the growers knew that the board could safely dispose of this amount, they were entitled to ask why the board did not export those potatoes and give the growers a share in the profit.

So far as I can ascertain, the attitude of the growers has by no means been unreasonable. They have recognised their responsibility to the consumers. They do not want to see the price raised to the consumer, but they realise there was a surplus of potatoes and that a good profit could be made by exporting to the Eastern States. In the middle of June they wanted the board to do that and thus increase their returns. Had that been done, the present situation would not have arisen, or, at any rate, there would not be the very serious deterioration in the position that has occurred.

What the growers are asking me, and I have not the answer, is why would not the board export the potatoes. It seemed to be such an obvious thing for the board to do. We all know the frailties of human nature and are aware of the result that can be brought about by procrastination

on matters of this sort. That is why the growers have begun to lose faith in the board. They feel that the personnel of the board had shown themselves to be competent, and they are asking why the board failed to be competent on this occasion in coping with the situation in what appeared to the growers to be a common-sense manner.

The Minister for Lands: The overwhelming majority of growers are in full accord with the policy of the board.

Mr. HEARMAN: I disagree that the overwhelming majority of growers are in accordance with the policy of the board. The Minister has admitted in his answer that the board changed its policy some time in August, but the growers certainly were not in accordance with the policy of the board in the middle of June when this position was foreseen, and when they made an approach to the board to see if action could be taken to arrive at a satisfactory solution in the interests of both growers and consumers.

The Minister for Lands: It seems to me that you are deliberately putting yourself on the side of a very small minority of the growers in this State.

Mr. HEARMAN: If the Minister interprets my remarks in that direction, his reasoning is simply beyond logic. What I am saying is that the growers have foreseen this situation; their association endeavoured to meet the board but were not able to do so. At that juncture, they did not want the price to the consumer to be increased.

Mr. Ackland: Do you realise that the Minister stated that although the potato growers supported the board, there would not be any potatoes left in the State in view of its attitude? How could they be expected to be loyal to the board?

Mr. HEARMAN: The position has deteriorated very rapidly as a result of procrastination by the Minister, the very thing which I foresaw and warned him about.

The Minister for Lands: A few days ago.

Mr. HEARMAN: Months ago.

The Minister for Lands: Only on last Thursday.

Mr. HEARMAN: With big money being offered by the Eastern States suppliers—

The Minister for Lands: I know more about this matter than you do.

Mr. HEARMAN: I do not think the Minister knows more about it than I. He certainly does not know more than I do at present. He did not think up till a week ago that it was worth referring this situation to the Government.

The Minister for Lands: I do not wonder that you are defending yourself.

Mr. HEARMAN: I am not defending myself. The Minister needs to defend himself. I could not find anything more incompetent than the action of the Minister in the last few weeks. I say that the growers foresaw this situation and wanted the board to do something about it. Now they are asking why the board did not take a step which was very obvious to them. Knowing how the board of six is constituted, two being elected by growers and the rest by ministerial appointment, naturally the question arises as to whether there has been some form of pressure on the board. That sort of thinking must affect the confidence of the growers in the board. It is quite obvious from the swiftness with which the position deteriorated recently that growers are losing confidence in the board. They are men who have stuck loyally to the board.

The Minister for Works: Have you lost confidence in the board?

Mr. HEARMAN: The board should have been allowed to function untrammelled, without any outside pressure from the Government.

The Minister for Lands: There was no pressure.

Mr. HEARMAN: I do not think so. I cannot believe that the personnel of the board who had previously dealt with difficult situations of the same nature with considerable credit to themselves and the community generally, should have bungled in such a manner in this instance. It is apparent that the Minister was not concerned with the position and had not been aware of its seriousness until a fortnight ago. Now he suddenly comes in with rush and panic legislation.

The Minister for Lands: You do not know what you are talking about.

Mr. HEARMAN: It is quite obvious that the Minister did not until last Thursday.

Mr. O'Brien: Do not you think that both the consumer and the grower want some protection?

Mr. HEARMAN: I think they both need protection. I know the growers are only too ready to give protection to the consumers. If the proposition which the growers put to the board had been accepted, the community generally would have been protected and the growers would have received considerable advantage. That is the reason for the present dissatisfaction with the board.

I mention that fact because anybody who believes in the maintenance of the board as I do, and as my party does, realises that it must have the respect and goodwill of the growers if it is to function satisfactorily. With this sort of thing going on, and with the Minister apparently not concerned about, or not aware of, the position, what can one expect from the

growers except dissatisfaction? There is another point in connection with this legislation.

The Minister for Lands: Let us hope you are going to make a point. You have not made one yet.

Mr. HEARMAN: I made a sufficiently important one to make the Minister rush out and see the manager of the board and consult him about it.

The Minister for Lands: I will tell you about that, too.

Mr. HEARMAN: The Minister did go out and see the manager.

The Minister for Lands: I will show you how little you know of what you are talking about!

Mr. HEARMAN: It shows how little the Minister knows.

The Premier: The fact is that when the Minister came out he asked me if he would be in order if he made a certain interjection, and I said, "Decidedly not."

Mr. HEARMAN: I thank the Premier. Obviously it shows the mentality of the Minister who made such an improper suggestion.

The Premier: It would have been appropriate, but against the Standing Orders.

Mr. HEARMAN: And rightly so. There is another question I want to raise, and that is the position of the growers who are at the moment negotiating to grow potatoes for the Eastern States under contract at an agreed price. I believe that such contracts are being offered to growers, and I want to know whether they are to be allowed to enter into such contracts if this legislation goes through. The way it is worded, it seems to me that whether they arrange to sell crops in the Eastern States or not, those crops will still become vested in the board. That point requires clarification.

Obviously we have to decide whether we are going to allow people to grow potatoes for sale in the Eastern States or not. I want to know from the Minister whether this legislation will prevent growers from doing that or not. At present I understand—and I think all growers understand—that if one is not licensed, he can grow potatoes but cannot sell them in Western Australia. He must sell them outside unless the board decides to take the lot.

In conclusion, I would like to say that I intend to oppose this Bill for the following reasons: Firstly, I do not think it will do what it sets out to do. It sets out to get around Section 92, and I do not think that can be done. Secondly, the growers have not been consulted in this matter; and the reaction I have been able to get from growers over the last 24 hours, indicates that they are not very much in favour of it.

The Minister for Transport: What about the public?

Mr. HEARMAN: I think the growers should be consulted before legislation of this sort is thrust on them. So far as the public are concerned, I think the Government and the Minister should have thought about them six weeks or two months ago. It is too late now. We are faced with a shortage; and my opinion is that, whether this Bill goes through or not, we will still be faced with a shortage in the next few weeks.

The Minister for Transport: Because potato growers have scabbed on the people of Western Australia.

Mr. HEARMAN: If the Minister likes to put it that way—

The Minister for Transport: They have taken all the advantages over the years.

Mr. HEARMAN: I do not think they have. I disagree. They tried to present their position to the board as early as the middle of June, but could not get a hearing.

The Minister for Transport: They know their moral position.

Mr. HEARMAN: Maybe they do. I think there is also an obligation on the part of the board to see that the growers get the maximum return possible consistent with maintaining the price locally. The board would not listen to them, and I do not think the Minister for Transport or anybody else can charge the growers with not having taken into consideration the position of the consumers. There is no urgency now, because it is too late. We have reached the stage where we are confronted with a shortage and consequently there is time to consult the growers in this matter. I for one will not support any measure of this nature, where there is an opportunity to consult the growers on a matter such as vesting crops in the board and where that opportunity is not taken advantage of.

The Minister for Lands: Well, we know where you stand!

Mr. HEARMAN: I do not consider that the legislation will do what it sets out to do, because it sets out to cut right across Section 92 and I do not believe it is possible to do that. I have given reasons for that belief. They had exactly the same problem in Victoria and came to the same conclusion: that it could not be done. For that reason I do not think it will help the general public or the growers. This is hasty legislation containing a lot of objectionable features, and I intend to oppose it.

MR. BOVELL (Vasse) [7.50]: At the outset, I would pay a tribute to the work of the Potato Marketing Board in the

interests of producers and consumers over the years, and I would take members' minds back to the time when a challenge was made in this Chamber by certain members in regard to the position of the board as far back as 1948. On that occasion, I was a member of a select committee that inquired into the functions and operations of the board, and this House agreed to the maintenance of the status quo of the board on a minority recommendation that I submitted. I am much indebted, Sir, to a former occupant of the high office you are now filling, for giving me his casting vote in favour of the submissions I made to this Chamber.

Over the years, the board has rendered excellent service; and I am rather concerned that hasty legislation of this nature should be introduced into this Chamber and that the Minister should expect it to be passed in all its stages at one sitting. It is barely 24 hours since we had knowledge of the intention of the Government to introduce this legislation. Immediately upon receiving advice from the Minister—and he did give us a little notice—I endeavoured to contact a number of the leading growers in the electorate I have the honour to represent.

Potato growing in the Vasse and Marybrook areas has been undertaken by families associated with that industry over three generations. As far as I know, the difficulties that have been experienced by the member for Blackwood and the member for Harvey in regard to a leakage of potatoes in their electorates have not occurred with the growers in the Marybrook and Vasse areas. Those growers have been ultra loyal in fulfilling their obligations to the board, and it is necessary, if the board is to function, that the growers be loyal to it. Without such loyalty, the board cannot function in the interests of the producers. The potato growers in the Vasse and Marybrook areas have refrained from exploiting the position and obtaining high prices in the Eastern States in the manner resorted to by a number of other producers in the potato-growing areas of Western Australia.

I am quite sure that the vast majority of growers in Western Australia want the board to continue its operations. Plebiscites have been taken in the past and there have been overwhelming votes in favour of the maintenance of the present marketing system. Growers, and especially those engaged in the industry prior to 1946, know the difficulties that were experienced in those years; and it has only been since the 1946 Act came into operation that growers have had some security in their industry. There are, of course, a number of new growers who have come into the industry and who perhaps do not realise the precarious state in which it found itself before the board was established. In those days the law of the jungle prevailed, and the person who

suffered most was the producer. It took a producer all his time to remain in the industry despite the fact that he might have been second to none in the Commonwealth in the growing of potatoes. Harmony is very essential if the board is to operate satisfactorily.

The main functions of the board are, first of all, to ensure that a supply of potatoes is available to consumers in Western Australia at a reasonable price; and, secondly, to ensure an adequate financial return to the potato growers. While it should not permit an over-supply of potatoes in Western Australia, the board should use its discretion and allow certain consignments to be sold in the Eastern States on a higher market, which would result in a financial benefit to the producers concerned.

Mr. May: The whole of the producers?

Mr. BOVELL: The licensed producers. The producers generally favour an organised form of marketing and an overwhelming majority have complete confidence in the board as it exists today. The board consists of Mr. Hillary as chairman; Mr. Hard, as manager; Mr. Ackley, a gentleman from Albany; Mr. Mann, who is a Trades Hall official and consumers' representative, and Mr. Lowe, of Harvey. All those gentlemen are the nominees of the Government, or the Minister. Then there are Messrs. T. Rose of Burekup and Newman who are the growers' elected representatives. Those are the members of the board and, with the exception of Mr. Hillary, I would say that all of them have a sound knowledge of their sphere of activity.

I have just been informed by the member for Bunbury that Mr. Lowe of Harvey is not on the board. I understood he was. With that correction, the members of the board have, in my opinion, a sound knowledge of the phase of activity they represent. It would not be advisable to alter the constitution of the existing board, and we must be clear in our own minds that this Bill, as introduced, does not challenge the successful functioning of the board. I repeat that, for the board to be successful, it must have the complete co-operation and confidence of the potato growers in Western Australia. The Bill empowers the board to control all potatoes from the time of digging. Previously it was from the time of delivery.

With potatoes, as with other primary commodities, there are a number of grades and I would like the Minister to clear up the position in regard to what the board proposes to do concerning those various grades. We have a No. 1 grade of potato and other grades which are used for pig-feed and seed, and perhaps others which are used on the properties. We know that under the existing legislation the producer is not permitted to sell any

potatoes but he can use them for pig-feed or seed or for any other purpose on his property.

The Minister for Lands: You know that this Bill does not alter those sections of the Act.

Mr. BOVELL: That is quite so, but I am not sure how the board will deal with this position.

The Minister for Lands: Just the same as it does now.

Mr. BOVELL: But today the board does not deal with potatoes used for pig-feed.

The Minister for Lands: All right!

Mr. BOVELL: It does not deal with the seed potatoes; it deals only with those that are delivered to the board. But under this measure, if it is passed, the board will have control of potatoes from the time they are dug, and that includes all types of potatoes and, believe me, as consumers well know, there are various types of potatoes that find their way on to the market at odd times.

Let me give members an indication of the great assistance that the producers have given to the consuming public in Western Australia. I understand that the Potato Growers' Association committee, representing all growers, in June of this year would not agree to any increase in the price to consumers in Western Australia. But the members of that committee were concerned about getting some potatoes to the Eastern States in order to receive the advantage of the high prices ruling in those States.

I am not quite clear in my own mind as to the payments for potatoes. Under this legislation, if it is passed, the producer will be called upon to adhere to further regulations and, in my opinion, it is one-sided legislation because it imposes further penalties on the producer without corresponding remuneration. Under this measure growers will be responsible for making all potatoes dug available to the board and the board will have no further responsibility in regard to guaranteed payments.

The Minister for Lands: Yes. The board's actions will be governed by the formula, exactly the same as happens now. I refer to the formula which governs payments to growers. That will operate the same as it always has done.

Mr. BOVELL: I still say that the producers are being asked to concede something without any clear definition as to guaranteed payments. I do not mind any Government asking the producers to concede certain things—and they are conceding something under this Bill—providing something is given to them in return. In my opinion the legislation has been hastily introduced.

The Minister for Lands: We did not overlook that point.

Mr. BOVELL: The Government did not?

The Minister for Lands: No. This legislation does not interfere with the existing Act in any way whatever.

Mr. BOVELL: I am quite prepared to admit that. But I feel that this legislation should have included some further concession to the growers. If this Bill becomes law, all potatoes, immediately they are dug, will become the property of the board whereas at present they come under the control of the board only on delivery to it. Let us say that after this Bill is passed—and I am presuming, in this instance, that it is passed—the producer loses his pig potatoes or his seed potatoes through some delay in administration. There is nothing in this legislation which will give him any protection in that regard and for that reason I think the measure has been hastily introduced without giving some further concession to the producers.

Furthermore, this measure vests potatoes permanently in the board. If it were only a temporary measure we could, perhaps, deal with it hastily. But this is to be a permanent piece of legislation and once it reaches the statute book, in permanent form, it will be very difficult to unscramble the egg. We will have scrambled the egg or, in this instance, have mashed the potato and, having mashed it, we will not be able to get it back into a whole potato again. As the Government has indicated that this is to be a permanent piece of legislation, a few days or even a week's delay should not make much difference.

After all, it is four weeks since the member for Blackwood first raised the matter, on the 8th August, to be exact. This undue haste does not give the producer a chance to weigh up the pros and cons of the matter and decide whether the legislation will be of advantage or disadvantage to him. I appeal to the Minister, even at this late stage, to adjourn the second reading or pass the second reading and adjourn the Committee stage until Tuesday of next week. That will give members representing growers an opportunity of seeing them personally and attending meetings which could be organised between now and next Tuesday in order to discuss the impact of this legislation. In my opinion, it is too dangerous to deal with hastily.

Mr. O'Brien: It is too dangerous all right! The people will have no potatoes in a few months' time.

The Minister for Lands: In a few weeks' time.

Mr. BOVELL: The people can only have potatoes if the producers supply them, and if this measure will upset the existing marketing arrangements—

The Minister for Lands: It will not.

Mr. BOVELL: The Minister says that it will not; but we do not know. Let us refer the matter to the producers.

The Minister for Lands: How will we know until it is tried?

Mr. BOVELL: I would be quite prepared to give this measure further consideration on Tuesday of next week after I had had an opportunity of discussing the proposal with the potato growers in my electorate. But I am not prepared to challenge the existing functions of a board which has been, and is, working in the best interests of producer and consumer. The danger of tinkering with it is too great for us to take the risk. The Minister, by way of interjection, says that everything will be all right. Let the producers have an opportunity of deciding whether they think it will be all right or not.

The Minister for Lands: In the meantime we lose several more hundreds of tons of potatoes.

Mr. BOVELL: If that is the case—

The Minister for Lands: That is the case.

Mr. BOVELL: If that is the case the position is this—

Mr. O'Brien: Be careful!

Mr. BOVELL: —the board has not the confidence of the producer and this measure will not give the board that confidence.

The Minister for Lands: You know that you are wrong there.

Mr. BOVELL: If this measure is passed hastily, as is the Minister's intention, I believe it will destroy that harmony which has existed up to date between the producers and the board. I believe, as my actions in this Parliament have shown over the years I have been a member, that the marketing system for potatoes in Western Australia has been of advantage to both producers and consumers. We cannot afford to return to the days of jungle law which existed in the industry when producers did not know from day to day what they would get for their product or how they would live. This legislation must have due consideration by those most vitally concerned—and those most vitally concerned, after all, are the producers.

Mr. O'Brien: This is to protect them.

Mr. BOVELL: We were advised at 4 o'clock yesterday afternoon that the Government intended to introduce this Bill and wanted it to pass through all stages as quickly as possible. That was totally unfair and we could not get an assurance from the Minister that he would allow us to adjourn the debate, so we had to adopt tactics to enable us at least to get in touch with some of the producers in our electorates in order to ascertain their opinions. I have been using the telephone all today, and a good part of yesterday afternoon, trying to get in touch with the leading growers in my electorate to obtain their opinions.

None of them knew anything about the proposed legislation and they were all in confusion about it. One suggested that perhaps it was legislation to legalise the agreement. He thought that the Minister might be introducing legislation to deal with that position. I could not tell him because I did not know what it was all about. I asked him if he knew anything about it and that was his suggestion. He thought that it might be a Bill to provide for stamp duty for a legal agreement between the producers and the board because there has been some doubt as to the legal position in that regard.

After we were successful in delaying the introduction of the Bill until today, the Minister very kindly allowed certain members to obtain some information which was greatly appreciated. But I do appeal to him to adjourn the debate until Tuesday next to give members who represent potato growers an opportunity of personally interviewing their potato-growing constituents so that they can speak with more authority on this question and be able to tell members whether those growers find any merits in the Bill which outweigh its disadvantages.

Mr. Lapham: There will not be a potato left in Western Australia by then.

Mr. BOVELL: I do not want to go into unnecessary repetition, but let the member for North Perth listen. I have already said that if the board has not the confidence of the growers and all potatoes are to be sent out of Western Australia between now and next Tuesday, this measure will certainly not restore the status quo. It will be too late, and therefore a few days longer will not make any difference.

Mr. Lapham: It will make a difference.

Mr. Evans: Does not the hon. member believe that if it were not for the confidence of the consumers the producers would have to grow wild oats?

Mr. BOVELL: It is a pity the hon. member did not go and sow a few wild oats!

Mr. DEPUTY SPEAKER: Order!

Mr. BOVELL: Let us approach this matter cautiously. I ask the Minister to heed my appeal for a little time to enable us to confer with the potato growers in our electorates. This measure, if hastily dealt with, could well sound the death-knell of the Potato Marketing Board in Western Australia.

The Minister for Lands: Not through this measure.

Mr. BOVELL: It could do. If that happens, it will be a sorry day for the producers, a sorry day for the consumers and a sorry day for this Government because it did not give adequate time for the producers to give consideration to the proposals which have been included in this Bill. The Government is expecting Parliament to deal with this measure within

twenty-four hours. My final appeal is: Wait till Tuesday. Let us confer with the growers. They are interested in this marketing system and it would only take a very few hours to get them all together so that they could thrash out the proposals of the Government. If the Government is going to step in—and the measure savours of socialistic control—

The Minister for Lands: Now do not raise that argument.

Mr. BOVELL: —and force the producers, without having due consideration given by them, into something which may destroy their marketing system, the responsibility will rest on the head of the Minister who himself represents potato growers, and also upon his colleagues in the Cabinet.

The Minister for Lands: We are loyal to a man. You know as well as I do that this Bill will in the long run give adequate security to those growers you represent.

Mr. BOVELL: That may be so, but by his own words the Minister has said that an increasing number of growers are selling their potatoes on the blackmarket.

The Minister for Lands: You want them to increase between now and next Tuesday.

Mr. BOVELL: I say that the delay between now and next Tuesday will make no difference to the position. I repeat, and join with the member for Blackwood—

The Premier: Oh, do not join with him.

Mr. BOVELL: The Minister should have heeded the appeals made by the member for Blackwood as long as a month ago and should have done something about them.

The Minister for Lands: Before the member for Blackwood had ever asked a question in this House, I was in daily touch with the marketing board in this State.

Mr. BOVELL: In reply to that, I would ask why, in the name of all that is good, the Minister did not take some action then instead of leaving it till now and expecting the whole thing to be signed, sealed and delivered before the people who produce the commodity have a reasonable opportunity to study what he is asking them to accept. That is the position. If the Minister, as he says, was in conference with the board about this very subject, even before the member for Blackwood raised it, that makes him all the more responsible for the position that has arisen today.

The Minister for Lands: You know that every answer supplied to questions in this House was supplied by the Potato Marketing Board.

Mr. BOVELL: I am pleased to hear that.

Hon. Sir Ross McLarty: Not the reply given to the member for Greenough.

The Minister for Lands: That was one without notice. A quarter of an hour before the House sat I was in touch with the manager of the Potato Marketing Board before I made that reply.

Mr. BOVELL: My final word.

Members: Hear, hear!

Mr. BOVELL: I would say: Consult the growers, and I will abide by their majority decision.

The Minister for Works: Which growers do you want to consult?

Mr. BOVELL: The potato growers, of course! If that is done, I will abide by the majority decision.

The Minister for Transport: Consult the public for a change.

The Minister for Lands: I do not think you like what you are doing now.

Mr. BOVELL: But unless the Minister relents, I have no option but to oppose this measure in the interests of stability in the marketing system for potatoes in Western Australia.

HON. A. F. WATTS (Stirling) [8.20]: I think it is a matter for considerable regret that we have to deal with a measure of this nature in the short time that is envisaged by the Minister:

Mr. Bovell: Hear, hear!

Hon. A. F. WATTS: Because, without doubt, it presents to many of us, and I think with considerable justification, far more problems than the Minister would have us believe are likely to arise from it. For example, I would not venture to be as categorical as the member for Blackwood in regard to the relationship between this Bill—supposing it became an Act—and Section 92 of the Federal Constitution. As everyone knows, the decisions that have been reached by the High Court and the Judicial Committee of the Privy Council have been somewhat varied. They usually deal with particular instances, and I do not think anybody is able in a particular matter to guarantee with certainty that any point of view is going to be taken up by these courts of last resort except the courts themselves; particularly the Privy Council which has the last say, and therefore must be right.

That seems to be the position in regard to the relationship between legislation of this type and Section 92 of the Federal Constitution, and I imagine that it is only because of the effect of Section 92 of the Constitution on the present legislation that we have this Bill here at all. Because if it had not been lawful for interstate trade to be absolutely unrestricted, then I presume the board would have taken a different line long ago under its existing legislation and endeavoured to solve this problem in some other way.

So far as I am concerned, the continuance of what is known as orderly marketing in an industry such as we are now discussing, is a matter of very great importance. I have seen enough in past years of the potato industry to realise that without the legislation which is now on the statute book, the position of those

who have attempted to supply the needs of our people with potatoes could have been disastrous. I have not forgotten the sight as I drove through country districts where potatoes were grown a few years ago—before the passing of this legislation—of invitations being made to the public to dig their own potatoes, because obviously it was not worth the grower's while to do so himself. It was not worth the time and the labour he put into the matter of getting the potatoes on to the markets.

Unquestionably the operations of the Potato Marketing Board have been substantially, if not completely, responsible for the change in that state of affairs. It is a state of affairs which I for one would not allow ever to come back again if I had my way. On the other hand, one has to consider the question from another angle. Are we in Western Australia completely entitled to have all the potatoes which we feel disposed to purchase and consume while, through diverse unfortunate circumstances, our fellow Australians in the Eastern States virtually have none?

It did occur to some of us in the earlier stages of this difficulty some weeks ago that this problem might have been overcome had there been some compromise between virtually no export and the position which the Minister now envisages is going to take place, namely, that there will be far too much export to the detriment—and the considerable detriment—of the Western Australian consumer.

Mr. Lawrence: What do you mean by a compromise?

Hon. A. F. WATTS: To have arranged for some exports in the early stages of this problem when the potatoes were still in Western Australia, and to seek the concurrence of the growers on striking somewhat of an increased price in Western Australia—not increases to anything like the extent which might have to come now, if the Minister is to be believed. In this regard I must agree with the member for Blackwood when the questions he referred to were asked, the Minister's answers gave me to believe that the position was so well in hand that there was little or no cause for concern.

The Minister for Lands: There has been an avalanche since then.

Hon. A. F. WATTS: In fact, I think the Minister indicated that 300 or 400 tons of Western Australian potatoes of a lower grade could be exported to the Eastern States.

Mr. Hearman: First grade.

Hon. A. F. WATTS: I remember the number of tons but not the rest of the answer.

The Minister for Lands: That is, if the sending of potatoes over East then was not increased in quantity. But since then there has been an avalanche.

Hon. A. F. WATTS: I was about to submit for the consideration of the Minister for Lands that the statement he made that 300 or 400 tons of potatoes could be exported to the Eastern States—whatever grades they might have been—gave me to believe that he thought, and his advisers thought, that the position was reasonably well in hand. I venture to say it gave some of the growers who are among those to whom he refers, the impression that they were quite at liberty to take advantage of the constitutional outlet and dispose of some of their potatoes because that would not affect the issue.

Personally, I do not think the Minister is justified in any way in saying that the questions gave rise to any part of his problem. It might be that his answers to them did, and he can form his own assessment on that. But as I say, the Minister led us to believe that in his opinion, and in the opinion of his advisers, the position was well in hand and that some hundreds of tons of potatoes could be exported and that Western Australia would be fully supplied. That could have been taken as meaning that a few hundred tons more would not matter very much; it probably was taken to mean that by some of the people concerned in this business at present.

So I do not think the Minister for Lands is justified—and he said it three or four times I think yesterday and today—in laying the blame wholly or partially on the persons who asked those questions. If members will look at the matter impartially, there is as much to be said for laying the blame on the Minister himself for his answers. Fundamentally, every member of Parliament, in a matter of public interest of this nature and dealing with a statutory authority such as the Potato Marketing Board, is entitled to ask questions to find out just what the position is in regard to any matter coming under its authority.

The Minister for Lands: Perhaps I should have refused to answer the questions.

Hon. A. F. WATTS: I think that would have been a most improper course to pursue. But if the Minister was of the opinion, or had any cause to suspect, that the answers he intended to give were about to create a situation about which he now complains, he had an alternative, which has been used in this House more than 100 times, of providing the hon. member with the information without laying it on the Table of the House, or otherwise making it completely public.

The Minister for Lands: You mean that if the question was not asked and the answers were not given, it would have been better for all concerned.

Hon. A. F. WATTS: I would not put it that way at all because I refuse to limit a member of Parliament in his undoubted

rights to ask a question in relation to any public matter. Nor do I limit a Minister of the Crown in making his reply, if he feels it is not desirable in the public interest to make it public, to take advantage of opportunities that were availed of many times before, to make the information available in a limited way to a limited number of persons, which has been done probably more than a hundred times. That is my assessment of that particular aspect, which has been hammered here for quite a time, and I felt it desirable to put my point of view in regard to it, because—I repeat—I am not going to be a party with anybody to a proposal which says to a member of Parliament, "You shall not ask questions on a public matter."

Everybody knows quite well, that the right to ask questions is something which is inherent in all our systems of parliamentary government, and one which has preserved that parliamentary system of government. Therefore, no one will deprive me or any other member of the right to ask those questions, but I give the Minister full authority, if he so desires, to exercise discretion as to the means by which his answer will be given.

As I said in regard to this clause, which it is proposed to add to the Marketing of Potatoes Act, there is nothing unusual in the principle that is being applied. It is as follows:—

- (a) every grower of potatoes becomes the bailee in possession on behalf of the board of all potatoes produced by him, and continues as such until he delivers the potatoes whether by one or more than one delivery to the board in accordance with such directions in writing as to delivery as the board serves and is hereby authorised to serve on the grower.

That principle has been embodied in the Marketing of Onions Act, for example, for quite a considerable number of years. Under Section 11 of that Act, when a proclamation has issued, by virtue of such proclamation, a grower becomes, and continues to be, a bailee in possession on behalf of the board of all onions produced by him. The principle there is exactly the same, and it has not been found objectionable to this House in other legislation, so far as I know. I do not forget the strictures made on the onion board—that is a different matter—but as far as legislation is concerned, it has not been taken exception to by the growers in the industry since 1945.

Hon. Sir Ross McLarty: Those growers were consulted.

Hon. A. F. WATTS: I do not know whether the growers were consulted when that was put in the Act; I know they were consulted when the original Act was introduced by the then member for South Fremantle, the late Mr. Fox, as a private

member's Bill, but the Act was amended in 1945. That, if I remember correctly, was a Government measure to amend the original Act of 1938, which was brought down by Mr. Fox and subsequently became legislation, so I do not know what the actual circumstances were. What I am saying is that the principle has been put into the Marketing of Onions Act and, if I had more time for research, it would probably be found in similar statutes for the marketing of various products.

So I cannot hold that it is a principle which is strange to us. I do not think it is. It is only a question of determining whether there will be any detrimental effect on the industry by extending the principle a little further than we now have in the Marketing of Potatoes Act. That measure provides that the grower shall deliver all his potatoes to the board and they thereupon become the property of the board, but I doubt very much, having now dealt with the principle of this particular clause, whether some of the subparagraphs of this clause are in the slightest degree fair.

I am going to suggest to the Minister he gives at least one of them very careful consideration before he attempts to pass this Bill through the House. It says—

(b) a grower while such bailee

- (i) is responsible to the board for the safekeeping, storage, and protection of the potatoes; and
- (ii) shall not sell, or deliver, or part with possession of any of the potatoes to any person other than the board, except with the written authorisation of the board.

Penalty: Five hundred pounds, maximum; Fifty pounds, minimum, irreducible in mitigation, notwithstanding any other Act.

So not only is the individual going to be liable for a penalty of £500 as a maximum and £50 minimum irreducible in mitigation for the sale or delivery of potatoes to other than the board, but he is also going to be subject to the same penalty in regard to the safekeeping, storage and protection of the potatoes. I submit that even if one agrees with the principle that there should be a penalty for the sale to some other person than the board, it is a very different proposition to impose the same penalty on a man in regard to the safekeeping, storage and protection of potatoes.

In one case a grower can be concluded to be offending against the law—supposing this becomes law—and, on the other hand, he can be in extreme difficulty in regard to the provision for safekeeping, storage and protection of the potatoes and certainly in my view, if they are both to be

required of him, there should be a differentiation in the penalty. I have said that should be given consideration because as far as I am concerned I shall never agree to the clause containing a proposal for the same penalty in respect of these two happenings, both of which the Bill seeks to make offences, which, in my opinion, could be and probably would be in each instance before the court, as wide apart as the poles.

Mr. Lawrence: Cannot the court impose the minimum under the Act?

Hon. A. F. WATTS: It means it cannot be less than £50. They are the words I object to. It could be assumed to be all right perhaps if the law were broken in regard to delivery, but it is greatly wrong in my opinion that the same irreducible penalty should be applied to the other item. Without those words, "irreducible in mitigation," it would be competent for the court to make the penalty less than £50 in accordance with the Criminal Code and Justices Act, but with the words I have referred to, a court cannot make it less than £50. That is my major objection to this provision. If we are to pass this legislation the Government would be very wise indeed to pass a distinct limitation on its duration.

Mr. Ackland: The Minister says he does not intend to.

Hon. A. F. WATTS: I am sorry if the Minister did say that because I am going to tell him it is extremely desirable, and I shall certainly support any move made in the direction of doing so. If I have my way, if this measure is to be passed, its life will not be longer than the end of this year, so that it will have to be reconsidered before the end of this session. I say that for several reasons, some of which have been expertly advanced by the member for Vasse.

We are not quite certain of the effect of this legislation from the legal point of view. It may be, as the member for Vasse endeavoured to indicate, that it will not succeed in its intention. Maybe, on the other hand, it may lead to some of the troubles which the member for Vasse referred to in connection with the amicable relations which now exist between growers and the board. I do not know. I say without fear of contradiction that I am extremely anxious to see the board continue in operation for the reasons I gave when I started my speech this evening, and also because I do not think there is any other method by which the potato industry can be successfully carried on in Western Australia.

Mr. Nalder: I think all members in the House agree with that.

Hon. A. F. WATTS: I think they do, and it would not do the slightest harm from the legal and other aspects. It can only be classed as an experimental effort to

provide the right remedy for a state of affairs which is concerning everybody, and a limitation should be provided so that after the first three months of operation it could be reviewed by the legislature which could make up its mind whether it is desirable to have it continued or abolished altogether, because I cannot agree, in normal circumstances, with a measure of this kind.

Other members who represent persons in any number engaged in this industry would prefer to enter into discussions with them and explain to them the legislation as they understand it to seek their point of view in relation to it. But we cannot do that in 24 hours or 48 hours, and therefore the people who are most vitally concerned on the one side of this industry have had no opportunity to hear what the legislation is really all about, or, on the other hand, to express their view as to what they think might have been more desirable than this measure as a means of solving the problem.

I am not disputing—I want the Minister to clearly understand this—his bona fides in this matter if he has come to the conclusion that this is the right way to do it. I am not so sure it will work the oracle he expects it will. I think there is a distinct possibility he will find himself with problems after the legislation is brought into effect and that is primarily the reason why I think the legislation should be distinctly limited in time and brought up again for continuance or otherwise before the end of the current session. That would mean that the Bill would be limited to some time not later than the end of the current calendar year. I shall certainly make every effort that I can to ensure that this is done, and if it is done, then on that basis I am prepared to support the second reading of the measure.

I would say at this stage that, as far as one can make a shot at an estimate in 24 hours, I think the majority of the growers are rather more anxious to preserve the policy of the board in regard to its marketing methods, than not. But at the best that is only an unreliable estimate. It is because I believe, on the one hand, that the majority of them would prefer that such action be taken, and, on the other hand, because I have always been a disciple—an apostle perhaps—of orderly marketing, that I am prepared, as I have said, to support the second reading of the Bill.

I do, however, appeal to the hon. gentleman first to consider the desirable amendments that I referred to in regard to the major clause in the Bill; and, second, to give favourable consideration to limiting its duration, because I assure him, in regard to the latter aspect, that I shall not rest content until every effort has been made to ensure that that limitation takes effect. Then we shall be able to ascertain

just what does happen in the course of the next three months, and in the light of the information we have then—and we will be well advised on the problems; far better than we can possibly be today or tomorrow—we shall be able to determine whether this legislation ought to continue. I shall leave it at that.

MR. ACKLAND (Moore) [8.47]: I find myself in a rather unenviable position because in this matter I cannot be in agreement with my leader. But it does go to show that the Country Party is a party the members of which have the right always to give expression to their own political views.

Mr. Lawrence: All parties have that right.

Mr. ACKLAND: No, and that remark comes very badly indeed from the member for South Fremantle because I well remember how full of sympathy we were for the hon. member only a few years ago because he stood up in this Chamber and took a definite action. His whole political future was bound up in whether he reversed his decision.

Mr. Lawrence: I am still here.

Mr. ACKLAND: Yes, the hon. member reversed his decision.

Hon. J. B. Sleeman: You reversed your decision. I remember you reversing what you said about a member here.

Mr. ACKLAND: I am not called upon to reverse my decision in reference to the leader of my party. It is mostly because of the attitude which has been adopted by the Minister himself that I find myself in the position of having to oppose the second reading of the Bill. I believe that the product of the producer belongs to the producer subject only to his just debts.

The Minister for Works: Is that the principle of the Wheat Marketing Act?

Mr. ACKLAND: Yes.

The Minister for Works: Is it?

Mr. ACKLAND: Yes, it is. As members will know, I have always personally opposed the wheat marketing legislation, but more than 90 per cent. of my fellow wheat growers have decided that they want to do certain things with their wheat, and I, as their representative here, although I opposed them all the way before the referendum was taken, did abide by the majority decision. The Minister stated only yesterday, I am told—unfortunately I was not here, and I do not want to state something that did not actually happen—that he was not very concerned with the attitude of the potato growers on this matter; that he was determined to push the legislation through within 24 hours, and he was not prepared to let the producers express their viewpoint on it.

My leader made a very clear attack on the Bill in what he had to say. He brought to it his clear legal mind and many of the things that I would like to have said, but not nearly as effectively as he put them, are the reasons why I oppose the Bill. Firstly, the Minister is not concerned with growers. I believe that this is the most Ned Kelly legislation we have ever seen introduced into the House. My leader has read certain clauses that appear in the Bill. We are to take possession of the potatoes as they are produced; we are going to prevent the producer, if the Potato Marketing Board so wishes, even keeping his own seed, or feeding unsuitable potatoes to stock; then we are going to compel him to take complete control to preserve these potatoes until such time as the marketing board wants them.

Mr. Lawrence: That is not correct.

Mr. ACKLAND: It is stated in the Bill. Prove to me that it is not!

Mr. Lawrence: Where does it mention seed potatoes or feeding potatoes to stock?

Mr. ACKLAND: It mentions all potatoes in the Bill. It makes no exception of the tiniest potatoes that are unacceptable to the market; it includes the lot. I am wondering whether the attitude of Comrade Chamberlain and his executive, who are going to bulldoze everything before them, is not being given effect to in this House. A man who tried to express his personal views in the paper the other day has, we find, been expelled from the organisation.

Mr. Jamieson: What do you know about that case?

Mr. ACKLAND: I do not know very much except what I have read.

Mr. Hall: Stick to the Bill.

Mr. ACKLAND: I thought I would get some bites when I made that reference. This Bill is on all fours with the attitude of the executive. The Government is going to take control. The executive of the Country Party gives us a free hand.

Mr. Lawrence: I remember when you were accused.

Mr. ACKLAND: The hon. member was not here.

Mr. Lawrence: I read it.

Mr. ACKLAND: Unless the Minister is going to give us some assurance that he will give consideration to allowing the growers to express their views—I want to see the potato board retained because I think it has done a good job—I shall vote against the Bill. The potato growers themselves are the people to say what they consider should be done, and not the Minister for Lands or the members of the Labour Party in this State. It is the grower's responsibility, and if we give them an opportunity to advise their representatives where they stand, and they are agreeable to it, then I shall be very glad to support the measure.

Mr. Lawrence: Do you suggest a referendum amongst the growers?

Mr. ACKLAND: I do not want that, but a reasonable expression from representatives of the potato growers.

The Minister for Transport: Would you like an expression from the housewives?

Mr. ACKLAND: Yes. The housewives have in the past, when potatoes were hardly worth selling, paid a reasonable price. The Minister is responsible for the position. The very fact that he attacked the member for Blackwood was most unwarranted because he himself is responsible far more than the member for Blackwood for the position in which we find ourselves today.

It is my intention to oppose the second reading of the Bill unless the Minister for Lands gives us some assurance that he is not going to try to Ned Kelly this business, but that he is going to give the people who own the produce some right to express their views on what shall be done with it.

MR. OLDFIELD (Mt. Lawley) [8.55]: It is my intention, in the Committee stage, to move that the Bill be reviewed later in the year. With the marketing of potatoes there are certain technical problems which I do not think many members appreciate. Quite a lot of them know all there is to know about growing potatoes, and many of them know the consumer's angle, but not the problems associated with the marketing of potatoes.

One of the problems that we are faced with in this State is the unsuitability of Western Australian potatoes for storage purposes. The keeping qualities of our potatoes are not what the keeping qualities of potatoes are in other parts of the world, and that is why for many years we have experienced a shortage of potatoes during the month of October. I can recall periods of six weeks when there has not been a potato in the metropolitan area; and that has been in the last eight or nine years. There has been a complete absence of stocks from the end of September and during October when the metropolitan housewife has not been able to purchase one potato.

The purpose of the board, in my opinion, is a dual one. On the one hand, it has to provide orderly marketing and, on the other, to assure to the grower a return for his crop throughout the year. It also has to try to maintain an effective supply of the product to the housewife. In most respects the board has been rather successful but unfortunately it has, from time to time, been caught up with seasonal failures and on occasions when sufficient crop was not planted because, possibly, the growers did not consider the prospective financial return great enough, and many other factors which may arise in the way of disease and so on.

If the grower who enjoys a guaranteed price for his product throughout the year is prepared to accept the state of affairs whereby he is guaranteed that price, he should in return be prepared to carry out his end of the contract and ensure that the housewife, who pays the guaranteed price, is kept supplied with the product for as long a time as possible. But taking the whole State, and the effect this can have on the economy, it is bad business for us to attempt to control a product at £30 to £40 a ton, and keep it within the State, when prices are available within Australia ranging upwards to £200. I understand that is what the anticipated market price will be in New South Wales by this time next week. It is an almost impossible task to police any Act which seeks to control a product which has a retail price here that is in the vicinity of £40 whereas in New South Wales it is £200.

Mr. Lawrence: The price is £34 5s. a ton.

Mr. OLDFIELD: I think the retail price is about £40 a ton.

Mr. Bovell: The return to the grower is £34 5s. a ton.

Mr. OLDFIELD: Yes. I am speaking of the retail price which is about £40 a ton.

Mr. Bovell: And the growers decided not to increase that price in the interests of the consumer.

Mr. OLDFIELD: Yes. The growers want the guaranteed price to remain, and I do not blame them. They know that if they put in a certain acreage of potatoes, they will have a certain anticipated crop and are able to say to themselves, "If everything goes well, I should obtain a return of so many thousands of pounds this year from my potato crop." That is, of course, provided the season goes well with them.

Mr. Bovell: I do not know about the thousands of pounds. There were many losses through floods this year.

Mr. OLDFIELD: Of course, there were losses through floods and the growers were not the only ones who suffered losses. The merchants suffered losses also as a result of bad potatoes being delivered to them from the growers through the potato board.

Mr. Norton: And resellers have had up to 60 per cent. losses.

Mr. OLDFIELD: Yes, some retailers have had tremendous losses when retailing potatoes to the housewives. If we pass this legislation and provide that it shall operate for all time it could have the effect of bringing into existence a state of affairs whereby the growers will have no desire to continue marketing their potatoes through the board because of the high prices that will be offering from time to time during shortages that occur in other parts of the Commonwealth.

Some growers, perhaps, who anticipate shortages in other parts and who grow additional potatoes to meet such shortages, should be granted rewards that are offering for their foresight and also for the extra risk that they have taken. If a grower takes the risk of planting an additional crop of potatoes and no shortage occurs in the Eastern States, he is then left with that additional crop on his hands. Another feature of this legislation which concerns me is whether it will achieve the desired effect. The Bill is aimed at retaining potatoes in Western Australia for the benefit of local consumers. I have no fault to find with that aim because, as I have said, the grower is prepared to accept the guaranteed price during gluts and therefore he should be prepared to ensure that housewives are able to obtain potatoes at a reasonable price when there is a shortage.

I would like to know what the position will be when certain merchants decide to send their quota of potatoes to the Eastern States. The marketing policy that is followed today is that the board allocates to the merchants and the packers a certain quota of potatoes as they are received from the country districts. I know of no Act which makes it incumbent upon the merchant or the packer to deliver to the retailers in the metropolitan area or to larger retailers who may be entitled to obtain big quantities of potatoes because they hold a large quota.

There is nothing to stop some of the merchants in the metropolitan markets, who take in two or three truckloads of potatoes from saying, "We are going to sell these potatoes at a margin of about £3 a ton" but who, instead, put them on rail to the Eastern States and obtain a margin of about £103 a ton. In fact, that is regarded as good business by some people.

The Minister for Transport: That is free enterprise.

Mr. OLDFIELD: Yes. If those people are in a position to do that, the Bill, if passed, will merely take away from the grower an opportunity to profiteer and pass it to the merchants. Therefore, I consider that it is unfair to the growers. The opportunity is denied him of obtaining an increased profit on his potatoes merely to put it in the hands of unscrupulous merchants. I call them "unscrupulous" because instead of allocating the potatoes to the housewives in this State, they would be selling them to the Eastern States to the advantage of themselves.

Also, the member for Blackwood failed to mention that there have been instances, particularly among growers in the Donnybrook district, of prices of up to £75 per ton being paid for potatoes that had been rejected by the board. Therefore, the position was that a great proportion of the potatoes that had been sent to the Eastern States had already been rejected

by the board as unfit for human consumption in this State. In view of those circumstances, we could have the position of a grower having in his possession potatoes which the board had refused to accept and yet, although a good price was offering for them in the Eastern States, he would be denied the right of accepting that price.

The present position has arisen because the purchase of potatoes from the country has been made, in many instances, by people engaged in the transport business. They have brought the crop outright and carted the potatoes to the Eastern States for sale on the open market. Those people know nothing about potato marketing. They do not understand that certain types of potatoes do not keep well. They cannot differentiate between first-grade potatoes and those that would be rejected. During the course of transporting the potatoes to Adelaide, these people do not care if they have to discard two or three bags of potatoes when they arrive at their destination because the high profits that are offering offset any such losses.

I am also given to understand that when these potatoes reach Adelaide they are rebagged and sold in New South Wales as South Australian potatoes. Because of that, a higher price is obtained. I also know that they are not being sold over the weighbridge but at the rate of 16 bags to the ton.

Mr. Hearman: £10 a bag!

Mr. OLDFIELD: Yes, the price could be anything when the potatoes reach New South Wales. As I have already said, I have heard that next week the price in New South Wales will be £200 a ton. Therefore, although the problem is a complex one, I have endeavoured to outline the case for and against and I feel that at this stage, in fairness to the Western Australian housewife, the Bill should be supported by the members of this House. Nevertheless, I do not feel disposed to agree to having this legislation placed on the statute book for all time when we are unaware, at this stage, what its effect will be.

I would like to review, at some time in the future, the results of this legislation and, in the meantime, we could avail ourselves of the opportunity of investigating the possibility of setting up a system which would enable us to take advantage of any shortages that occur in the Eastern States by encouraging potato growers to put in additional crops to meet such shortages. Therefore, I propose, in Committee, to move an amendment to provide that the Bill shall operate only until the 31st December of this year.

Once again, I would like to instance the advantages—and sometimes the disadvantages—that growers have experienced as a result of the establishment of

a potato board in this State. Many members of this House can recall that in prewar years growers had to take off their crops and accept whatever price was offering on the open market. Nobody knew what the opening or the closing price was likely to be. We all know that in the depression days new potatoes were sold for as much as 5s. a stone because certain growers were prepared to take a risk on the August frosts by endeavouring to have sufficient potatoes placed on the open market in order to give them a higher return of profit. However, more often than not they lost their entire crop. It was very seldom that they were able to take off a full crop and very often the attendant risk was not worth the extra price that was offering at that time of the year.

Mr. Lawrence: Glance at the haircut of the member for Mt. Lawley. Apparently he has had a good crop.

Mr. OLDFIELD: I do not think the member for South Fremantle knows much about potato crops. No doubt he has had a great deal to do with onion crops in his district. I think he had better leave the question of potatoes to other members in this Chamber who know more about the subject. When the member for South Fremantle was speaking on the marketing of onions, other speakers did not interfere with him. I trust, when the Committee stage is reached, that the Minister will give consideration to the amendment I have outlined.

THE MINISTER FOR WORKS (Hon. J. T. Tonkin—Melville) [9.13]: In order to be in a position to give proper consideration to this question, it is necessary to have some regard to the circumstances which gave rise to the introduction of the Bill. The purpose of this measure is to preserve the orderly marketing of potatoes. That is its basic reason because, as I judge the situation, the existence of a Potato Marketing Board is at stake at this very moment.

Its continued existence could not be justified if the situation which appears to be imminent is allowed to develop without very definite action being attempted by the board. During the war period there was no Marketing of Potatoes Act. In order to ensure that sufficient potatoes would be available to the people of Australia, the Commonwealth Government entered into definite contracts with growers for potatoes to be grown at guaranteed prices and those prices were not varied subsequently.

The grower, when he put in a crop, knew the price that he would be paid for his potatoes when they were marketed. So it would not have mattered what the situation was at the time or what shortage forced the price up, the grower of potatoes was paid the guaranteed price that he was promised when the contract was entered

into. When the war ceased and the Commonwealth no longer had the power to have potatoes grown in this way, the growers, having fully appreciated the benefit which was to be obtained under such a system, unanimously decided that a Potato Marketing Board should be established in Western Australia for their protection.

At the time it was argued, when representations were made, that prior to the advent of the arrangement under which potatoes were grown on a definite contract the position in the industry was chaotic. I well remember having attended meetings of growers at Hamel and taken the chair for them, when they were completely at the mercy of agents who were offering them ruinous prices for potatoes and which they were bound to accept because if they did not, the situation would be precisely as the member for Stirling stated. The potatoes would not be worth digging and, in fact, in many instances were not dug.

Mr. Bovell: We do not want a return to that.

THE MINISTER FOR WORKS: But we will get a return to that if we are not careful. Realising that situation and knowing very well that it was essential for some systematic method of providing, firstly, for the production of potatoes and then for their marketing, the producers asked that some system of marketing be established in Western Australia. That was established, and the growers were given 50 per cent., or half, the representation on the board.

It was recognised that there were periods of glut when consumers could buy potatoes at a very low price indeed, and that at other times when there was a shortage consumers bought potatoes at a high price. The Government of the day felt that a fluctuation in price was of no advantage to the consumer, and certainly not to the producer. So it was decided to introduce a Bill, and Parliament passed it. I emphasise that that marketing system was introduced in the interests of the growers and it was requested unanimously. They have enjoyed the benefit of that system all these years.

Mr. Roberts: They want it to continue.

THE MINISTER FOR WORKS: During those years the consumers very often would have been able to buy potatoes at a very low price, but the board ensured reasonable prices to the producers, and the consumers paid them. Now when the situation is such that, because of certain circumstances in the Eastern States making it possible to get a very high price, the consumers in Western Australia are entitled to expect potatoes to be available to them at a reasonable price. They will not be available at a reasonable price if the growers are permitted to send them to the Eastern States and take advantage of the higher prices ruling there. Would

it be a fair proposition to ask the consumers here to pay more than they otherwise would need to have done over the years, in order to guarantee a good price to the growers, if, when a higher price could be obtained elsewhere, the interests of local consumers were to be entirely disregarded, and the producers were to be permitted to gather the rich rewards obtainable elsewhere?

They cannot have it both ways. They cannot have protection under an orderly marketing system when prices would be low were there not such a scheme, and then ask to be allowed to get the higher prices when they were offered elsewhere. The board finds itself powerless to discipline the unfaithful growers. I am very glad to see—and this is to their credit—that a large number of growers in this State, although there is a very strong inducement to them to get a big profit, have remained loyal to the board and have not attempted to sell potatoes elsewhere.

But an increasing number of growers are breaking away from the orderly marketing system and taking advantage of the higher prices. Human nature being what it is, it is only a matter of time before more and more growers will contend that what is good for Bill Smith is good enough for them, and they will take advantage of the higher prices. The upshot would be that our potatoes would be sold in the Eastern States and there would be no potatoes left in Western Australia as there are none in South Australia today. Would that be a fair position in which to put the consumers of this State?

I say without hesitation, although I am a believer in this system of marketing, having been responsible for a Bill in this House which gave existence to the board, that I would not hesitate to wipe the board out of existence if the growers as a body are going to take advantage of the high prices and leave the Western Australian public without potatoes. I would not hesitate to do that for a moment. If that is the decision of the growers, then I shall assist them in abolishing the board, because they are not going to have it both ways.

If they want the support of the Western Australian public, which they have enjoyed all these years since the introduction of this legislation, by receiving a stabilised price, they should be prepared to accept a fair return now and do something in the interests of the public which has supported them for so long. But if they are not prepared to do that, if they are prepared to disregard entirely the interests of the Western Australian public, they will no longer get my protection.

Mr. Roberts: Only a minority of the growers are taking advantage of the situation.

The MINISTER FOR WORKS: Because it is a minority, we owe it to the loyal majority to prevent the minority from breaking down the system. And this is the way to do it.

Mr. Bovell: That is your opinion. Why not give the growers an opportunity of expressing an opinion?

The MINISTER FOR WORKS: What will the expression of opinion do? Has the hon. member ever heard of Nero fiddling while Rome burned?

Hon. Sir Ross McLarty: That is what the Government has done in this instance.

Mr. Nalder: That is what the Government is doing, fiddling while potatoes are going to the Eastern States.

The MINISTER FOR WORKS: What good would the getting of an expression of opinion do? What difference would that make to the present situation? If the opinion of the growers is that they should not do this, what will we do?

Mr. Roberts: They may have another suggestion.

The MINISTER FOR WORKS: On the off-chance that the growers may find another suggestion, although there is not the slightest evidence that they will—

Mr. Court: They did have one in June last.

The MINISTER FOR WORKS: On the off-chance that growers will have another suggestion, we are to do nothing in the meantime and let the potatoes go out of the State at the rate of hundreds of tons a week to the Eastern States until such time as there are no potatoes left here. That is the proposition which some members of the Opposition put forward. Well, I shall not have a bar of it. So far as I am concerned, we either pass the Bill to try and help overcome the position, or wipe out the board and let the growers market the potatoes in the way that suits them.

Mr. Bovell: Dictator!

The MINISTER FOR WORKS: The hon. member talks about a dictatorial attitude! That is the freedom of trade which he has advocated from time to time. He advocates letting the growers market their potatoes without interference by the board.

Mr. Bovell: No compromise, no discussion.

The MINISTER FOR WORKS: There is no logic in the remark of the member for Vasse.

The Premier: He has never claimed to have any logic.

Mr. Bovell: What is the Premier muttering about?

The MINISTER FOR WORKS: My proposition is this: If the growers will not accept a measure which will discipline the disloyal minority, then I am prepared to let them have an open go in marketing their potatoes, and see how they like it. Make no mistake about this: As soon as this wonderful holiday is over and after they have reaped the higher prices, and when we come into the next season the growers will not be able to get to Perth fast enough to ask the Government to establish another board.

Mr. Bovell: I have some recollections of the Minister's remarks during a select committee in 1948 of which he was chairman. Some very heated arguments over the board and its continuance arose, and the Minister was opposed to it at the time.

The Premier: The Minister could not help you from getting heated.

Mr. Bovell: He was the one who got heated.

The MINISTER FOR WORKS: I may not be entirely satisfied with what has been done in this crisis.

Mr. Bovell: You would have wiped the board out in 1948.

The MINISTER FOR WORKS: That does not alter my opinion that we have to give the board sufficient power to enable it to take the steps at once to discipline the disloyal minority, or we will have to wipe the board out altogether.

Mr. I. W. Manning: What do you mean by discipline?

The MINISTER FOR WORKS: That is a simple word. If the hon. member presses the button he will be able to obtain a dictionary and find out its meaning while I go on with my speech.

Hon. Sir Ross McLarty: We read something about discipline in this morning's paper.

The Premier: You know what discipline is!

Mr. Bovell: So does Mr. O'Sullivan.

The MINISTER FOR WORKS: That question having been answered satisfactorily, I shall proceed. The member for Moore indulged in some heroics and talked about Ned Kelly legislation.

Hon. Sir Ross McLarty: He was on very sound premises.

The MINISTER FOR WORKS: We shall see how very sound they are and how consistent they are or how consistent the hon. member is.

Mr. Bovell: Do not talk to me about consistency in regard to the marketing of potatoes, or I shall expose some of your statements which you made in the select committee.

The MINISTER FOR WORKS: Go ahead.

Mr. Bovell: You would be ashamed if they were brought forward.

The MINISTER FOR WORKS: They are in print, in black and white, and are no secret.

Mr. Bovell: You seem to change your mind every hour of the day to suit your convenience. Let some of the new members read what you had to say.

Mr. DEPUTY SPEAKER: Order! The Minister has the floor.

The MINISTER FOR WORKS: I was dealing with some statements made by the member for Moore who dubbed this as Ned Kelly legislation.

The Premier: After his leader had supported it.

The MINISTER FOR WORKS: The member for Moore was a pretty big wheat grower, and is still interested in wheat and its marketing. He was a very strong supporter of the State wheat marketing legislation which was introduced by the McLarty-Watts Government in 1947. That legislation provides that on and after an appointed day, a grower shall not sell or deliver wheat to any person other than the board, and a person other than the board shall not purchase or take delivery of wheat from the grower.

The Premier: Really socialistic!

The MINISTER FOR WORKS: It also provides—

Mr. Nalder: Do not forget this is Commonwealth-wide.

The MINISTER FOR WORKS: It would not make any difference if it was world-wide. The principle is the same.

Mr. Nalder: It makes a great deal of difference.

The MINISTER FOR WORKS: The position would be the same if it was world-wide. The member for Moore said this was Ned Kelly legislation because it took away the rights of the grower to his commodity. That is precisely what this wheat legislation does; so it does not make any difference whether it is world-wide or not.

The Premier: Or even wider.

The MINISTER FOR WORKS: In order to police this situation with regard to wheat, the Act provides that any policeman can enter the premises of a grower at any hour of the day or night and search his property for wheat to see if it is still there. There could not be anything more complete than that. Yet not a single word of protest from any member of the Opposition was raised against that legislation. The member for Katanning: Not a word from him! The member for Vasse: Not a word from him!

Mr. Bovell: That is unusual!

The MINISTER FOR WORKS: The member for Moore, who talks about Ned Kelly legislation: Not a syllable from him!

If it is sound legislation with regard to the marketing of wheat, it is sound legislation to deal with a similar situation with regard to the marketing of potatoes.

Mr. Bovell: Potatoes are a perishable commodity and wheat is not to that extent.

The MINISTER FOR WORKS: What difference does that make?

Mr. Bovell: A lot of difference!

The MINISTER FOR WORKS: This is a question as to whether the Western Australian public is to be left without potatoes or whether the board puts up the price of potatoes to such a level that it is no longer attractive to send them out of the State. Do members want the second alternative? Do they want potatoes at £90 or £100 a ton in Western Australia, with a consequent increase in the basic wage? It would cost the State Government £1,000,000.

Mr. Owen: It would pay you to subsidise an increase in that case, would it not?

The MINISTER FOR WORKS: What justification is there for a subsidy when the producers are getting a fair price? They have been subsidised all through the years by the consumers in Western Australia.

Mr. Bovell: Rubbish!

The MINISTER FOR WORKS: Of course they have! That is the basic principle of this marketing, because it has given the grower a far higher price than he would ever have got without the board.

Mr. Owen: No! This time last year he got £60 a ton here.

The MINISTER FOR WORKS: Ask the grower whether over the years this board has been of any benefit to him in price! If it has not, the quicker we wipe it out the better.

The Minister for Transport: Hear, hear!

Mr. Owen: It works both ways.

The MINISTER FOR WORKS: Does it? I am very glad to hear that. That is precisely what we want it to do.

Mr. Owen: You said it only benefited the growers.

The MINISTER FOR WORKS: I never said anything of the sort.

Mr. Owen: Yes, you did!

The MINISTER FOR WORKS: I did not! What I said was that the board—and I repeat it without the slightest hesitation—was brought in at the unanimous request of the growers, in their interests. I further said that, because of its existence, it has maintained a price over the years which has been a reasonable one to the growers; and I say now that, without it, over the years the growers would have received very much less in total than they have received. If they have not, then the

quicker the board goes, the better. If they have, it proves that the consumers have to that extent provided the additional subsidy.

Mr. Owen: You would not admit—

The MINISTER FOR WORKS: I will admit no rubbish the hon. member is talking.

Mr. Owen: It is not rubbish. It is correct.

The Minister for Transport: Go back to sleep!

The MINISTER FOR WORKS: Having got to this point—that this orderly marketing scheme has been of undoubted benefit to the growers all through the period—the consumers of Western Australia are entitled to look to the growers and say, "Now that it has turned the other way, you have to stick to us and see that we are not short of potatoes." That is the proposition. The big majority of the growers are prepared to do that. A minority will not do it; and because they will not, they are undermining the position of the solid growers; and so, in the interests of the loyal growers and of the consumers of Western Australia, some drastic step and some quick step is essential.

The Government believes that this is the best method offering at the moment to deal with this unusual situation; and if the position can be held for a time, we will get over this crisis and orderly marketing will continue in the interests of the Western Australian economy and of the growers and the consumers alike. But if we cannot get over this, and it results in all our potatoes being sold in the Eastern States and the price going sky-high in Western Australia, who is going to support a continuation of this marketing system, which fails the people in their hour of need? It could not be expected of anybody.

So I repeat that this orderly marketing system is now on trial. It is at the crossroads; and if it is to continue, it has got to be supported; and the suggestion that we can wait to find out what the growers think about it will get us nowhere. What can anyone think about it? All one can think is that our potatoes must be prevented from being sent away, and it is not necessary to take a week to make up one's mind about that.

Mr. Court: Are you satisfied that the Government has acted quickly enough in view of the information it had last June?

The MINISTER FOR WORKS: That does not enter into the question now.

Mr. Court: It must.

The MINISTER FOR WORKS: There is no justification for delaying action which some people believe should have been taken earlier. I cannot follow that reasoning.

Mr. Court: They could have overcome this by another method if quicker action had been taken.

The MINISTER FOR WORKS: They have not done so.

Mr. Court: They should have.

The MINISTER FOR WORKS: What is to be done?

Mr. Nalder: You are now admitting—

The MINISTER FOR WORKS: I am admitting nothing. I am saying that it is not an argument for not taking action now to say that action was not taken previously.

Mr. Court: There is one school of thought—

The MINISTER FOR WORKS: It is a stupid school of thought which puts forward the argument that because something was not done last week it should not be done now.

Mr. Roberts: Will this new measure stop potatoes going to the Eastern States?

The MINISTER FOR WORKS: We believe it will. It will give the board sufficient power to hold potatoes in this State.

The Premier: There will be more for sale in Bunbury.

The MINISTER FOR WORKS: If it does that, it will achieve the purpose that the board and the Government want to achieve, and it will ensure that sufficient potatoes will be available to consumers in Western Australia at a reasonable price. Without this, I fail to see what action can be taken to hold the situation. We cannot expect a loyal grower, who has a crop of potatoes ready for sale, for which he is not likely to get £40 a ton, to allow them to stay there while the man next door sells his for £90 a ton.

Mr. I. W. Manning: The Minister for Agriculture expected that.

The MINISTER FOR WORKS: There is another man living in the past! We have to deal with the situation which confronts us at present. This argument about what should have been done last week reminds me of the chap who was nearly dead from appendicitis and the doctor refused to operate because the man had not presented himself the week before.

Hon. Sir Ross McLarty: Good Lord! Is that a fact?

The MINISTER FOR WORKS: Of course, it is a lot of nonsense!

Hon. Sir Ross McLarty: It sounds like it to me!

The MINISTER FOR WORKS: It is no argument for refusing to take action to say that action should have been taken before. We may deplore the fact that things that we felt were necessary were not done. But that is no justification for continuing to delay. Members opposite have said that this is a drastic step. Of course it is! The Government would hesitate to take a drastic step until a situation became such that it was imperative for such a step to be

taken. That is the position in which we find ourselves now. There should not be any doubt in the minds of members as to what action should be taken unless their purpose is to see the price of potatoes go sky-high in Western Australia, and to see the Western Australian public without potatoes.

Mr. Bovell: We do not want to see either of those things happen.

The MINISTER FOR WORKS: Then this action must be taken, because there is not one single idea amongst the bunch of members opposite as to what could be done if this is not done, except that we should wait and see what the growers think about it. That is the only suggestion put up to deal with this situation. Wait a while and see what the growers think. Apart from that there has not been one idea outside the Government's view as to what steps should be taken.

Mr. Bovell: This Bill will not remedy the present situation.

The MINISTER FOR WORKS: Idle words, that is all! A mere idle statement without any information or fact to back it.

Mr. Bovell: It is full of substance.

The MINISTER FOR WORKS: As full of substance as a balloon. I would suggest to members who are trying to take an obstructive course that if they are genuinely concerned about the continuance of the Potato Marketing Board—

Mr. Bovell: That is our concern.

The MINISTER FOR WORKS: Then members had better watch their step because, so far as I am concerned, if the system falls down now and the position cannot be held, no vote of mine will go to keep the board in existence; and, for the information of the member for Vasse, I am not likely to change my mind about that.

Mr. Bovell: A take-it-or-leave-it attitude.

The MINISTER FOR WORKS: Yes, an attitude reached after very careful consideration of this position. It is easy enough for a board to function when things are going smoothly and to stop people producing who want to produce. For that is what the board has done in the interests of those who are now growing potatoes. A lot of other people in Western Australia would be growing potatoes if the board would let them, but the board will not do so. In whose interests? Not in the interests of the consumers, but in the interests of the producers.

Because the board has protected the existing producers who have now potatoes to sell there is a responsibility on every one of those producers to stick to the board. If they will not, and the board cannot hold the situation, then so far as I am concerned, its existence is no longer

justified and it should not continue. I am prepared to clothe it with the necessary authority to enable it to deal with this situation so that it can prove its worth now that the cycle has turned and the consumers are at the mercy of the producers.

Surely it is not too much to ask that growers who know what the board means to them, and who have enjoyed its protection, shall now remain loyal to it and see that the consuming public who have guaranteed them a reasonable price during the life of this Act shall not now be thrown aside because of circumstances which might mean that they would have no potatoes at all or such potatoes as there would be at an exorbitant price!

So there is not much to consider in this question when we get down to the basic principles as to what is right and fair in the circumstances. I hope that the House will pass this Bill—not only this House, but also Parliament as a whole—and pass it speedily in order that we can put the board on its metal and see what it can do with the power which the Government proposes to give it.

Mr. O'Brien: Hear, hear!

MR. OWEN (Darling Range) [9.46]: I would not like to let the Minister for Works get away with the idea that the board has only been of benefit to the growers. I would like to point out—

The Minister for Works: You will persist in that, but I did not say it.

Mr. OWEN:—that at times, when potatoes have been in short supply, the consumers have been protected by the board. I am not disputing that point of view; it is their right. But at times, to wit, this time last year when potatoes were very short and were rationed, if it were not for the board and we were on a free market, I guarantee the housewife in this State would be paying up to 1s. a lb. or more for her potatoes. I mention that only because the Minister was creating the impression that the board helped only the grower; I say that it has helped the grower and the consumer and, in my opinion, has done very good work over the years. But the Minister, true to his training in his former avocation and lecturing to the classroom, seemed to get a little hostile because his pupils were disputing his ruling.

Mr. Bovell: Goodness gracious me, we are not his pupils!

Mr. OWEN: I would like to say at the outset that I have no great quarrel with the provisions in this Bill. I think that with one or two of the amendments that have been foreshadowed, it will be a workable piece of legislation and, if anything, will strengthen the Act as it now stands. Although, like many other members, I feel that something must be done to ease the present situation, I am doubtful whether this measure will actually do it.

Personally, I feel that it could be disputed in spite of the information that the Minister has given us this evening. I think he mentioned three cases where judgments were given in favour of this type of legislation; but I have also heard of many judgments given against such legislation, particularly where it concerns Section 92 of the Federal Constitution. So I am still doubtful as to whether we will get over our troubles in this regard, particularly in view of the debate that has taken place in which it has been shown that the legislation has been introduced specifically to overcome the trouble we are having with the interstate transport of potatoes.

However, if it does accomplish what it sets out to do, I am all for it, particularly if it will protect the growers who have stood loyally behind the board. I, too, have not a great deal of time for those growers who have accepted the advantages of the board in the past but who are not now prepared to remain loyal to it. This evening we have listened to quite a few speakers giving us the history of the board since it was established eight years ago. The Minister for Works mentioned the wartime control under the Australian Potato Committee, when a guaranteed price was given to the growers.

That encouraged them to produce more potatoes when we needed them so badly not only for our own population, but also to provide potatoes for our Allies who were based in this country. The growers appreciated the value of controlled marketing and they supported the move made in 1946 in this State to have our own marketing board. When the Bill was introduced, I supported it and, in my opinion, the board has done an excellent job. It has not always been plain sailing, but I believe that it has done its best.

Leading up to the present circumstances, I think the board has been rather tardy in tackling the problem. I feel it should have known the quantity of potatoes in store in the State, whether in the metropolitan area or on the growers' farms. It should have known that with the price rise in the Eastern States there would be some attempt to market our potatoes over East. I feel that it should have realised the dangers six or eight weeks before the actual export to the Eastern States got under way, and it should at that time have called up the potatoes it knew were stored, particularly from those growers with whom it expected trouble.

But I am sure the board remembering that there were growers who would not stay loyal to it if it called up all the potatoes, possibly some 5,000 or 6,000 tons could have kept the local market supplied, and also exported some to the East. No doubt storage would have been a problem, but, as it is paying the growers a premium for storage, I think it would have been justified in going to some expense to make sure that potatoes were stored under

its jurisdiction. However, that was not done and we are faced with an ever-increasing quantity being sent over East. At the start it was a trickle; there were only a few motor truckloads, but during the last few weeks it has snowballed, and I am told that railway truckloads are being sent, and there is also the possibility of some of them being sent by ship.

If a grower knows he is getting something like £30 a ton for his potatoes when delivered to the metropolitan area while he is being offered something like £90 a ton in the Eastern States, one can understand that it is hard for him to resist. Particularly is that so this year when so many growers lost quite a proportion of their crops through heavy and unseasonable rains during the last three or four months. Accordingly, from the growers' point of view it would be difficult to resist the prices offering out of sheer loyalty to the board.

It is going to be a great strain on the loyalty of those growers when they know that their nextdoor neighbour and someone further down the line is reaping the benefit of the protection afforded the consumer here, inasmuch as the consumer will not be called upon to pay more than the fixed price. I am still doubtful whether this Bill will be effective. Mention has been made of 2,000 tons of old season potatoes which are in store. These potatoes were dug last June.

The new-dug potatoes will be available in approximately from four to five weeks, but for a while after that there will be only a very small trickle coming in. Even that small amount will be barely sufficient to maintain the local requirements of the people here. The point is that in the Eastern States their season is so much later than ours and usually they do not dig for the market until somewhere in December. In other years growers, through the board, have sent considerable quantities of potatoes to the Eastern States during the latter part of November and early December. So this year with all the trouble they have had with floods and potato diseases, it is doubtful whether there will be the same quantity of seed available there to enable them to plant and produce a normal crop, which would be harvested in December.

Therefore it seems to me that this unusual demand and the fabulous price being offered there now will not cease at the end of this month when we expect to get a few new potatoes to supply our own markets. There will be the same demand for the new potatoes for the October and November digging, so I feel it will be a pity if the powers in this Bill are not successful in stopping the trafficking of potatoes to the East. I am much concerned about it because I feel it could cause the breakdown of the Potato Marketing Board here; it could deplete our stocks not only of our

present old season potatoes but of our new season potatoes delivered even as late as Christmas time. I know that the housewives would complain most bitterly; the loyal growers would be very dissatisfied and that would be the end of the board.

So I do sincerely hope that this measure will be successful in stopping uncontrolled trafficking of potatoes to the East. I understand that the Leader of the Country Party intends to move a few amendments which will reduce the savage penalties provided in the Bill.

Hon. Sir Ross McLarty: They are vicious.

Mr. OWEN: Very much so.

The Minister for Transport: The growers are being vicious to the consumers at the moment.

Mr. OWEN: Under this Bill we should permit a grower to use potatoes for his own household purposes, to use the smaller grade for stock purposes, or even to sell a few over the fence to his neighbours. I understand that some amendment will be moved to cover that point, and I hope the Minister will agree. I support the second reading.

MR. I. W. MANNING (Harvey) [10.11]: In considering this question, it is necessary to look at the background of this problem. From a Western Australian angle, over the past two seasons some severe losses have been experienced by various growers of potatoes. I would remind members of potato growers in the Benger swamp where two summers ago the crop was destroyed completely and some assistance had to be paid in the way of compensation to the growers. We can readily recall that during this summer substantial losses occurred through flooding and various appeals went out for assistance.

One was made to the Government which was asked to release some permanent way employees of the Railway Department so as to allow them to dig potatoes in the Benger swamp. A gang of some 50 or 60 men was involved in the application; they were mainly experienced diggers who undertook digging during week-ends, and they were on hand to do digging during the week. This appeal by the potato growers at Benger was refused by the Railway Department. On behalf of the growers I wired the Minister for Railways requesting him to release these men so as to get the potatoes out of Benger swamp before they became a total loss. Again the appeal was not acceded to.

No genuine attempt has been made by the Government to assist these growers in their difficulties. On this occasion, in my estimation the loss was some thousands of tons of beautiful potatoes at Benger swamp, which were left to rot in the ground because they could not be dug. The result was that many of the growers

were left on the bread-line. An appeal was made by many of them to the Government for financial relief because of their losses, but no assistance was given.

We should understand the feelings of the growers of potatoes; there is much discontent among them, due mainly to the severe losses which many suffered, the very small crops they were able to dig and the small quantity of potatoes they were able to market. We must bear that in mind. Looking at the Eastern States where there is an absolute famine of potatoes, brought about, firstly, by drought in the potato-growing districts; secondly, by flooding; thirdly, by disease among Tasmanian potatoes from which a large proportion of the supplies to the Eastern State capitals come, the potato-hungry populace in the Eastern States is prepared to pay dearly for any potatoes it can buy. In Western Australia we are experiencing an absolute abundance of potatoes. In the No. 3 Pool there is over 20,000 tons of potatoes.

The Minister for Lands: This State has not an abundance of potatoes this year.

Mr. Lawrence: What grade are the potatoes in No. 3 Pool?

Mr. I. W. MANNING: No. 1 grade and over 20,000 tons. As far back as June of this year, the growers foresaw the position with regard to potatoes. They are not so dumb as not to know what is going on in the Eastern States. They were well aware that there would be a big demand for potatoes and that the Eastern States would be without them, so when an approach was made by the executive of the Potato Growers' Association to the Potato Marketing Board, requesting a special meeting to be called to discuss this matter, the board refused, and nothing was done. One of the grower representatives on the board raised this matter at a board meeting. He drew attention to the potato famine in the Eastern States and to the fact that there was some unrest among the growers here. He asked the board to take some immediate action and suggested that perhaps the price to the Western Australian consumers could be raised by a small amount—

The Minister for Transport: Why?

Mr. I. W. MANNING: —and that 1,000 or even 2,000 tons of No. 1 grade potatoes be exported to the Eastern States, taking a percentage from each grower. Thus the greater price received would go into No. 3 Pool and all growers would benefit by between £6 and £7 per ton over and above what they would normally receive from this pool. I believe that would have satisfied the growers completely. It would have maintained the prestige and standing of the board in the eyes of the consumers as well as the producers. That was the suggested solution to this problem, but the board failed to act. It disregarded this advice by the growers' association and their representative on the board.

The Minister for Lands: Do you know why?

Mr. I. W. MANNING: Together with the member for Blackwood, I am completely at a loss to understand why the board has taken such an unrealistic view of the situation.

The Minister for Lands: It felt that it could not allow the potatoes to leave the State, and it had very good reasons for that decision.

Mr. I. W. MANNING: The Minister put forward that point of view, but let me put another.

The Minister for Lands: That is the commonsense point of view.

Mr. I. W. MANNING: In the Eastern States there is a complete famine of potatoes. Why should we in this State, which has an abundance of potatoes,—

The Minister for Lands: There is not an abundance.

Mr. I. W. MANNING: And the Eastern States are completely without potatoes.

The Minister for Lands: Where do you think the loyalty of the growers lies, in this State or elsewhere?

Mr. I. W. MANNING: If it came to feeding the population of Australia their responsibility is to the people of Australia, not only to those in Western Australia.

The Minister for Lands: The marketing board would have been the first to export potatoes and reap the profits for the growers in this State had it been able to do so.

Mr. I. W. MANNING: As time has proved, it would have been good policy at that time. Anyone with commonsense would have known it was good policy. There are no potatoes in the Eastern States and they are crying out for them.

The Minister for Lands: The board could have exported potatoes only at the expense of local consumers. You ought to know that.

Mr. I. W. MANNING: I do know that. I still say that the consumers of Western Australia should have permitted even 2,000 tons to be exported to the Eastern States.

Mr. Ross Hutchinson: At one time Australia exported all the rice grown here for the benefit of the people of Asia.

Mr. I. W. MANNING: Why did the Potato Marketing Board take such an unrealistic view? The member for Blackwood has suggested, and it is a feeling that is abroad, that the Minister indicated that the Government would not wish it to do this.

The Minister for Lands: Would not wish it to do what?

Mr. I. W. MANNING: Export potatoes to the Eastern States.

The Minister for Lands: Who said that?

Mr. I. W. MANNING: I am saying it.

The Minister for Lands: I thought you said that I said it.

Mr. I. W. MANNING: I am saying it was the view of the Government that it did not wish the Potato Marketing Board to export potatoes to the Eastern States.

The Minister for Lands: When did it say that?

Mr. I. W. MANNING: That is the feeling that is abroad, and it was expressed fully by the member for Blackwood.

Mr. Court: The Minister has confirmed that tonight.

Mr. Lawrence: It has never been said; and neither has the board said it.

Mr. I. W. MANNING: The deterioration of the position has only occurred in the last few days, more or less. That deterioration has been brought about by many of what we term the good growers—growers who have been good supporters of the board—breaking down and allowing their potatoes to be sent to the Eastern States. They have waited until this time to see what action the board was prepared to take to meet the situation. The board has indicated in no uncertain manner that it is not prepared to do anything; that it is not prepared to raise the price one penny in Western Australia; that it would not agree to send away to the East any quantity of No. 1 grade potatoes.

The Minister for Works: Are you advocating as a solution, a rise in price in Western Australia?

Mr. I. W. MANNING: If it was done in a sensible manner.

The Minister for Works: What is a sensible manner? How much a lb.?

Mr. I. W. MANNING: It could have been raised by £2 a ton, which would have been only a very small amount to the consumer.

The Minister for Works: Do you think that raising the price by £2 a ton in Western Australia would make any contribution towards the solution of this problem?

Mr. I. W. MANNING: Had the board availed itself of the export market and sent a couple of thousand tons of potatoes away, then the price to the producer here could have been raised by about £7 a ton.

The Minister for Works: Are you seriously suggesting that to raise the price by £2 a ton now would solve the problem?

Mr. I. W. MANNING: Like the Minister, I am giving a little history.

The Minister for Works: We have a situation that we have to deal with now.

Hon. Sir Ross McLarty: You dealt in past history. Let the member for Harvey make his speech.

Mr. I. W. MANNING: This position has been brought about by the fact that the producers feel the board has let them down. They would have been prepared to leave the Eastern States without any potatoes at all although the Eastern States were prepared to pay a very high price. The board has given the Western Australian growers no opportunity whatsoever of cashing in on that. In view of the losses that many have suffered, we have that discontent. Because many of them have had no returns from their last two summer crops in the Benger swamp, that position has arisen. Even while the growers are getting £34 5s. per ton, there are other growers—it costs them just the same to plant their crops—who reap no reward at all. They harvested no potatoes and asked for compensation but their request was refused.

Those who harvested only a small quantity have not received a return sufficient to pay them anything like a living allowance, and they have asked the board in the face of all this for an increase in price. This does not apply only to Benger but to a much more extensive area in my electorate, and also to most of the electorate which the member for Blackwood represents. I hope I have made that point clear. We have discontent among the growers. They have asked for an increase in price so as to give them something like a living wage, and it has been refused.

The Minister for Works: Does not the present price give them a living wage?

Mr. I. W. MANNING: Not when they do not get enough potatoes. If they have only a few tons to sell, how can they live on £34 5s. a ton?

The Minister for Works: It is my view that the present price will give a living wage to any potato grower at any time. It is a fair price.

Mr. I. W. MANNING: Only if he gets a good crop.

Mr. Lawrence: You cannot have the bun and keep the halfpenny you know.

Mr. I. W. MANNING: What about the Bill? I believe, and I have had some legal advice to support my belief, that if the growers of potatoes are able to export to the Eastern States then, under the present set-up, this Bill cannot prevent the potatoes on hand at the moment from going East. I do not see how there could be any good argument otherwise.

The Minister for Lands: Those potatoes are grown under licence to the board.

Mr. I. W. MANNING: They are grown under licence now, yet they are able to go East and the Minister cannot stop them. In what way can the Bill prevent those potatoes from going East?

The Minister for Lands: The action arising out the Bill will stop them quickly enough.

Mr. I. W. MANNING: The Bill, it seems to me, is directed at the potatoes now in the ground. The moment a fork goes into the paddock, the potatoes become the property of the board. That is an extreme restriction. What is to be the position of those potatoes, other than No. 1 grade? At the present time the sale of the potatoes to the board does not take place until they are inspected and passed in the railway yards.

As the member for Mount Lawley has mentioned, some of the potatoes that have gone East are potatoes that have come to Perth, been offered to the board, been refused by the board and have then gone back to Donnybrook, where they have been put on a truck and sent to the Eastern States. What is to be the position under the Bill? Can the Minister tell me that? When does the board take the potatoes? Does it take the whole crop; and if so, what is the board going to do with the pig potatoes?

The Minister for Lands: You want to read the Act. Provision is made in it for that now and it will not be altered.

Mr. I. W. MANNING: Can a grower feed the rejects to his stock, without the permission of the board?

The Minister for Lands: I will tell you when you sit down.

The Minister for Transport: And make it quick.

Mr. I. W. MANNING: I am surprised at the attitude of one or two members of the Country Party. I am surprised that they have seen some virtue in such restrictive legislation as this. The Bill, with the inclusions of such restrictive clauses can come only into the category of communism.

The Minister for Transport: Straight to the nut-house!

Mr. I. W. MANNING: The attitude of the Potato Marketing Board has severely strained the loyalty of the growers to the board, and if we are to right a rather delicate situation we cannot do it by undue threats of severe fines, or by communistic provisions in the Act, such as are contained in the Bill.

The Minister for Lands: Do you think that some members of the Country Party believe in communism?

Mr. I. W. MANNING: This position can only be corrected by the co-operation and the goodwill of the potato growers concerned. Does the Minister think that this Bill is designed to bring about goodwill among the growers?

The Minister for Lands: Yes, excepting among those who do not count.

The Minister for Transport: The scaly ones.

Mr. I. W. MANNING: I disagree. Last evening the Minister told us that he proposed to delicense all growers who had sent potatoes to the Eastern States. I trust the Minister knows the extent of the statement he made.

The Minister for Lands: Could you give us the names of them?

Mr. I. W. MANNING: No, I could not do so. But the Minister's spy has been operating in the South-West.

Mr. Lawrence: I think you know their names.

Mr. I. W. MANNING: He has the names and I am wondering what will happen if he misses a few names and the Minister licenses those growers—

The Minister for Lands: We will have a deputation from the member for Harvey.

Mr. I. W. MANNING: —and he did not license the ones whose names he had been given. I cannot see peace and goodwill in the industry if that is to be the attitude. My view is that this Bill will bust the whole thing wide open and it will sound the death knell of the Potato Marketing Board.

The Minister for Lands: That is silly.

Mr. I. W. MANNING: The Minister might believe it is silly —

The Minister for Lands: I know it is silly.

Mr. I. W. MANNING: —but I know potato growers. I know how these people work. They start before daylight in the morning and they work until after dark digging potatoes in the mud, day after day and week after week.

Mr. Lawrence: So do genuine members of Parliament.

Mr. I. W. MANNING: They have to do that to try to make some sort of a living, and this Bill is not designed to promote goodwill among those people. I am amazed that the Government seems to have such little knowledge of the attitude of potato growers.

The Minister for Lands: I know what my attitude is to those growers who have been sending potatoes to the Eastern States unlawfully.

Mr. I. W. MANNING: I have here three telegrams which came from my electorate and which were forwarded to the Leader of the Opposition. They indicate the views of growers on this question.

The Minister for Works: Are they from loyal or disloyal growers?

Mr. I. W. MANNING: I know the people who have sent these telegrams and at public meetings they have always expressed support for the board.

The Minister for Works: Are they from people who have sent potatoes away?

Mr. I. W. MANNING: They are from people who have publicly expressed support for the board.

The Minister for Works: What about answering the question, because it is important.

Mr. Hearman: How would he know?

Mr. I. W. MANNING: Yes, how would I know? The first telegram is from Brunswick and it asks the Leader of the Opposition "resist potato Bill by all means".

The Minister for Works: That is one that would have sent potatoes away.

Mr. I. W. MANNING: The next is from Roelands and that also asks that the potato Bill be opposed. The third, which comes from Bengier, is rather interesting and it reads, "Potato growers making every effort to assist Mr. Hawke adjust trade balance with East."

The Minister for Works: That answers the question.

The Minister for Transport: He pleaded guilty in other words.

Mr. O'Brien: You said that they knew nothing about the Bill.

Mr. I. W. MANNING: I want to make it clear before I resume my seat—

The Minister for Works: You have made it clear.

Mr. I. W. MANNING: —that I strongly oppose the Bill. I do so because I believe that it will serve no good purpose. If the present Act cannot prevent potatoes being exported to the Eastern States, this legislation will not be able to do it.

The Minister for Transport: Scrub the Act.

Mr. I. W. MANNING: If under the present Act potatoes can be sent away without the grower doing anything illegal, then this Bill will not make that act illegal either. It can only bring chaos into the potato-growing industry.

Mr. ROBERTS (Bunbury) [10.25]: At the outset I want to make it perfectly clear that I am all for the retention of the present marketing system in this State.

Hon. J. B. Sleeman: Are you speaking for the potato growers in Bunbury?

Mr. ROBERTS: For years I have been very interested in the potato-growing industry in this State and, in view of the hon. member's interjection, I will say that I know something about it.

Hon. J. B. Sleeman: Then you are the man we want.

Mr. ROBERTS: As I said before, I want to make it perfectly clear that I am all for the retention of the Potato Marketing Board.

The Minister for Transport: With or without authority.

Mr. ROBERTS: The Potato Marketing Board in this State has done a remarkably good job for the growers and consumers. While the member for Harvey was speaking, I looked up some figures showing the total tonnage of potatoes distributed to Western Australian consumers by the board up to the 18th August, 1956. The total distributed to the civilian population was 29,738 tons; to ships stores, 834 tons; overseas, Navy and Darwin, 350 tons; and to the Eastern States, 2,372 tons, a total of 33,294 tons. A most creditable performance.

Mr. Norton: Over what period?

Mr. ROBERTS: I would say that that would be from the 30th September. I was not able to find that out in the short time available to me. The majority of growers in this State, too, are all for the retention of the board and if it is possible to give the board added powers, I think the majority of the growers would agree with that. But to my mind this Bill does not give the board the powers it is seeking because if it is passed, I am sure potatoes will still be sent to the Eastern States by private individuals.

The Minister for Transport: But no law can cater for every crook. There will always be a few lawbreakers and there are bound to be a few crooks in the potato-growing industry.

Mr. ROBERTS: I disagree with the Minister when he says that the majority of potato growers are scabbing on the industry.

The Minister for Transport: Did I suggest that?

Mr. ROBERTS: Scabbing on the public, I should say.

The Minister for Transport: Did I suggest the great majority of them?

Mr. ROBERTS: I think you did.

The Minister for Lands: He did not.

The Minister for Transport: No. I will accept the hon. member's apology.

Mr. ROBERTS: We must bear in mind the fact that potatoes are a very perishable product and if the growers and the public are to benefit we must have orderly marketing because it is such a highly perishable product. As the Minister for Works said, for many years the potato industry was run in a haphazard fashion and the growers were not the ones who got the returns from their product. The speculators received the greater profits and I think the Minister will agree that in pre-war years that was the position.

The Minister for Works: That is so.

The Minister for Lands: They are getting it now.

Mr. ROBERTS: The A.P.C. was established and for a number of years it provided the growers with a fixed price and

thus stabilised the industry. Then in 1946 the Marketing of Potatoes Act was passed in this State. In about 1948 the Western Australian potato board came into existence and since then has done a remarkably good job. I feel sure I have the majority of growers behind me when I say the board as constituted in this State is the envy of every State in Australia. All the growers in the other States would love to have a set-up such as we have here. By our system we have been able to cut out the speculators and the growers are getting the full benefit from their labours.

To some of the members opposite I point out they must not overlook the fact that in my area two crops of potatoes are grown. One crop is planted in the December-January-February period. That is the crop that is causing all the trouble at present. It is dug in May and June and it is a potato that keeps. It can be stored. Some of the potatoes that we are eating today and hope we will continue to eat until the new season's crop comes in, are the type of potato that keeps.

The crop that we know as the winter crop is planted in the June-July period, the digging of which will commence in the last week of October. That is not a potato that keeps. That is the potato that is exported from this State. I only wish that more of them were exported through Bunbury, but the member for Fremantle gets quite a percentage of potatoes sent through his port. The crop that is growing now is the one that is exported and there is not much risk associated with it as there is with the crop that is being sold now. The summer crop is a very risky one and not all growers will take the risk of planting potatoes in the December-January-February period.

There are two aspects of the Potato Marketing Board with which I have always disagreed and I have never been convinced otherwise. One is that the price for potatoes shall be based on the f.o.r. Perth price. I disagree with that because a retailer in Perth can land into his store potatoes cheaper than, say, a retailer in Bunbury, who buys potatoes from a centre such as Roelands. The Bunbury merchant has to pay railage from Roelands to Bunbury and then pay the cartage from the siding to store. That is one aspect with which I disagree. I realise, of course, that there are arguments against that. The only other point with which I disagree is that there is no inspection of potatoes in country areas prior to their delivery to the various retailers.

Those are the only two weaknesses that I can see in the present marketing system. As far as the f.o.r. Perth price is concerned, that is a form of centralisation when one gives the matter full consideration, because the potatoes should be cheaper in the district where they are grown than in a centre further distant

such as the metropolitan area. At present the Western Australian grower is getting £34 5s. per ton for his potatoes. In Victoria and New South Wales the price is in the vicinity of £160 per ton.

I disagree with the member for Mt. Lawley when he says that the potatoes arriving in South Australia are being shipped to New South Wales, because I cannot see how that is possible at present in view of the fact—so I am given to understand—that the South Australian and Queensland price is approximately £175. I can quite appreciate some of these Western Australian growers taking advantage of the present high price offering. I disagree with their outlook and their action, but, looking at it from their point of view they may have in store 100 or 200 tons of potatoes and when they get £100 a ton for them, that is a total of £10,000 and such a sum covers the profit on many crops in the future. The majority of growers are definitely in favour of the continuance of the 1950 price formula. There is no question about that. I feel certain that they are all extremely satisfied with that 1950 formula.

The member for Mt. Lawley mentioned that potatoes were rejected by the board. For the benefit of members generally, I would point out that the board does not reject potatoes, but the Department of Agriculture carries out that duty when necessary. As I have previously stated, I cannot see that this measure is going to overcome the present difficulties which are confronting this industry. For argument's sake I cannot see how this measure is going to prevent an unscrupulous retailer—fortunately there are few—from getting potatoes from the board—he is entitled to buy from the board—and ship them to the Eastern States, thereby taking advantage of the present high prices that are offering. Whether the board would allow him to continue buying potatoes for such a purpose is another matter. This legislation is far too wide of the mark. I was pleased to see that the Minister did bring in the licensed grower because I felt that the unlicensed grower and the backyard grower should be dealt with. What amazes me in this legislation is that this measure was not previously discussed at a round table conference with all interested parties, such as the board and the growers.

The Minister for Transport: And the public.

Mr. ROBERTS: Yes, and the public. I must remind the Minister that of the seven board members, including the chairman, there are two nominated by the Minister to represent the consumer, one nominated by the Minister after consultation with the Potato Growers' Association, two persons who are commercial producers and elected by the commercial producers for appointment by the Governor as members of the board and one a person

nominated by the Minister who is not engaged or financially interested in the business of growing potatoes or interested in the distribution or the sale thereof, who, the Act says "shall be chairman of the board." I think the consumer is very well protected in the present set-up of the board.

The Minister for Transport: I think the producer is, too.

Mr. ROBERTS: I agree, but the consumer is more than well represented. He definitely has a majority on the board.

The Minister for Transport: My point is that if you are going outside to the producer, why not go outside to the consumer?

Mr. ROBERTS: I am not going to argue about this matter because I do not as yet know sufficient about the procedure in this Chamber.

The Minister for Transport: I think you will find that if a public poll were taken there would be 10 to 1 against abolishing the board.

Mr. ROBERTS: I was making the point that this measure was not presented to the board or the Potato Growers' Association for full discussion, because today I have received numerous telephone calls from country growers wanting to know what is in the measure, and I have had to reply "I do not know." So apparently their associations and district committees were not advised. I understand the Potato Growers' Association also approached the board some three months ago in relation to this matter but its application for some discussion on it was rejected.

I feel the board has let down the growers in that regard. The present position in the Eastern States is abnormal and is not very likely to recur unless, of course, we again get those terrific floods. But these speculators from the East will continue to thrive and get certain growers to ship, rail or have carted by motortruck their potatoes to the Eastern States while these high prices continue. We must not forget also that the shortage in the East might not have eased by, say, next November and the Western Australian Potato Marketing Board will later be able to take advantage of the high prices, as mentioned by the member for Darling Range. The Minister did make some comment in regard to the growers being delicensed and that the board was not going to grant licences to growers who took advantage of high prices.

The Minister for Lands: I said something entirely different. I said that if the board did agree to do that, it would have my whole-hearted support.

Mr. ROBERTS: I understand that, in reply to a question, the Minister said that these growers' licences were not to be renewed.

The Minister for Lands: It is entirely in the hands of the board.

Mr. ROBERTS: I appreciate that. The point I want to raise is: What is the position in regard to certain growers who have at the present moment supplied potatoes to the Eastern States and have now got a licence? Their potatoes are growing and they will be dug in October-November next. Will the board still take delivery of their potatoes?

The Minister for Lands: The board will be empowered to take delivery of potatoes as from the proclamation of this measure.

Mr. ROBERTS: What about the delicensing side of it?

The Minister for Lands: That is a matter for the board and has nothing to do with the Bill. The board will be empowered to take potatoes as from the proclamation of this measure.

Mr. ROBERTS: Mention has been made in this debate of the difficulties of agents in assessing the quantity of potatoes held by growers. That difficulty is very real and I trust the Minister and the board will at all times appreciate the difficulty of getting a correct estimate from the grower because at times potatoes are stored in a very confined space, and it is difficult to get a complete count of the bags. They are at times stored under trees, as the Minister well knows; and then again there is always the fear of rot or collapse occurring. It is always very difficult to finish up one's assessment of potatoes for sale on a real basis of the actual position.

I was pleased that the member for Stirling drew the attention of the Minister to proposed new Section 21A (b) which is included in the Bill, because there are many contingencies that arise in regard to the safekeeping and storage of potatoes. The contingencies to which I refer are fly, the question of stock getting into the shed and eating the potatoes, rot and potato collapse. Potato collapse is one that is very real and well known to the Potato Marketing Board, because I think the board at times still recalls the shipment of the "Momba" and the "Koorawatha" to the Eastern seaboard.

In his second reading speech the Minister said that he agreed that the board had made a splendid effort. I whole-heartedly endorse his view that the board has done a good job in the past and that the other States are very jealous of our potato-marketing set-up. The Minister for Works mentioned a certain provision in the Wheat Marketing Act. I would draw the Minister's attention to the Marketing of Potatoes Act, Part IV, Section 22, Subsection (2), which states—

... a grower shall not sell or deliver any potatoes to any person other than the board and a person other than the board shall not purchase or take delivery of any potatoes from a grower.

After the grower has made application for a licence and he receives his potato-grower's licence from the board, he finds attached to it a form headed "Conditions for growing, delivery and marketing of potatoes under the Western Australian Potato Marketing Board." At the very bottom of that form, in big type, is an extract from the Marketing of Potatoes Act, 1946, Part IV, Section 22 (1). It reads—

A grower shall not sell or deliver any potatoes to any person other than the board and a person other than the board shall not purchase or take delivery of any potatoes from a grower.

The board at the present moment has considerable powers. I feel that Section 92 of the Constitution will override the Bill now before this House and I, therefore, intend to oppose the second reading.

MR. ROSS HUTCHINSON (Cottesloe) [10.51]: We are indebted to the member for Blackwood, the member for Bunbury and the member for Harvey for conveying to us the technical details associated with the potato-growing industry. They have pointed out the background leading to the introduction of this Bill. I would say that a shocking state of affairs has been allowed to arise which has necessitated the Government bringing down this legislation. The Government condemns its own inaction by introducing this Bill.

Mr. Lawrence: This happened three times when your party was in office.

Mr. ROSS HUTCHINSON: Let us see what the Bill says. A state of affairs has arisen whereby the Minister has introduced a Bill, providing, inter alia, the following:—

- (a) every grower of potatoes becomes the bailee in possession on behalf of the board of all potatoes produced by him, and continues as such until he delivers the potatoes whether by one or more than one delivery to the board in accordance with such directions in writing as to the delivery as the board serves and is hereby authorised to serve on the grower.
- (b) a grower while such bailee
 - (i) is responsible to the board for the safe keeping, storage, and protection, of the potatoes; and
 - (ii) shall not sell, deliver, or part with possession of, any of the potatoes to any person other than the board, except with the written authorisation of the board.

Penalty: Five hundred pounds, maximum.

The background of this industry has been gone over fairly carefully, but I should say that the present situation has

arisen in this fashion: Firstly, in the Eastern States we find that owing to very bad seasonal conditions a potato famine has occurred and will last for some considerable time to come, but at the same time in Western Australia there is a plentiful supply of potatoes, and the land is virtually flowing with milk and potatoes. Therefore the situation became apparent some time ago that high prices would operate in the Eastern States.

It was also quite clear that a plentiful supply of potatoes would be found in this State but the growers would have to be content with a very low board price of between £34 and £35 a ton. That the present situation was inherent under the circumstances was clearly shown by (a), the growers in June who approached the board and asked it to discuss the prospects of an export market in the Eastern States (b), the means used by the member for Blackwood who asked a question in this House on the 8th August, and (c), the Deputy Leader of the Opposition and the member for Blackwood again who asked further questions.

In those three ways it was conveyed to the board what would happen. However, the situation was allowed to develop to the present disastrous stage. Let us face the facts. We must do that. Anyone listening to the debate must have realised that the board failed miserably to combat and to prepare for the present situation. No one can deny that. It has failed abjectly and miserably. I do not care what it has done in the past, but as far as this question is concerned, it has failed. Furthermore, if the failure of the board has been a dismal one, how abject is the failure of the Government in this respect—

Mr. Lawrence: Rubbish!

Mr. ROSS HUTCHINSON:—when, as various members of this House have pointed out, the Minister has had every opportunity to take some action? It was not until the present stage was reached that he saw fit to bring down this type of legislation. It is only fit for a State behind the iron curtain.

Mr. O'Brien: Be fair!

Mr. ROSS HUTCHINSON: I am being perfectly fair. The Government has condemned itself by its action.

Mr. Lawrence: The only thing white about you is your white shirt.

Mr. ROSS HUTCHINSON: Furthermore, I would say that the miserable attempt by the Minister to blame the member for Blackwood for bringing about a situation where there is a shortage of potatoes is ludicrous in the extreme. In subsequent remarks he tried to back-pedal. What he did in that respect was too manifestly unfair, and it is no credit to him. I would suggest to Opposition members and to new members on both sides of the House that

It is the job of the Opposition to help guard the public interests. It is the Opposition's task to see that the Government is kept up to the mark in any one of the jobs before it. That was what the member for Blackwood attempted to do by pointing out to the Minister what was going to happen.

I conclude by saying this: It has been asserted that little of a constructive nature has been put forward by the Opposition. The Minister for Works has asked what are we to do under the circumstances. In effect he is tacitly admitting that perhaps mistakes have been made but that this Bill was the Government's answer. Incidentally, I submit it is not the right answer at all, but I do put forward a suggestion which has been drawn from what was said by previous speakers. I am merely rounding the suggestion off. I would suggest to the Minister for his earnest consideration that he calls a monster meeting of growers immediately and hold that meeting in Bunbury to discuss this situation. I would also suggest that he should be present and explain what has happened.

The growers should tell him their grievances. Possibly out of this meeting might come the solution that a slightly higher price be paid by local consumers and a proportion of our potatoes be exported to the Eastern States so that the higher prices offered could be availed of and distributed to the potato growers here. If the Minister did that he would bring a little credit back to himself. By tackling this situation in a legislative manner he will get nowhere, nor will he solve the problem. He should adopt the proposal I have put forward and call a meeting of the growers.

Mr. Evans: What about the views of the housewives?

Mr. ROSS HUTCHINSON: Only by such a method will the board be saved because undoubtedly the growers have lost confidence in it. I hope the Minister will pay some regard to my proposal.

The Minister for Transport: Not a bit of it! It is tripe.

MR. LAWRENCE (South Fremantle) [11.01: I feel I should say a few words on this matter having regard to the fact that I have a few growers in my own electorate. I do not want to be parochial but I wish to point out that some misstatements have been made in this House tonight. I do not say the first one which I refer to is a misstatement, but it was made by the Leader of the Country Party—I think it could have been more fully explained when he gave some legal complexion to it—that this Bill to amend the Act would become a statute forever. One realises that, but one also realises it could be amended at a later date. I do not think that this was pointed out, and I make it purely for the information of new members.

It was also pointed out by the member for Mt. Lawley that potatoes cannot be exported. That is absolutely wrong because the Potato Marketing Board does export, I would say, practically 100 per cent., unless we have a very short season, of our second-grade potatoes.

Mr. Roberts: They also export a great quantity of No. 1 grade potatoes.

Mr. LAWRENCE: Quite correct, if we have a surplus and having regard to the fact that the local consumer is satisfied. I say he is the first concern of the board. The member for Harvey raised the matter of communism. Really that is laughable. He also referred to loyalty to the board. The reason why potatoes are short to the consumer is not loyalty to the board; it is apparently due to a few growers, and the hon. member knows that as well as I do. I could name in this House the people who are doing it, and I would have no compunction in doing so.

In his speech, the Minister pointed out tonight that the board gives a fair price to the producer, who should get a fair return for his labour, and it also sees that the consumer pays a fair price. I do not think anybody in this House will disagree with that, so when we analyse the remarks of various speakers on this measure, what is the alternative? The Leader of the Country Party has stated that we cannot get around Section 92 of the Federal Constitution. I say we can because there has been no complaint respecting the same section being included in the Marketing of Onions Act; none whatever. If potatoes become the property of the board when dug, they can be exported to the Eastern States. Surely all members will realise that if we can export to the Eastern States we will certainly do so, should we have a surplus because, as has been pointed out before—the Leader of the Opposition would know this—our deficit on exports over imports with the Eastern States last year was in the vicinity of £60,000,000, which is a very serious situation.

Therefore, one could readily realise why we would export them, and probably in 30 or 40 years' time when the Leader of the Opposition gets back into power, he will be only too happy to see that we export all that we can so that money will come into the State. The only alternative I could see, after listening to the various arguments, is to do away with the board. I say, with great sincerity, that if these views of members were taken back to their electorates they would be lynched, hung, drawn and quartered because the really loyal growers, who are in the majority, want that board and nothing else. It is only because of the machinations of a few of the larger growers that this position has come about.

Mr. Oldfield: There are scabs in your union.

Mr. LAWRENCE: Has the hon. member ever been in a union? I say they are scabs on the potato producer. Now we find that the member for Cottesloe says the position was not serious a fortnight ago. Possibly it may not have been serious a fortnight ago due to the foresight of the Potato Marketing Board and its various executive officers who could foresee what could happen and what is happening, and realised that we could be in a serious plight if this matter was not dealt with. I feel this Bill can get around Section 92 as it has got around it so far as onions are concerned, and I consider there is not much difference between a potato and an onion.

Mr. Oldfield: You would not know the difference between a potato and an onion.

Mr. LAWRENCE: Today 60 tons of potatoes were loaded on to a ship called the "City of Winchester" at North Fremantle, and I intend to see what action can be taken regarding it because the potatoes were in a deplorable condition. They were maggoty and rotten and packed in second-hand superphosphate bags.

Mr. Oldfield: Did any of the maggots fall on the wharfies' heads?

Mr. LAWRENCE: I did not know the hon. member was down on the waterfront yesterday! These potatoes were being loaded into the ship's hold in a rope sling and the bags were cracking open when the strain went on and the potatoes were falling on the waterside workers' heads. The result of this was that work on the waterfront stopped for two hours until the position was remedied. The only way to do it was to put the potatoes in a sable, which is a canvas structure with four loops, one on each of the four corners. That is a bright example of the blackmarketing that is going on when we send stinking rotten stuff to the Eastern States. What are our other exports going to be when this sort of stuff goes to the port of Sydney? This is a great advertisement!

Mr. I. W. Manning: Did officers of the Department of Agriculture inspect them?

Mr. LAWRENCE: No; they probably did not know they were there.

Mr. Court: Are you criticising the Minister?

Mr. LAWRENCE: No. We do not expect the Minister to run around the waterfront.

Mr. Court: It is his department.

Mr. LAWRENCE: Be fair about it! I should be glad to name the people in this. There is Doyle Momber & Co. from Victoria Park. I hope the hon. member does not take umbrage at that. There is also a fellow named Cayliss who came here from New South Wales. He is blackmarketing near first-grade potatoes. If he thinks he is going to get away with it with the Waterside Workers' Federation, he is making a mistake. The grower is the man

who should get the profit because he is the producer. But he gets £34 5s. a ton. The retailer sells at £51 a ton, or 5½d. per lb. In New South Wales first-grade potatoes are bringing £165 a ton, but as the member for Mt. Lawley pointed out—and as I said before he may have some interest there—it will probably be £180 a ton in a fortnight's time.

Mr. Oldfield: Or £200.

Mr. LAWRENCE: I am more sure than ever that the hon. member is interested.

Mr. Oldfield: I am interested on behalf of Western Australia.

Mr. LAWRENCE: What does this lead me to believe? He has been sending the stuff overland, but the freight overland is heavier than the freight by sea, so he is trying to get it through the waterfront. When the McLarty-Watts Government was in office, we had the spectacle of the waterside workers being called on to take forcible action on this subject, on three occasions.

Mr. I. W. Manning: Who called on them?

Mr. LAWRENCE: The public; and the public are the people who put this Government here and who put the Opposition out of power.

Hon. Sir Ross McLarty: Stick to the Bill.

Mr. Johnson: Cannot you take it?

Hon. Sir Ross McLarty: I can take anything you like.

Mr. LAWRENCE: I can see the Leader of the Opposition is blushing.

Hon. Sir Ross McLarty: Not a bit. You flush a bit too often; that is your trouble.

Mr. LAWRENCE: With all due regard to the interjection by the Leader of the Opposition, I commend the Bill. I think we can get around it, and I believe that everyone in the House should support it because it is in the interests not only of the producers but of the consuming public.

HON. SIR ROSS McLARTY (Murray) [11.14]: There is no doubt that the Bill contains a most important amendment to the original Act, and because of its importance I do not feel that I have any apology to make for objecting last night to the legislation being rushed through in one sitting of the House. When I heard the debate this evening, I thought there were ample grounds for objecting last night to the measure being gone on with—and I recognise the urgency of the position.

I want to make this point: The main provision of the Bill is to provide for permanent vesting. Whether we agree with the Bill, or disagree with it, I think we will all agree that a vital principle is involved, and when we talk about vesting, we will find a considerable volume of public opinion that is opposed to it.

The Minister for Lands: Where?

Hon. Sir ROSS McLARTY: Throughout the length and breadth of the country, without a doubt. The Minister will find this opposition amongst many of the potato growers.

The Minister for Lands: I do not think so.

Hon. Sir ROSS McLARTY: Yes. I put this to the Minister: Admitting that the Bill is one of urgency, why does he set out at this particular time to make vesting a permanent part of the legislation? He could achieve his object, if vesting is a vital principle, by limiting the life of the Bill to a month or two.

The Minister for Lands: A month or two would be ridiculous. You might as well vote the Bill out and have done with it.

Hon. Sir ROSS McLARTY: The Minister would get over the present difficulty by doing what I suggest, and it would give him the opportunity to deal with the position.

The Minister for Lands: No, it would not.

Hon. Sir ROSS McLARTY: Yes, it would. I disagree with the Minister. I believe that the major damage in regard to the export of commodities has already been done. If the Minister would agree to limit the life of the Bill, I believe he would achieve his objective.

The Minister for Lands: It depends on what the limitation is.

Hon. Sir ROSS McLARTY: This is something that is happening now, and I repeat, I think the major damage has been done.

The Minister for Lands: You could not do anything in two months. There is some merit in that argument, but it would have to be for a period longer than two months.

Hon. Sir ROSS McLARTY: I would think that two months would suffice. It has been also suggested by members who represent the potato-growing districts, that they should be given an opportunity to consult the potato growers in their respective areas. If some great industrial question arose, I cannot imagine the Premier ignoring the opinion of the industrialists of this country, yet the opinion of the growers is being ignored and if this Bill had been pushed through the House, as the Minister wanted, hardly a grower in Western Australia would have had any knowledge of it, nor would he have had any chance of expressing an opinion in regard to it.

Surely that is a most unsatisfactory position to arise, and it could not be productive of good, sound legislation. Supposing that the Bill is held over a week-end, is it likely that there would be a great quantity of potatoes exported in the next day or two? I believe this would be the position: It would give the potato

growers an opportunity to meet and discuss the Bill. I also believe that the growers would try to do something to rectify the position regarding the export of potatoes to the Eastern States.

The Minister for Lands: How could they do that?

Hon. Sir ROSS McLARTY: If they could be called together to mass meetings they would probably carry a resolution stating that the practice of exporting large quantities of potatoes to the Eastern States was undesirable and that they would do something to co-operate with the board in order to get over the difficulty.

The Minister for Lands: Do you think you would get an affirmative vote for that in the district of the member for Harvey?

Hon. Sir ROSS McLARTY: The Minister talks about an affirmative vote but he has been telling us that the great majority of potato growers are loyal to the board. I think he said that on several occasions and I believe that the average potato grower in the Harvey district would be loyal to the board.

The Minister for Lands: Not those who are sending potatoes to the Eastern States now. They would still continue to do so.

Hon. Sir ROSS McLARTY: I do not know so much about that.

The Minister for Lands: Of course, they would.

Hon. Sir ROSS McLARTY: That is only the Minister's opinion. If they could hear expressions of opinion from those who are said to be loyal to the board it could completely alter their outlook. If the Minister would allow members to go out into their districts; and if he would allow the potato growers to meet and discuss this very important provision I do not think the Government would lose anything by it. I ask the Minister to have some faith in the potato growers as a whole. I think I am justified in making that request knowing what is happening at present and realising the position in which the board finds itself. I believe the suggestion I have made would provide some practical result.

I now want to come back to the question of vesting. The Minister for Works, when speaking, attacked the member for Moore because of his attitude towards this Bill and his attitude towards the wheat marketing Bill. I do not think they are parallel subjects because, if my memory serves me rightly, the wheatgrowers of this and the other States of the Commonwealth had an opportunity to express their opinions by ballot before anything was done with their commodity. But in this case the potato growers of Western Australia are not being given that opportunity and, furthermore, the legislation is being rushed through and these people will not have an opportunity of expressing their opinions in regard to it.

The Minister for Transport: Would you like the public to express their opinion on it?

Hon. Sir ROSS McLARTY: I would give the public a chance to express an opinion on it.

The Minister for Transport: Then it would be goodbye board, would it not?

Hon. Sir ROSS McLARTY: I do not mind the public expressing an opinion on it. I put that proposition to the Government in the hope that it will accept it and in the belief that it will be to the Government's advantage to do so. Apart from the important provision of vesting, which is a most contentious matter, there are other parts of the Bill which need to be discussed and I agree with the Leader of the Country Party that some of the penalties provided in it are, to use the Premier's words, vicious and savage. I can remember the Premier, when we had an industrial arbitration Bill before us and penalties comparable to these were embodied in that legislation, referring to them as being vicious and savage.

Mr. May: And you did not budge an inch.

Hon. Sir ROSS McLARTY: Yes, we did.

Mr. May: No, you did not.

Hon. Sir ROSS McLARTY: We halved them. We agreed to reduce the penalties. But if they were savage and vicious in that case, the penalties provided under this Bill are equally vicious and savage.

The Minister for Lands: You finished up by having a penalty of £500 in the Industrial Arbitration Act.

Hon. Sir ROSS McLARTY: It does not show much faith in the potato growers of this State when such frightening penalties are provided. As the Leader of the Country Party pointed out, apart from having to deliver their potatoes to the board the growers are responsible for the safe keeping and the storage and protection of the potatoes, a very real responsibility and one to which they may not be able to stand up to; but if they do not do it, terrific penalties are imposed.

The Minister for Transport: Hear, hear!

Hon. Sir ROSS McLARTY: The Minister for Transport agrees. It is just as well that we know that.

The Minister for Transport: They are biting the hand that has been feeding them for the last 10 years.

Hon. Sir ROSS McLARTY: We have been told, by most members, that the big majority of growers are not doing anything of the kind.

The Premier: Then the big majority of them will not suffer these penalties.

Hon. Sir ROSS McLARTY: In most cases, as the Premier knows, where punishment is inflicted the big majority do not

suffer the penalties. I would prefer to be helpful rather than destructive at this stage; and I have tried to be helpful because I have not indulged in recriminations of any kind.

The Minister for Lands: Fair enough.

Hon. Sir ROSS McLARTY: But I have tried to put a practical proposition before the Government and the Minister. Do not let us make this vesting in the board a permanent feature of the Act before consulting the growers.

The Minister for Transport: If we limit it to 21 years will that be all right?

Hon. Sir ROSS McLARTY: I think a month or two would be quite sufficient because that would give the Minister time to deal with the position that confronts him. Let us continue the debate on Tuesday next so that members can discuss the Bill with growers in their electorates. The growers can meet among themselves and discuss this important problem. By doing that the Minister will get more practical support and achieve better results, in the interests of consumers, than he will get by trying to rush this legislation through.

The Minister for Transport: You are not worried about the consumers.

Hon. Sir ROSS McLARTY: The Minister for Transport comes in with that sort of stuff! I do not want to see the consumers of this country paying an exorbitant price for potatoes. Why should I want that to happen?

The Minister for Transport: Then pass this legislation quickly and prevent it happening.

Hon. Sir ROSS McLARTY: I am making a suggestion to the Government.

The Minister for Transport: To delay it.

Hon. Sir ROSS McLARTY: Not with the object of increasing the price of potatoes in Western Australia but of getting some stability in the industry.

The Minister for Transport: After all the potatoes have left the State.

Hon. Sir ROSS McLARTY: No, that is where the Minister is mistaken. There is no doubt that if the debate were adjourned, the growers in all the potato growing districts would meet and discuss the proposition. The objective would be to assist and not to embarrass the board or cause a potato shortage in this State. So I put those suggestions to the Minister and I hope he will act on them.

THE MINISTER FOR LANDS (Hon. E. K. Hoar—Warren—in reply) [11.31]: There have been some extraordinary statements made during the course of this debate

and I suppose the most extraordinary of all has been the suggestion by the member for Harvey that the Bill could have some relationship to communism. However, he qualified his remarks at the time by saying that he had been talking to the member for Blackwood, so that possibly helps me to understand his attitude.

In the first place, I want to make it perfectly clear—because of the doubt which the member for Blackwood sought to instil in the minds of members—that there has been no interference by the Government or by myself with the Potato Marketing Board in attempting to take any line of action in this matter. The W.A. Potato Marketing Board has initiated every move which has ultimately resulted in the Government asking the House to agree to this Bill. It is true that the contents of the Bill were not suggested by the Potato Marketing Board, but they came gladly to the ears of the chairman of the board when it became known to him that this was the step proposed by the Government.

As is known, under the Act, it is the responsibility of the board to market potatoes in the interests of the two parties who have been mentioned on many occasions tonight, namely, the producer and the consumer. They have their powers under the Act; they have their regulations and they are, except in a certain negative fashion, a law unto themselves to give to the public an interpretation of the Act that was created by this Parliament. There has never been an occasion when I have had to approach the board on any matter, especially in regard to this situation that has developed. In fact the reverse has been the case.

As I have already said to the member for Blackwood, long before he or anyone else asked questions in this Chamber, I was in daily contact with the manager of the board in regard to the very position that was arising and which at that time was getting worse day by day, especially in regard to the road transport system, right up to the moment when he began to feel that the confidence he had felt earlier of being able to meet the situation for any length of time was not justified. Once the manager of the board saw that stage being reached, he took immediate action and made a further approach to me and, I, in turn, took similar action in approaching the Government and did my best to get a Bill before the House as quickly as possible which, in my opinion, will at least strengthen the hands of the Potato Marketing Board and do what we think it ought to do, namely, prevent future shipments of potatoes to the Eastern States.

Having made that point clear—and I want it to be believed because it is not the policy of the Government to influence any board or authority created by an Act

of Parliament when it has full powers in its own right—I do not want to delay the House for very much longer at this hour of the night, but I want to deal with one or two sensible suggestions that have been made. Before doing that I wish to refer to points made by the member for Vasse and also at the same time to a similar question raised by the member for Blackwood, who clearly showed, in that regard at any rate, that whilst he was getting more excited as time went by, he did not really understand what the Bill contained and he certainly did not understand what the Act contained, which was far more important.

He said it was important to provide for any loss in storage. It was never intended that we should not provide for that. In fact, under the present Act, the growers have always been paid for loss in storage. I think the member for Vasse knows—I am certain that the member for Harvey does—that there is a premium paid on potatoes that ranges from 10s. in the first month of storage up to £10 in the last month—that is, in June—of each year, I think, to compensate the growers for having to store potatoes in their own sheds because of the board being unable to provide sufficient storage space for them.

Mr. Hearman: We know about that, but the Bill overrides other sections of the Act.

The MINISTER FOR LANDS: It does not and it was never intended that it should. This Bill was introduced for a specific purpose and it has not been introduced to interfere in any way with the methods of storage or to interfere with any authority vested in the board under the Act. When the member for Blackwood says that the Bill makes no provision for compensation to be paid to growers for storage or for loss in quality due to storage on the farm, he is overlooking the fact that that provision has been in the Act during the whole of the time it has been in operation. The hon. member also referred to the fact that the word "potatoes" means all potatoes that are grown, including pig potatoes and any that do not come up to the standard of quality normally required by the board.

Again, under Section 23 of the Act itself there are terms and conditions set out which have to be complied with in respect of quality and standards. In regard to any potatoes which are not required by the board because they do not come up to the necessary standard, Section 25 provides that the board may grant the disposal of those potatoes to the growers concerned, and that is done when and where required.

Mr. I. W. Manning: Would it be possible for a grower, without infringing the Act, to send to the Eastern States potatoes that had been rejected by the board?

The MINISTER FOR LANDS: If the Bill becomes law it will be unlawful for any grower to grow potatoes without a permit.

Mr. I. W. Manning: I am referring to potatoes that are rejected by the board.

The MINISTER FOR LANDS: If the hon. member will look at the Act and the licence that is issued to growers, he will see that there are conditions specifically set out which state that the licence can only be issued after an application has been made by the grower in his own handwriting and received by the board, and in regulation No. 4 it states that no person shall grow or produce potatoes for sale except in accordance with the conditions set out in the licence issued to him by the board.

Mr. Roberts: That is, potatoes for sale.

The MINISTER FOR LANDS: Yes.

Mr. Roberts: Yes, but under the Act one can grow potatoes but cannot sell them without a licence being issued.

The MINISTER FOR LANDS: Yes, a person can grow potatoes for his own use, but a grower cannot grow potatoes under permit other than through the local marketing authority. That should have been the strength of the marketing authority in this State in controlling the disposal of potatoes already grown, but because of the situation that has developed, the growers through greed or mainly because of reasons mentioned by the member for Harvey, have sought to take advantage of the prices in the Eastern States. But I would like to point out to members that when a grower signs an application form and in return gets a schedule to fill in relative to acreage, quantities and all the other particulars, in my view he enters into a binding contract with the board not to grow or produce potatoes for sale except in accordance with the conditions of that licence.

So the situation does not arise as to what can be done with potatoes that are not required by the board because if he desired to sell those potatoes—unwanted potatoes we might call them at the moment—to some other source without the approval of the board he would be breaching the Act. If he wants to get the approval of the board, there is full authority under Section 25 of the existing legislation. So the whole position raised by the member for Blackwood does not arise at all in actual fact. This Bill will in no way alter that situation.

Mr. Hearman: I still think it will.

The MINISTER FOR LANDS: The hon. member may think so, but I can assure him that it will not because the Bill in no way alters the provisions of the Act. It extends the powers of vesting from the

point of delivery to the point of digging, and that is the only principle contained in it and the only one ever intended.

Mr. Hearman: In the Act, under Section 24, they are vested when they are delivered. So you have your Act saying in one place that they are vested when delivered and in another that they are vested when they are dug.

The MINISTER FOR LANDS: This Bill will override that provision of vesting.

Mr. Hearman: How many provisions does it override?

The MINISTER FOR LANDS: It will bring it to the point where potatoes are dug and then only will they become the property of the board. If there is to be any loss through storage or for any other reason at all, provision is already made by premiums, which are pretty substantial as months go by, to compensate the growers.

Mr. Ackland: Had you adopted this attitude when you were introducing the Bill instead of being so pugnacious and dictatorial, you would have saved hours of discussion.

The MINISTER FOR LANDS: Does the hon. member mean that he is coming round a bit?

Mr. Ackland: No, not at all.

Mr. Roberts: A grower who does not get a licence cannot sell potatoes in this State.

The MINISTER FOR LANDS: That is so.

Mr. Roberts: When they are unlicensed under this new provision, can they sell to the Eastern States?

The MINISTER FOR LANDS: They cannot grow them in this State without a licence.

Mr. I. W. Manning: And that is what I call communism.

The MINISTER FOR LANDS: That type of communism has been in the Act since 1946 and, together with its regulations, it has worked every day and every season of the year for the growers of the member for Harvey's electorate.

Mr. Roberts: That is only for unlicensed growers. You were mentioning licensed growers.

The MINISTER FOR LANDS: Potatoes cannot be grown for sale in this State without a licence.

Mr. Roberts: If an unlicensed grower grows potatoes, he cannot sell them in this State.

THE MINISTER FOR LANDS: If an unlicensed grower grows potatoes, he is subject to prosecution.

Mr. Roberts: But what if he does not sell them in the State?

THE MINISTER FOR LANDS: If he does not sell potatoes after he has grown them, he will not be growing too many, or he is very foolish. If this measure is carried it will cover that situation inasmuch as all potatoes that are grown today have to be grown under licence. The reason that there have been no prosecutions before is because although there has not been much of it going on, when they offered potatoes not previously covered by licence, they have found an easy method of marketing them and have accepted the situation. But that was a challenge to the board's authority. From now on, the board will have to take an entirely different line to that which it did before in order to discourage the type of person whom one can only refer to as being anti-Western Australian. That is partly why the Bill has been introduced.

I thought the member for Stirling made a very constructive approach to the measure in every way. I was very glad to note from his remarks that he had no objection in principle to extending the vesting provisions which are already in existence in a number of other Acts dealing with primary produce. The hon. member did refer, however—I think rightly so—to the extreme penalty in the particular subparagraph of Clause 2 to which he drew attention. Again one might be accused of rushing this Bill through because of an oversight of that description. I have made no secret of the fact that the Bill is being rushed, and while Mr. D'Arcy, the Parliamentary Draftsman, has had his hands full with other work, he turned his attention to this, and that is probably the reason why it was overlooked.

For my part, I am glad the hon. member was able to point it out. It would be unfair to those responsible to the board for the safekeeping, storage and protection of potatoes to be penalised to the extent of a penalty that could rise to at least £500. So after discussion I agreed that there should be some alteration to this provision. That, however, is not unusual. I have never seen a Bill come before Parliament yet that did not receive some minor alterations at the Committee stage. I must admit, however, that during the last two or three days I have been lucky with one or two small measures, but anything of a controversial nature is usually amended at the Committee stage.

I had a look at the suggestions of the member for Stirling and I think they are reasonable. Accordingly, I am quite prepared to accept them. The member for Mt. Lawley intends to move that the duration of this Bill shall be until the 31st

December this year. The Leader of the Opposition spoke along similar lines, although he wants an even more restricted period. If we are going to make any use of this measure at all—and we are really here for the purpose of doing something in that direction it would be entirely useless to have the life of the Bill curtailed to a date when the new potatoes in the Eastern States are being dug, when there is not the slightest knowledge of what they are or whether they are affected by some disease in the tubers. We do not know what the situation will be in December of this year.

Therefore, if we are to limit the life of this Bill to November or December of this year as suggested, then the identical situation which now exists could occur in the early part of next year when Parliament is not in session, and when nothing whatever could be done about it. As a consequence, the whole purpose of the Bill will be defeated and the extra power needed by the marketing board to exert authority more than it has been able to do, will be lost. There is no merit in the suggestion that the Bill should be limited. It would be a fair thing for Parliament to look at this again next session. With that end in view I am prepared to accept the amendment proposed by the member for Mt. Lawley for limiting the date to the 31st December, 1957. Before that time arrives Parliament will be sitting again and we will know between August and November, 1957, whether Parliament requires the retention of this legislation. To limit it to a short period of two to three months will do no good at all because none of us will be able to say what the position will be in the Eastern States. If members opposite want to be reasonable, I will be reasonable too. To me and to the Government, this is a fair proposition.

Mr. Nalder: Why not make it 12 months so that it will come up for revision this time next year?

THE MINISTER FOR LANDS: By making the term 12 months, the legislation will have to be brought up again in September of next year when the Government might not find it convenient to deal with it in its proper position. If we allow Parliament to decide at some stage next session as to continuing this measure or not, that would be a fair proposition. If Parliament does not approve of its retention, it will go out by the end of next year.

The proposals in the measure are very real and urgent. As responsible people representing the State from the consumers' viewpoint, even if we do not all represent the producers' viewpoint, we ought to do something and show our stand in some way or other, and our disapproval of the illegal activities of some growers in this State. By illegal, I mean as it relates to the marketing laws of this State.

In 1946 Parliament gave consideration to a Bill with the one object of ensuring a fair price to consumers and a reasonable return to growers. The whole intention was to create an Act which would make it unlawful for a person to grow potatoes for sale without passing them through the normal channels of the marketing board. That Bill has been in operation for 10 years. All that is needed on this occasion is to strengthen it a bit more.

Mr. Court: Do I understand from your earlier remarks that there has been a breach of contract by the growers who sell to the Eastern States?

The MINISTER FOR LANDS: As far as the State legislation goes, it is a breach of contract.

Mr. Court: Why cannot some action be taken?

The MINISTER FOR LANDS: Because those growers are hiding behind the provisions of Section 92 of the Federal Constitution.

Mr. Court: Then this Bill would be a waste of time.

The MINISTER FOR LANDS: Whatever is the hon. member's opinion, that was what caused the growers to take the risk of selling to the Eastern States. There is no doubt about the intention of Parliament in 1946. It wanted the board to organise a system of production and distribution that would cater for the people of this State. In the words used, Parliament said that no potatoes shall be sold elsewhere without the approval of the board. That was 10 years ago.

A few growers, compared with the large number of loyal growers, have thrown this very Act in the face of Parliament, an Act which had been created for their security and protection. That was why I said earlier that the growers in this State will have to give serious consideration to their position from this day forward. If they do not play the game by the laws of the State, I find it exceedingly difficult, if not impossible, to justify the continuation of the board. No one in this House believes more in orderly marketing than I do. I have always supported it, but we cannot allow the present position to continue because it is not right for the people in this State. If members opposite were over here they would have taken the same action as I.

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

Ayes	.....	28
Noes	.....	11
Majority for	.....	17

Ayes.

Mr. Andrew	Mr. Marshall
Mr. Brady	Mr. Nalder
Mr. Evans	Mr. Norton
Mr. Gaffy	Mr. Nulsen
Mr. Graham	Mr. O'Brien
Mr. Hall	Mr. Oldfield
Mr. Hawke	Mr. Owen
Mr. Heal	Mr. Potter
Mr. Hoar	Mr. Sewell
Mr. Jamieson	Mr. Sleeman
Mr. Johnson	Mr. Toms
Mr. Lapham	Mr. Tonkin
Mr. Lawrence	Mr. Watts
Mr. W. Manning	Mr. May

(Teller.)

Noes.

Mr. Ackland	Mr. Hearman
Mr. Bovell	Mr. I. Manning
Mr. Brand	Sir Ross McLarty
Mr. Court	Mr. Roberts
Mr. Crommelin	Mr. Hutchinson
Mr. Grayden	

(Teller.)

Pairs.

Ayes.	Noes.
Mr. Kelly	Mr. Thorn
Mr. J. Hegney	Mr. Mann
Mr. Rhatigan	Mr. Cornell
Mr. Rodoreda	Mr. Wild

Question thus passed.

Bill read a second time.

In Committee.

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

Clause 1—Short title and citation:

The MINISTER FOR LANDS: I move an amendment—

That the figures "1919—" in line 10, page 1, and in line 6, page 2, be struck out.

There was no Act governing the marketing of potatoes passed in that year. The legislation started in 1946.

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

Clause 2—Section 21A added:

Mr. HEARMAN: I wish to seek some indication from the Minister on the interpretation he puts to the preamble to proposed new Section 21A. I take it that it simply means that anything which follows in this section overrides the provisions of the existing Act which may be in conflict with it. If that is the correct interpretation, there is no point in having the preamble. Not all potatoes are involved, only when they are vested in the board. Section 24 says that they are vested at the time when the board takes delivery. I ask for the Minister's interpretation because any subsequent amendment would to some extent rest on that interpretation. Am I correct in assuming that the provisions of the new section will override anything in the existing Act where there is conflict?

The MINISTER FOR LANDS: I think the member for Blackwood is substantially right to the extent that to bring into

being the intention of this new subsection would naturally override anything relating to the same subject in the Act.

Mr. HEAL: I think that the Minister indicated in his second reading speech that before the word "grower" in line 14 he was going to insert the word "licensed," but I think the member for Blackwood was going to move an amendment.

The MINISTER FOR LANDS: I move an amendment—

That after the word "every" in line 14, page 2, the word "licensed" be inserted.

With this addition, the hands of the board will certainly be strengthened tremendously. If the word is not inserted it could well mean that a man might grow potatoes, cause a glut on the market and the board would have no authority.

Mr. ROBERTS: In the Act the term "licenced grower" is defined, and I am worrying about the grower who is not licenced. The point is that anybody, according to the Act, can grow potatoes in this State. However, nobody can sell potatoes unless the permission of the board has been obtained. The unlicensed grower can grow potatoes and not necessarily sell them in this State. He could export them to the Eastern States.

The Minister for Works: There are not many unlicensed growers selling potatoes elsewhere; it would not pay them to do it.

Mr. ROBERTS: People have grown potatoes in this State ever since the board has operated and that is where the black-marketing of potatoes can come in. I am drawing the Minister's attention to this point, and feel it is a most important aspect in regard to the measure.

Mr. HEARMAN: I am inclined to agree with the member for Bunbury. I know what the Minister's intentions are, but I do not think he will achieve his objective with this amendment. It will simply mean that the potatoes of unlicensed growers are not vested in the board. I think if the Minister will withdraw his amendment and accept the term "commercial producer" as defined in the parent Act, he will achieve what he sets out to achieve. If we accept the Minister's amendment, it could easily mean that the potatoes produced by an unlicensed man would not be vested because the Act will apply only to licensed growers.

The MINISTER FOR LANDS: I think members overlook the fact that in the definition of "commercial producer" there is no mention that he shall receive a licence, any more than there is in any other part of the Act. If we do not include the word "licensed" in the part I am referring to, then it will mean that

every grower of potatoes could be described as a bailee on behalf of the board even though he had not a licence.

The object of the Potato Marketing Board is to grant sufficient licences each year to cater for the requirements of the State plus 25 per cent. If it does that, it is always certain that at any given moment the people of this State will have sufficient potatoes for their requirements, but if we were to insert "commercial producer" we would not know who they were or where they were and the whole system of control by the board would disappear.

Mr. I. W. MANNING: Is it the Government's intention to endeavour to ensure that no one other than a licensed grower shall grow potatoes, even though he grows them under contract to the Eastern States? There is a possibility that the Eastern States will be extremely short of potatoes and will be looking for them outside of the Eastern States. An attempt may be made to grow potatoes here especially for the Eastern States market. Is it the Government's intention to prevent that?

The MINISTER FOR LANDS: I would say that it should be the Potato Marketing Board's policy to supply the requirements of this State plus any measure of support that it can give to the Eastern States. We have a number of qualified growers who can grow the quantity of potatoes needed, and we have the necessary land. It is only a matter of bringing the two together. I do not want the hon. member to succeed in his suggestion that the word "licensed" should not be inserted because it is obvious to me from his speech tonight that he is supporting the status quo in this State instead of trying to alter it. If we are to give the marketing authority extra powers of vesting, surely we ought to give the people with whom they are to work, licences to grow potatoes and not leave the position as it is now.

The Act is loose in that regard inasmuch as it says that no potatoes can be grown for sale without the grower having first received a licence from the board, yet there is no mention in the Act that there shall be a licence issued. We should be sincere in our attempt to strengthen the hand of the board. Most speakers have approved of the board and spoken highly of it. The best way to do it is to give the board an opportunity of knowing with whom it is going to work.

Mr. I. W. MANNING: I believe that contractors from the Eastern States will endeavour to make arrangements with someone here to grow potatoes especially for the Eastern States market.

Mr. May: What makes you think that?

Mr. I. W. MANNING: Negotiations are going on now. Also I am aware of what exists in the Eastern States. There is

disease in the crops in some States and the drastic effects of the weather are such that it may be one or two seasons before the producers there can catch up with the requirements. The Potato Marketing Board in this State is concerned with supplying the local market with an adequate quantity of potatoes.

The Minister for Lands: Not entirely.

Mr. I. W. MANNING: The Minister is endeavouring to tie up the position in such a way that the growers licensed under the Act cannot sell to the Eastern States other than through the board. If the Eastern States people endeavour to arrange contracts with producers here, independent of the licensed producers, to grow especially for the Eastern States market—and I believe it would be only a temporary arrangement—what is the Government's view of that position?

The MINISTER FOR LANDS: My view would be that all potatoes grown for commercial purposes in this State should come under the control of our own State marketing board, and it should be the board's duty to assess what is required in the Eastern States and make provision for it. I do not believe that we should have a system of trying to divide and then rule, because we cannot have three-quarters of the industry under the control of a licensing system, and the other quarter doing what it likes.

Hon. Sir Ross McLarty: Does not the Bill do that? It does not prevent an unlicensed grower from supplying the Eastern States.

The MINISTER FOR LANDS: I think it possibly would.

Hon. Sir Ross McLarty: You say you are going to put in the word "licensed".

The MINISTER FOR LANDS: Yes. Replying to the member for Harvey, I think the position could be overcome if the board had a look at the situation—as I suggested when I was at the last Council meeting at Canberra—and asked for advice there. I am certain that Western Australia could grow far more potatoes than it does now if it was assured of a market in the Eastern States.

Hon. Sir Ross McLarty: The board will control only licensed growers.

The MINISTER FOR LANDS: I think all growers should be licensed by the board.

Hon. Sir Ross McLarty: They are not.

The MINISTER FOR LANDS: They should be if they are going to sell their potatoes either in this State or in the Eastern States.

The MINISTER FOR WORKS: There is a very real difficulty here. If the Bill is going to create every grower of potatoes

a bailee for the board, then it means that unlicensed growers as well as licensed growers will be growing potatoes which the board will have to take, and the board will be left with more potatoes than it wants because the board's objective is to get its requirements from licensed growers, not from unlicensed growers. If the board issues sufficient licences and acreages to ensure the quantity of potatoes it wants for the local market and the Eastern States' market, and then on top of that it has to accept the potatoes grown by unlicensed growers, it will have more potatoes than it wants.

Hon. Sir Ross McLarty: They may not be asked to accept potatoes from unlicensed growers.

The MINISTER FOR WORKS: We do not want to put the board in the position where it is obliged to accept potatoes from unlicensed growers who have been created bailees for the board by this legislation.

Hon. Sir Ross McLarty: Would not the unlicensed growers to whom the member for Harvey referred have their own markets and would they want to sell any potatoes to the board?

The MINISTER FOR WORKS: But they might; they would want to sell their potatoes in the Eastern States only while it was economic for them to do so.

Hon. Sir Ross McLarty: True.

The MINISTER FOR WORKS: If we made them bailees for the board and the price in the Eastern States fell, they would be holding potatoes on behalf of the board.

Hon. Sir Ross McLarty: But how can you make them bailees if they are not registered?

The MINISTER FOR WORKS: That is what we are seeking to overcome.

Mr. I. W. Manning: My question was whether the Government desired people other than licensed growers to grow potatoes.

The MINISTER FOR WORKS: The Government's and the board's desire is that only licensed growers shall grow potatoes and that the board will be able to market the lot. But we will still find people who will say, "The board can go to the devil. I am going to grow potatoes and I am going to sell them to the East." And we cannot stop that.

Hon. Sir Ross McLarty: That is what we want to know.

The MINISTER FOR WORKS: If they say they are going to grow potatoes and sell them to somebody in the Eastern States, Section 92 of the Federal Constitution comes in and we cannot prevent interstate trade.

Hon. Sir Ross McLarty: The Minister in charge of the Bill does not agree with that statement.

The MINISTER FOR LANDS: I do. But we say that the producer should not be automatically entitled to become a bailee for the board in the event of his wanting to sell potatoes to the board. That is why we want the word "licensed" put in.

Amendment put and passed.

Mr. HEARMAN: I move an amendment—

That after the word "potatoes" in line 16, page 2, the words "as prescribed by regulation" be inserted.

This will clear up the difficulty of whether the board wants a farmer to hold his pig and other unmarketable potatoes. It will enable the board to prescribe by regulation what it wants the grower to hold.

The Minister for Lands: To what regulations are you referring?

Mr. HEARMAN: The board could make its own regulations.

The Minister for Lands: It has that power now.

Mr. HEARMAN: The board could prescribe by regulation the potatoes it wanted a farmer to hold.

The MINISTER FOR LANDS: I do not see any sense in this proposal and I do not know to what extent it will prevail over the other section of the Act to which it refers. The board already has power to make regulations and does so from time to time. I do not think any good purpose would be served by agreeing to it.

Amendment put and negatived.

Hon. A. F. WATTS: I move an amendment—

That after the word "him" in line 16, page 2, the words "except such potatoes as he may require for his own use," be inserted.

That phrase is identical with the one to be found in Section 2 of the Marketing of Onions Act, 1945. I think it necessary because while there is some provision in the parent Act which would appear to put the grower in a position where he could get the potatoes he required for his own use, nevertheless there is a further provision in the Bill that vesting in the board takes place at the point of delivery. I think the position should be made a little clearer and we should provide for the right of the grower not to have to hold, as a bailee for the board, potatoes he requires for his own use.

The Minister for Lands: I have no objection to the amendment.

Amendment put and passed.

Hon. A. F. WATTS: My next amendment will be a conglomerate one in about four parts so I think I should explain it

first. Its intention is to sever the responsibility of the grower in respect to safe keeping, storage and protection of potatoes from the penalties in respect to the sale and delivery to any person other than the board. The only way I think it can properly be done is to convert the present paragraph (b) into two paragraphs (b) and (c) so that paragraph (c) only has a penalty attached to it and paragraph (b), which would then be quite separate, would deal only with the responsibility of the grower in regard to safekeeping and storage and there would be no penalty attached to it any more than paragraph (a) has a penalty attached to it, because the penalty would only apply to the offence of selling, delivering or parting with the possession of any of the potatoes to any person other than the board, except with the written authority of the board.

I think I have made that perfectly clear. In order to achieve it, it is necessary, in line 25, to delete the figure "(i)" so that paragraph (b) would then become a whole paragraph down to the word "potatoes", and this would mean that the word "and" following the word "potatoes" would be deleted at the end of line 27, so that it is not connected with the next paragraph. Then the figures "(ii)" would have to be deleted in line 28 and in lieu thereof "(c)" would have to be inserted to make it a separate clause. Then, before the word "shall" in the same line, it will be necessary to insert the words "a grower while such bailee" so that the whole would then read—

(b) a grower while such bailee, is responsible to the board for the safe-keeping, storage and protection, of the potatoes.

(c) a grower while such bailee shall not sell, or deliver, or part with possession of, any of the potatoes to any person other than the board, except with the written authorisation of the board.

The MINISTER FOR LANDS: I have no objection to the proposed amendment, Mr. Chairman.

On motions by Hon. A. F. Watts, clause amended by—

Striking out, in line 25, the figure "(i)";

striking out, in line 27, the word "and";

striking out the figures "(ii)" in line 28, and inserting in lieu thereof the letter "(c)".

inserting before the word "shall" in line 28, the words "a grower while such bailee."

Mr. OLDFIELD: I move an amendment—

That the following new paragraph be added:—

- (e) The provisions of this section shall continue in operation until the thirty-first day of December, One thousand nine hundred and fifty-seven, and no longer.

Mr. BOVELL: I move—

That the amendment be amended by striking out the word "fifty-seven" and inserting the word "fifty-six" in lieu.

This legislation has been rushed through the Chamber without growers being given the opportunity to be consulted and I think that a period up to the 31st December of this year is sufficient to give the legislation a trial. After that date the Bill, when it becomes an Act, can be resubmitted to Parliament for approval of its continuance.

The MINISTER FOR LANDS: I do not think that a period up to the end of this year would enable the board to give the legislation a fair trial. The operation of this legislation for only two months would give the board no indication of the position in this State nor could a summing up of the position elsewhere be arrived at. If there is to be any limitation placed on the operation of the legislation I think the amendment moved by the member for Mt. Lawley should be agreed to.

Hon. Sir ROSS McLARTY: I support the amendment on the amendment. If we agree tonight to the Bill containing the amendment moved by the member for Mt. Lawley that it shall continue to the 31st December, 1957, we will actually agree to a permanent vesting in the board and we know what happens when such power is granted. It is not a simple thing to waive it. Therefore, I am not prepared to take the risk. The growers have had no chance of being consulted on a matter that is of the utmost importance to them. I hope the Committee will not agree to the amendment moved by the member for Mt. Lawley but will support the amendment on the amendment moved by the member for Vasse.

Mr. OLDFIELD: The Leader of the Opposition has pointed out that the legislation would be hard to get rid of. But I cannot see that it would be any harder to get rid of it in 1957 than in 1956. It will be mandatory for the measure to be brought back to this Chamber and for it to receive the blessing of another place. I think 12 months would be fair to all concerned in the industry. We have never suffered a real shortage of potatoes other than that in October. I think we should give the measure a 12 months trial.

Mr. BOVELL: We expect this Parliament to continue for the next three months and if the Government lives up to its usual

form, we will be here till very nearly Christmas Day. I admit, however, that last year was an exception. So we have three months in this session to give the legislation a trial and that, in my opinion, is adequate. There is no reason why the legislation should not come up later in the session for review. I would agree with the member for Mt. Lawley if this session were just ending; but it is only just starting. I would not have moved the amendment on the amendment or opposed the second reading had the Minister allowed sufficient time to growers to consider the legislation. In deference to the growers we should restrict this legislation to three months and I appeal to the Minister to make it 1956 instead of 1957.

Mr. HEARMAN: I support the member for Vasse. The whole point at issue is whether this legislation will work or not. I have my doubts on that. The real testing time will be over the next three months.

The strain imposed on this legislation due to the continuing position in the Eastern States will be all that is required to test it, and it could come up for review later. If the Minister is sincere he should accept the amendment of the member for Vasse.

Hon. A. F. WATTS: On the second reading I suggested that the measure should be limited to the 31st December, 1956. I did so because I felt some uncertainty as to its legal effect. If it is to be tested it will be tested in the next few weeks. I recollect the Minister for Transport in the last Parliament bringing down legislation to overcome difficulties in the State Transport Co-ordination Act. Within three months that legislation was tested in the courts of the country and fresh measures had to be introduced to deal with the matter. I was despondent when I came here of getting any limitation of time at all, but it appears that the Minister has agreed to a limitation and I feel disposed to accept the half loaf offered than no bread at all.

Mr. COURT: I must express disapproval for the extension of the legislation as far as December, 1957. After listening to the debate attentively I am firmly convinced that members are being rushed into this legislation because of the Government's failure to take action some weeks ago. There appears to be a great doubt about the legality of some of the amendments proposed in the Bill, especially the amendment made by the Minister for the insertion of "licensed grower."

The CHAIRMAN: The hon. member cannot go back to a part of the Bill that has already been discussed.

Mr. COURT: The point under discussion is the term in the Bill. As the parties vitally concerned have not been consulted, and as there is a doubt as to the legality of

this legislation, I consider that the provisions should be extended to the end of 1956 and no longer. In the interval the Minister can consult legal advice and also examine the present position in the Eastern States and what it will be next year. The Minister indicated that the crop in the Eastern States would be dug in mid November. Surely in that time we could get some indication of the position in the Eastern States. I support the amendment on the amendment.

Mr. Ackland: Had the Minister not been reluctant to hear what the growers had to say on this measure, I would not have opposed the second reading.

Mr. Bovell: I would not either.

Mr. ACKLAND: The Minister will have ample opportunity to find out the legal position between now and the end of December. I agree with the suggestion that the growers will be able to express their opinion within that time so I find myself in agreement with the member for Vasse once again and I support the amendment on the amendment.

Hon. Sir ROSS McLARTY: I also, in fairness to the growers, support the amendment on the amendment. If the amendment moved by the member for Mt. Lawley is agreed to, it would amount to a permanent vesting.

The Premier: That is absurd. His amendment provides for the legislation to continue until the 31st December, 1957, and no longer.

Hon. Sir ROSS McLARTY: Like a good many Acts in this State which come up for yearly review, few have been repealed once they were on the statute book. Even the Premier will agree that once the amendment put forward by the member for Mt. Lawley is agreed to, it will be extremely hard to get rid of.

The Premier: That will depend entirely on the view of Parliament.

Hon. Sir ROSS McLARTY: I know what the view of the Government will be—the vesting will continue.

The Premier: That depends on circumstances.

Hon. Sir ROSS McLARTY: That is pretty certain. The Government will agree to the continuation. The amendment on the amendment is to protect the growers. As was pointed out, they have not had an opportunity to look at this Bill or to have some say on a most important piece of legislation. If the measure continues until December, 1956, the Minister will have an opportunity to review the whole subject and the present difficulty might then be overcome. Already the greater part of the damage has been done. I do not consider the amendment of the member for Mt. Lawley to be fair to the people who are interested.

Mr. Oldfield: What about the merchants? Are they not interested?

The Minister for Lands: Is the amendment not better than the Bill. As far as I am concerned, the vesting can go on for ever, but now it is proposed to extend it for only one year.

Hon. Sir ROSS McLARTY: If it is brought in for one year, there is no doubt it will go on for a long time afterwards. The member for Mt. Lawley referred to the position of the merchants. They will not be very pleased if they do not have any say. If the amendment is agreed to, the vesting will be accomplished before they have had their say.

Mr. I. W. MANNING: I support the amendment on the amendment. Earlier I said this Bill would wreck the present potato marketing system. It has been introduced to whip the industry into line and severe penalties may be imposed for anyone stepping out of line. If the marketing system is to be continued, we should make this Bill a temporary expediency.

Mr. OLDFIELD: I have already pointed out the problems confronting the marketing of potatoes and that there were many sides to it, not only those of the grower and the consumer, but also that of the marketer. Opponents of this Bill are concerned only with the growers section.

Mr. Roberts: That is not so.

Mr. OLDFIELD: I am satisfied they are. The consumer, the merchant and many others have to be considered in relation to the marketing of potatoes. All producers must have merchants to market their products. I am the only member in this Chamber who has earned his living selling potatoes, so I know something about the subject.

Mr. Roberts: You are wrong because before I came here I had been selling potatoes for years.

Mr. OLDFIELD: Many people can be affected by a shortage of potatoes and many others will be worried. I would point out that there are some 5,000 grocers and greengrocers who retail potatoes in this State. Up till 8 or 9 years ago, for six weeks of every year they had to face up to a potato shortage, and during that time many housewives would walk out of their shops because they were unable to supply potatoes. People are walking into strange shops and asking for potatoes and, if served, they buy a few other things. I say at least give this Bill a fair go at the moment. The merchants do not want any delay. Four rang me today so that they can keep distributing to the people.

Mr. BOVELL: My reason for moving the amendment is not so much that all my concern is for the producers; it is for the consumers as well. It was only reasonable to assume that the Government would have granted an adjournment till next Tuesday, and that has been the basis of my argument throughout the whole of this

evening's proceedings. If the retailers have not had enough time, perhaps Tuesday would have given them a little more time. I will sit down while the Minister is in a co-operative mood, and I hope he is not misleading me.

Amendment on amendment put and a division taken with the following result:

Ayes	13
Noes	24

Majority against	11
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Ayes.

Mr. Ackland	Mr. I. Manning
Mr. Bovell	Mr. W. Manning
Mr. Brand	Mr. McLarty
Mr. Court	Mr. Nalder
Mr. Grayden	Mr. Roberts
Mr. Hearman	Mr. Crommelin
Mr. Hutchinson	

(Teller.)

Noes.

Mr. Andrew	Mr. Lawrence
Mr. Brady	Mr. Marshall
Mr. Evans	Mr. Nulsen
Mr. Gaffy	Mr. O'Brien
Mr. Graham	Mr. Oldfield
Mr. Hall	Mr. Owen
Mr. Hawke	Mr. Potter
Mr. Heal	Mr. Sleeman
Mr. Hoar	Mr. Toms
Mr. Jamieson	Mr. Tonkin
Mr. Johnson	Mr. Watts
Mr. Lapham	Mr. May

(Teller.)

Pairs.

Ayes.	Noes.
Mr. Cornell	Mr. Kelly
Mr. Mann	Mr. J. Hegney
Mr. Thorn	Mr. Rhatigan
Mr. Wild	Mr. Rodoreda
Mr. Perkins	Mr. W. Hegney

Amendment on amendment thus negatived.

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

Title:

The MINISTER FOR LANDS: I move an amendment—

That the figures "1919" be struck out.

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

Bill reported with amendments and an amendment to the Title, and the report adopted.

Third Reading.

THE MINISTER FOR LANDS (Hon. E. K. Hoar—Warren) [1.10]: I move—

That the Bill be now read a third time.

MR. ROBERTS (Bunbury) [1.11]: It is with reluctance that I rise at this stage.

The Minister for Lands: It is the greatest pleasure to me.

Mr. ROBERTS: The Leader of the Country Party moved an amendment that after the word "him" in line 16, page 2, the words "except as he may require for

his own use" be inserted. To my mind that leaves the present Act very wide open because Section 26 states—

Subject to Subsection (2) of this section a grower shall not use in or in connection with any hotel, boarding house, restaurant, manufacturing business or other business which is owned or conducted by him, potatoes produced by him or under his control.

At the second reading stage I endeavoured, but was not fortunate enough, to catch the Speaker's eye. I think, however, that the Minister ought to reconsider his agreement to that amendment. A person who is a retailer could grow potatoes for his own use. He could sell them over the floor of his shop. A person who ran a fish and chip shop or a hotel could do this. The amendment will break down the Potato Marketing Act. I feel that the Minister should defer the Bill for a while or recommit it to look into this aspect.

The Minister for Native Welfare: He has to be licensed.

Mr. ROBERTS: He is a licensed grower.

The Minister for Native Welfare: The board will not give him a licence if he has a fish and chip shop.

Mr. ROBERTS: There are retailers of potatoes who are licensed potato growers.

The Minister for Native Welfare: Very few.

Mr. ROBERTS: It is just a point; and I am trying to be helpful in this case.

The Minister for Lands: I know, and I appreciate it.

Question put and passed.

Bill read a third time and transmitted to the Council.

BILLS (2)—FIRST READING.

1, Commonwealth and State Housing Agreement.

Introduced by the Minister for Housing.

2, Profiteering and Unfair Trading Prevention.

Introduced by the Premier.

BILLS (5)—THIRD READING.

1, Wheat Marketing Act Continuance.

2, Bills of Sale Act Amendment.

3, Agriculture Protection Board Amendment.

4, Licensing Act Amendment (No. 1).

5, Rural and Industries Bank Act Amendment.

Transmitted to the Council.

BILL—CORNEAL AND TISSUE GRAFTING.

Report of Committee adopted.

House adjourned at 1.20 a.m.