any decision of a returning officer or a court, there might be some appeal, and the outcome would be a postponement of the election until a final decision was obtained.

The wording of the nomination paper (form 22 in the electoral regulations) could be amended by adding after the word "qualified" in the form the words "and not in any way disqualified"; and Section 188 might be amended by making it an offence for any person to nominate as a candidate for an election who is disqualified in the terms of Section 31 of the Constitution Act Amendment Act (63 Vic., No. 19). The penalty might be either a monetary one in a large sum, or else imprisonment.

Mr. Macfarlane expressed disappointment at the long delay in the provision of a new South Perth ferry. This, he said, was because the work of completing and altering the plan of the vessel from a double-ender to a single-ender had not been completed. The General Manager of the Tramways, Ferries and Electricity Supply advises me that the delay was not occasioned by the preparation of drawings of the vessel, but by the time taken for the return of tenders for the propelling machinery; and tenders had to be re-called both in England and locally.

With regard to the department's decision to discontinue the provision of an additional step on tramcars, the General Manager states that the cost of altering the vehicles to provide for three steps could not be justified in view of the financial position of the tramways. He points out that the alteration involves not merely the addition of another step, but the remodelling of the whole of the front platform of each tram. This, of course, would be an expensive modification.

I thank hon. members for the patient hearing they have given me. I am glad to report that the Chief Secretary is rapidly regaining his health. It has been a pleasure for me to fill his place, and I take the opportunity of thanking members for the very courteous treatment they have extended to me during his absence.

I have also an apology to make. I understand that Mr. Holmes wished to speak on the Address-in-reply; it was quite unintentional on my part that he did not get an opportunity to do so.

Question put and passed; the Address adopted.

On motion by the Honorary Minister resolved: That the Address be presented to His Excellency the Lieut.-Governor by the President and such members as may desire to accompany him.

ADJOURNMENT—SPECIAL.

THE HONORARY MINISTER (Hon. E. H. Gray—West) [6.22]: I move —

That the House at its rising adjourn till Tuesday, the 12th September.

Question put and passed.

House adjourned at 6.22 p.m.

Legislative Assembly,

Thursday, 31st August, 1939.

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

QUESTIONS (2)—RELIEF WORKERS.

Opportunities for Training.

Mr. SAMPSON asked the Minister for Labour: As the Address-in-reply debate has ended and no reply has been given to different suggestions put forward, will he now give consideration to and make a statement regarding the proposal submitted by me on Wednesday, the 16th August? The proposal referred to received favourable comment in a sub-leader which appeared in the "West

Australian" on Friday, the 25th August. The recommendation dealt with the demoralising effect and general uselessness of work limited to two days weekly and urged that single men should receive longer periods of work, payment for the two days as adopted to be made weekly, thus permitting them to acquire farming or other vocational training.

The MINISTER FOR LABOUR replied: The points raised in the question require consideration by the Minister for Employment. Arrangements have been made with him to provide the honourable member with an answer to the question on Tuesday next.

Settlement in the Kimberleys.

Mr. SAMPSON asked the Premier: 1, In view of the needs of relief workers and the payments which are constantly made in order to assist but which, unfortunately, do not provide a permanent solution of the problem, will he, in connection with the excellent proposal to establish a settlement of Jewish refugees in certain areas in the rich well-watered Kimberleys, also give consideration to the placing in that province of a number of relief workers who, in the opinion of Government advisers, are possessed of the qualifications which go to make successful settlers? 2, Realising the added strength which the scheme would possess if supported by an admixture of Western Australians will he, pending full development of the scheme, temporarily continue relief payments?

The PREMIER replied: 1 and 2, Not at present.

LEAVE OF ABSENCE.

On motion by Mr. North, leave of absence for two weeks granted to Mr. Willmott (Sussex) on the ground of ill-health.

ADDRESS-IN-REPLY.

Presentation.

Mr. SPEAKER: I desire to inform the House that, in company with Mr. Triat, the member for Mt. Magnet, and Mr. J. Hegney, the member for Middle Swan, I attended upon His Excellency the Lieut.-Governor, and presented the Address-in-reply to His Excellency's Speech. His Excellency replied in the following terms:—

I thank you for your expressions of loyalty to His Most Gracious Majesty the King, and for your Address-in-reply to the Speech with which I opened Parliament.

BILL—GERALDTON HARBOUR WORKS RAILWAY EXTENSION.

Second Reading.

THE PREMIER (Hon. J. C. Willcock—Geraldton) [4.33] in moving the second reading said: This is quite a small Bill. Members will recall that some years ago, previous to the construction of what I may term the new Geraldton harbour, a Bill was passed in this House authorising the building of a railway line from the old terminus along the beach to where the present wharf is situated. When the wharf was located in the west end of the town, certain industrial development took place and provision had to be made near the wharf for storage tanks for oil companies and mining companies. This made necessary the provision of a siding to connect these facilities with the main railway system. The siding crosses a couple of roads, and a doubt exists as to whether the authority originally given for the railway line to the harbour works includes this siding, to which a short extension is now proposed. The spur line leads to the oil tanks, one of which is controlled by the Wiluna Gold Mining Company and the other by the Shell Oil Company. The line is a little over a quarter of a mile in length, and an extension for about three or four hundred yards is contemplated. A question arises whether authority exists under the Act providing for the construction of the Geraldton harbour for the making of this addition. In order that the position may be made quite clear and that the Commissioner of Railways may have control of this line and be in a position to make regulations respecting level crossings, and other matters, the Bill has been introduced. That is the whole purpose of the measure which is not an important one but which, if passed, will place this railway line under the control of the Commissioner and will ensure safety in the conduct of railway operations in that particular area. I move—

That the Bill be now read a second time.

In Committee.

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

BILL—RIGHTS IN WATER AND IRRIGATION ACT AMENDMENT.

Second Reading.

THE MINISTER FOR WATER SUPPLIES (Hon. H. Millington—Mt. Hawthorn) [4.38] in moving the second reading said: The purpose of the Bill is to give the State power to control, under Part III of the Act, natural watercourses located outside irrigation districts declared under Part IV. of the Act. Part III provides that subject to certain prescribed conditions, natural waters in the State shall vest in the Crown, and that the use of the waters may be controlled by licenses issued under regulations to be made by the Governor. Subsection 3 of Section 4 of Part III stipulates that the Act shall not apply to water flowing from any spring until it has passed beyond the boundaries of the land belonging to the owner or occupier of the land whereon such spring exists; also that it shall not apply to any subterranean source from which water does not flow naturally but has to be raised by pumping or other artificial means. Section 14 of the Act defines the ordinary riparian rights of owners and occupiers, and prescribes the purposes for which such persons are entitled to free water. Part III. contains the necessary machinery for the adequate and reasonable control of natural water courses; but Section 27, which it is now desired to amend, stipulates that—except in relation to artesian wells—such powers can be exercised only in irrigation districts constituted and defined under Section 28 of Part IV. of the Act.

It might appear that the necessary control could easily be obtained by the declaration of irrigation districts to embrace all streams over which disputes have arisen, but Section 28 of the Act provides that in declaring a district it is necessary to—

(a) Specify the boundaries of such district; (b) assign a name to such district; (c) state the particulars of the scheme of local works for the service of such district; (d) state the estimated cost of the scheme; (e) state the quantities of water assigned to such district, and the sources from which, the seasons at which, and the conditions under and subject to which, they are to be received.

Section 2 defines "works" as follows—

"Works" means works for the conservation, supply and utilisation of water, together with all sources of supply, streams, reservoirs, artesian wells, buildings, machinery, pipes, drains, and other works constructed or erected for the purposes of this Act, and all appurtenances to the same, and all land reserved, occupied, held, or used in connection with works.

Section 40 provides that irrigation rates can be levied only upon "irrigable" land. The word "irrigable" is defined as follows:—

"Irrigable" as applied to land means land which the Commissioners appointed under this Act certify to be suitable for irrigation, and of such situation as to be capable of being irrigated by gravitation from works or proposed works.

It will be seen, therefore, that the machinery prescribed in connection with the declaration of districts is not applicable to the control of minor streams in which there would be no "works" within the meaning of the Irrigation Act, and on which there would be no intention of levying an irrigation rate. During past years the Water Supply Department has received numerous requests from South-Western settlers asking the Government to intervene and smooth out water difficulties occasioned by settlers constructing dams or pumping more than their fair share of the running water, thus causing considerable friction, as well as loss to other settlers.

Mr. Sampson: Does this specifically refer to any particular district?

The MINISTER FOR WATER SUPPLIES: I will give the hon. member the information in good time. He will see that the Bill provides for exactly what he requires. I find that the States of New South Wales and Victoria have had complete control of all natural waters for many years. Representatives at the recent interstate conference on water conservation and irrigation, held at Sydney, were astounded to know that such a position did not obtain in this State, where running water was relatively scarce and therefore much more valuable. The irrigation Bill as originally introduced in 1914 by the Hon. W. D. Johnson provided for State ownership of all natural waters. He made a special appeal that the department be given the right to arrange the equitable distribution of water in minor streams outside declared districts to prevent difficulties and avoid litigation; but his proposals were rejected in another place, and the Government of the day was forced to accept the Bill with the inclusion of Section 27.

Mr. Doney: In what year was that legislation attempted?

The MINISTER FOR WATER SUPPLIES: The original Act was brought down in 1914. Reference to the Parliamentary debates of 1914 indicates that the principal reason for the opposition to the Minister's proposal was that some members were afraid such a power placed in the hands of the department would prevent people from continuing with minor private irrigation works that had been in progress for many years, as the Government might come along and interfere with them.

Mr. Sampson: It was a well justified fear, too.

The MINISTER FOR WATER SUPPLIES: It was also stated that settlers would prefer to go before a judge for the settlement of disputes when such had actually occurred, rather than be compelled to apply to the Minister before water could be used. On behalf of the Minister it was explained that the intention was only to seek power to administer the rights of each in the best interests of all. With a view to meeting possible objections, this Bill does not provide that all water courses shall automatically come under State control. It provides that only such water courses as are proclaimed by the Governor shall come within the provisions of Part III. of the Act.

Hon. C. G. Latham: The Government could take them over by proclamation at any time.

The MINISTER FOR WATER SUPPLIES: The streams over which difficulties have in recent years arisen, to the knowledge of the department, include the Canning River, Wungong Brook, Byford Brook, Logue's Brook, Bancell's Brook, Drakesbrook and Harvey River.

Mr. Marshall: What about Bullsbrook?

The MINISTER FOR WATER SUPPLIES: That is not a running stream. The department does not seek to control all schemes outside irrigation districts, and would intervene only when necessary to protect or otherwise conserve the rights of all settlers interested in any particular water course, and to ensure the maximum benefit being obtained from the water available. Automatic control of all natural water courses could be obtained by simply repealing Section 27, but its repeal would not involve the automatic control of all running water. The departmental engineers state that much ill-feeling and waste of water could be avoided if some authority were given power to step in and arbitrate.

Section 25 gives the Minister power to make regulations regarding the issue of licenses and the fees to be paid. Regulations governing the issue of "ordinary" licenses—I refer to those restricted by the Act to irrigation districts—were approved in 1915, and contain the usual conditions as to public notification of the receipt of applications and for the consideration of any objections. I have copies of the regulations, which I shall lay on the Table of the House. These prescribe that a fee shall be payable at the rate of 20s. per annum for each and every cubic foot per second or part thereof that would be usable under the license. Generally speaking, the regulations were based on the procedure prescribed by Parliament in Section 15, which deals with the issue of "special" licenses. Although approved in 1915, the implementing of the regulations has been unnecessary in view of their restriction to irrigation districts. If the Bill now before members becomes law, the Irrigation Commission will be called upon to make recommendations regarding the conditions upon which the licenses shall be granted.

In order that members may be informed as to the personnel of the Irrigation Commission, I may say that the body comprises the following:—

Mr. T. S. J. Hall, Assistant Under Secretary, Public Works and Water Supply Department (Chairman); Mr. B. S. Crimp, Hydraulic Engineer, Public Works and Water Supply Department; Mr. A. R. C. Clifton, Officer in charge of Irrigation, Department of Agriculture; Mr. G. K. Baron-Hay, Superintendent of Dairying, Department of Agriculture; Mr. J. C. Hutchinson, Accountant, Public Works and Water Supply Department, and three irrigationists representing the settlers on the three irrigation districts.

The introduction of this legislation will meet a real need that has been apparent over a period of years. The Bill is necessary because many disputes have occurred in districts where, if they were proclaimed under the Act or any given running stream used for irrigation were so proclaimed, such a body as the present Commission would experience no difficulty in settling the disputes. If asked to undertake that task under existing conditions, the commis-

sion has no legal authority to do so. One dissenting settler can be responsible for preventing an amicable arrangement. Along one particular stream, the name of which I shall not mention, settlers have constructed weirs with sandbags, and in some instances have actually sat on the bank with guns in their hands ready to defend what they regard as their riparian rights. That is not the proper method of rationing water supplies, particularly when they are limited. All the settlers along the course of the stream have equal rights to water supplies. In another instance, trouble arose between the settlers, one of whom was comparatively wealthy. The others affected were not in a financial position to undertake expensive litigation. As members are aware, water and irrigation rights involve questions that are most debatable. Before the average settler can contemplate an action at law, he must be prepared to accept heavy financial responsibilities. In order to avoid that complication, the Bill has been introduced, not as an indication that the Government desires to take control, but to afford those actually concerned an opportunity to secure a solution of their difficulties by means of the commission, the personnel of which I have already mentioned.

Mr. Sampson: Will the settlers have representatives on the commission?

The MINISTER FOR WATER SUPPLIES: Yes.

Mr. Doney: They have now.

The MINISTER FOR WATER SUPPLIES: Representatives of the irrigation districts are provided for. The commission comprises departmental officers plus representatives of the settlers along given water courses.

Mr. Sampson: Elected by the settlers?

The MINISTER FOR WATER SUPPLIES: The composition of the commission appears just. The Government will not enter into the matter to a greater extent than necessary, but merely desires to provide machinery enabling the commission to act. The member for Swan (Mr. Sampson) will be aware of the difficulties that have arisen along the course of the Canning River. The Government cannot proclaim that district as an irrigation area, because the Canning River does not come within the provisions of the Act from the standpoint of irrigation. The Canning reservoir is for the purpose of metropolitan domestic water supply. Although the Government has complete power and control over the stream, a certain volume is allowed to run from the reservoir for the benefit of the settlers. Legally, that need not be done.

Mr. Cross: But a Minister in a previous Government promised that would be done.

Hon. C. G. Latham: The Government is not likely to honour that promise.

The MINISTER FOR WATER SUPPLIES: The fact remains that the Government need not comply with any request along those lines. Of course, I do not know anything about promises being honoured. The Government regarded the proposal as reasonable, and has allowed a certain volume of water to flow from the reservoir. Having done so, the Government has no power to say that the supply shall be fairly rationed among the settlers along the water course. Therein lies the trouble. Under existing conditions, quite possibly the settler nearest the out-take could make use of the greater proportion of the water available, and even new settlers in the district could use the water to an extent that would prevent the older settlers lower down the stream from having their fair share.

Mr. McLarty: The position is becoming worse each year.

The MINISTER FOR WATER SUPPLIES: The desire is to set up an authority that will have power to deal with such matters and settle disputes amicably in a commonsense way. Where settlers have met to discuss their problems and have failed to agree, the legislation proposed will become operative and a settlement of the dispute will be arrived at on the basis of a fair and just rationing of available supplies. During the summer months the volume of water running down stream is limited, and therefore the advantage of such a legislative provision is apparent. An element of justice and fairness will be introduced that will be welcomed by settlers along the streams I have mentioned.

Mr. Doney: What means would you adopt to bring under control streams not mentioned?

The MINISTER FOR WATER SUPPLIES: The Bill has nothing to do with those streams. Where deemed desirable, streams can be proclaimed as coming within the provisions of the new legislation. It does not follow that the streams I have mentioned will be brought within the scope

of the Bill, nor does it follow that there may arise a demand with that object in view.

Mr. McLarty: The demand will arise all right.

The MINISTER FOR WATER SUPPLIES: Some reference was made to the Blackwood River. I do not think any demand would arise for that stream to be proclaimed under the provisions of the Act. The same applies to the Murray River. Difficulty would hardly arise respecting that stream. Most certainly these two rivers would not be proclaimed and brought under the provisions of the Bill; but where a majority of the settlers asked that a stream should be proclaimed under this legislation, that course could be followed and the necessary authority set up. Legislation of this description is long overdue. When the original Act defining rights in irrigation and water supplies was introduced, some settlers were suspicious that the Government wanted to take full control of the waters of the State, and that those who had utilised such water for irrigation purposes would be interfered with. The Government has no such intention. As regards irrigation works, the Government has all the power required under the existing law. The Bill applies only to the brooks I have mentioned, which would not have recognised works associated with them, and therefore could not be declared irrigation districts within the meaning of the Act. That is the advice I have. Under this amending Bill it will be possible for the Government to deal with those brooks. The Bill is necessary, and I believe will be welcomed by those whom it will affect.

Mr. Marshall: Why have you not dealt with artesian wells in the Bill?

The MINISTER FOR WATER SUPPLIES: Permission must be obtained to put down an artesian bore, because otherwise a bore might be put down too close to an existing one. We must, however, have control of irrigation, as have the Governments of the other States. The last application that I can recall for permission to put down a bore was made by the owner of the Mia Mia station. The bore on that station had given out, and therefore the owner sought permission to put down a fresh one. Members will readily understand that a bore might be put down on a station close to its boundary, and too near an existing bore on an adjoining property. No difficulty has been experienced in respect of this matter in the past, and the present Bill does not alter the existing regulations governing bores. I move—

That the Bill be now read a second time.

On motion by Mr. Doney, debate adjourned.

BILL—LIFE ASSURANCE COMPANIES ACT AMENDMENT.

Second Reading.

THE MINISTER FOR LABOUR (Hon. A. R. G. Hawke—Northam) [5.3] in moving the second reading said: The Bill proposes to amend the Life Assurance Companies Act of 1889 in several particulars. The most important amendments sought are those aiming at paid-up policies and surrender values in connection with what are known as industrial life assurance policies. Members will recall that Parliament gave consideration last session to a Bill similar in principle to that now before the House. Last year's Bill proposed to make paid-up life policies and surrender values available in connection with all classes of life assurance policies. This year's Bill aims at covering industrial life assurance policies only. That is the vital difference between the two Bills. Last year's measure was passed by this Chamber with some amendments. The main opposition to the Bill in the Assembly was based on the ground that it should not cover all classes of life assurance policies, but should be restricted to industrial life assurance policies. The Government insisted that the Bill should cover all classes of life policies; but, as I have said, it passed with amendments. The discussion on last year's measure in another place was favourable to the principles so far as they applied to industrial life policies, but was unfavourable to their application to other classes of life policies. An attempt was made in another place to remodel the measure so as to restrict its application to industrial life policies. The time available was very limited, as the Bill was not received by another place until a day or two before Parliament adjourned. As a result, it was defeated.

The Government this year gave serious consideration to the question whether the present Bill should apply to all classes of life policies or be restricted to industrial life policies. The Government thinks that the

Bill ought to apply to all classes of life policies, irrespective of whether they are industrial or ordinary life policies. However, the Government is convinced that Parliament would be quite unlikely to pass such a Bill; and we finally decided to introduce the present measure, in the hope that the step proposed to be taken would be approved by both Houses, leaving to education and future years the task of introducing legislation to make the provisions of this Bill applicable to all classes of life assurance policies. I feel sure every member of Parliament last year was completely convinced of the necessity for legislative action to give a reasonable measure of protection to holders of industrial life assurance policies. No member who spoke upon last year's Bill in this Chamber, or in another place, expressed any objection at all to providing the measure of protection contained in that Bill for holders of industrial life policies. Every member seemed to be convinced, either as the result of knowledge which he had obtained or as the result of experiences that had come under his notice, of the urgent necessity for affording protection to people who take out industrial life policies.

Every member will know that industrial life policies are those upon which the premiums are paid at frequent intervals, the amount of the instalments being very small. The average premium paid upon industrial policies is less than 1s. per week, although it is popularly supposed that the premium payment is never less than 1s. per week. The fact is that many of the policies provide insurance for children, the premium payment being as low as 6d. per week in such cases. Quite readily it will be understood that only the poorer people take out industrial life assurance policies. The policies are taken out by them as a result of representations made, in the majority of instances, by canvassers or agents employed by the companies concerned. Most of the policies are taken out as a result of the way in which those agents or canvassers persuade the womenfolk whom they canvass from door to door. Many women have been persuaded to take out policies which they could not really afford; and many have been persuaded to do so without having any real knowledge of the actual conditions of the policy. I have no hesitation in saying that many of the practices indulged in by some canvassers and some agents are such as to border very closely on dishonesty, if indeed, the practices are not entirely dishonest. It is difficult to say whether or not the canvassers and agents should be censured for resorting to such practices. The conditions under which some canvassers and agents are employed by life assurance companies are such as to make it almost impossible, if not utterly impossible, for these men to earn sufficient to provide for themselves and those who may be dependent upon them. The present Government attempted to remedy that position some two or three years ago, when it introduced a Bill to amend the Industrial Arbitration Act with the object of bringing the men under the provisions of that Act. Parliament decided that no such action should be permitted. The result is that those canvassers have no legislative protection of their conditions of employment, and consequently many of them are employed under conditions that make it very difficult for them to earn a reasonable income each week. Therefore, the factor of economic necessity forces some of the canvassers to indulge in selling-practices which are not at all desirable and some of which border on dishonesty.

It is urgently desirable that some form of protection should be set up to safeguard the interests of people who take out industrial life assurance policies. I know of many instances of people having taken out policies of this type in all good faith and losing all they had paid by way of premiums. In some cases substantial sums have been paid in premiums, and the whole of that money has been lost in later years because the policy-holders were unable to maintain the premium payments. The losses so suffered by policy-holders in this State during the depression years were very large. Every member knows of instances of poor people who, because of loss of income suffered through depression conditions, were compelled to forfeit the policies they had taken out in better times, thus losing the whole of the money paid in premiums.

Mr. Sampson: Is no amount payable to the insured in the event of a policy being surrendered?

The MINISTER FOR LABOUR: Under the present law no amount is payable to

any holder of an industrial policy if he surrenders it.

Mr. J. H. Smith: No fixed amount?

The MINISTER FOR LABOUR: No amount at all. Some of the companies, as a matter of business and——

Mr. Sampson: As an act of grace?

The MINISTER FOR LABOUR: No, in order to offer a better type of policy than do other companies, provide for surrender values.

Mr. Sampson: A sprat to catch a mackerel.

The MINISTER FOR LABOUR: Some companies have made very reasonable provision. Some of the larger companies include in their policies conditions more favourable to the policy-holders than those contained in this Bill. The measure will not affect that type of company, but will affect the other type that does not deal reasonably with policy-holders. The Bill proposes to establish protection that will be, not a minimum, but a reasonable degree of protection, and the measure, if passed into law, will not in any way prevent the more reasonable companies from giving better conditions to their policy-holders.

Reverting to the point I was discussing before the interjections were made, I gave particulars when introducing last year's Bill of a case that occurred in the country a few years ago. A woman had taken out assurance policies in the names of her sons and daughter. Over the years before the depression, she had paid approximately £80 on those policies. When the depression came, her husband lost his employment and his income, with the result that the family had a particularly bad time for a considerable period. The woman was not able to maintain the payment of premiums, and the company forfeited the policies for the non-payment of the premiums due. The case was taken up with the company, and strong representations made to the manager in this State, but the company refused to give any consideration to the woman. The strongest point advanced in defence of the company's attitude was that, if this woman were given consideration, the company would have to do the same thing in thousands of similar cases in this State. That woman had paid £80 by way of premiums and received back only £13, and we may reasonably suppose that the company made a profit of at least £30 on the business with that woman. If there were thousands of similar cases in the State at that time, as the company admitted and as I am sure there were, members can easily form an idea of the amount of profit that must have been made by companies of that sort during the depression for forfeited industrial and other policies.

Mr. Sampson: Was there any power whereby those policies might have been revived at a later stage?

The MINISTER FOR LABOUR: There was no condition in the policies to permit of their being revived. There was no legislation at that time, as there is none now, to compel companies of that type to revive the policies.

Mr. Boyle: There is a definite condition in the policies that they cannot be revived.

The MINISTER FOR LABOUR: Yes, there is a condition empowering the companies to forfeit the policies.

Mr. Boyle: A period of 28 days.

The MINISTER FOR LABOUR: That is, in the event of a policy-holder not fulfilling the conditions of the policy. The Bill defines an industrial policy as one in respect of which premiums are payable at intervals of less than two months. To define an industrial life assurance policy was not easy. We desired to bring in every policy that we considered should be included, in order that the holder of such a policy should receive reasonable protection. We did not desire to include policies that could reasonably be regarded as other than industrial policies. The definition in the Bill is thought to be sufficiently wide to cover all those policies that are usually regarded as industrial policies. Therefore the interests of the policy-holders concerned should be fairly protected by the definition in the Bill. We believe also that the definition is not likely to impose anything unfair or unreasonable upon the companies.

The Bill provides that a paid-up policy shall be claimable by the policy-holder when the industrial policy has been in force for three years, provided that all the premiums due in that period have been met. Whenever the holder of an industrial policy becomes entitled to receive a paid-up policy, he shall be granted it upon making the necessary application in writing. If a policy-holder becomes entitled to receive a paid-up policy and does not immediately claim one, but subsequently fails to pay any premium due on the policy within

12 weeks after the premium has fallen due, the company must grant a paid-up policy to that person. That will protect the policy-holder who, at the end of three years, is in a position to keep the original policy in force by maintaining his premium payments. It might happen that a policy holder would not be able to continue his premium payments after the fourth or fifth year, and so the Bill provides that the company shall issue a paid-up policy to him in those circumstances. The amount of any paid-up policy is to be arrived at in accordance with the principles set out in the schedule to the Bill, which schedule we propose shall become the tenth schedule to the Act.

The Bill proposes to make a surrender value claimable in respect of industrial policies that have been in force for six years, provided all premiums due in that period have been paid. The holder of a paid-up policy will be entitled to claim a surrender value at any time after the expiration of six years from the date on which the original policy was taken out. We provide that a paid-up policy shall be issued after the original policy has been in force for three years and that a surrender value shall be available after a policy has been in operation for six years. We also stipulate that where a person has taken a paid-up policy after three, four or five years, he shall be entitled to claim a surrender value after the original policy has been in operation for six years. That will place all policy-holders on the same footing in the matter of claiming surrender values on their policies after they have been operating for a period of at least six years.

The surrender value to be paid on any policy is to be ascertained in accordance with regulations to be made by the Governor-in-Council. Those regulations will prescribe—

(a) Tables of mortality for the purposes of the rules contained in Part II. of the Tenth Schedule to this Act and for use in the calculation of surrender values;

(b) rate of interest to be used in the calculation of surrender values; and

(c) any matters which are necessary or expedient to be provided for giving effect to the provisions of the Act.

The Bill proposes to protect the rights of policy-holders whose policies accord to them rights which are more favourable than those set out in the Bill. I mentioned that point earlier, in reply to interjections put forward. The Bill also proposes to prevent companies from avoiding an industrial policy on account of non-payment of premiums unless premiums due have remained unpaid for certain periods and a proper notice regarding their non-payment has been given to the policy-holder. The period for which a premium is allowed to remain unpaid without the company having the right to avoid the policy varies in accordance with the length of time the policy has been in force. No policy is to be protected in the manner indicated unless it has been in force for at least one year. After an industrial policy has been in operation for one year, it will be necessary for the premiums to have remained unpaid for a certain period, and for the company to have given proper notice to the policy-holder, before the company can avoid that policy. The forfeiture of policies of companies without reasonable notice is provided against in the Bill. Most of the provisions of the measure will apply to existing policies as well as to those taken out subsequently to the passing of this amending legislation.

One clause of the Bill seeks to prevent assurance companies from continuing their present practice of requiring a person to provide a bond or guarantee executed by some other person before granting employment as an agent, canvasser or the like. The past operation of the existing practice has been unfair to the employees concerned, and in many instances most unjust to those who have executed bonds or guarantees. In this respect I know of the experience of many people. I propose briefly to describe the experience of one person who gave a bond of this description in order that a friend of his might obtain employment as a canvasser with one of the assurance companies. The person concerned gave the bond in the depression years because his friend had been offered employment with an assurance company and had not had any work for many months. After the friend had been employed for a period of some six months he must have disappeared, because the person who had given the bond to the assurance company guaranteeing the honesty of the employee was approached by the company and told that the employee who had been guaranteed had made short payments to

the company of approximately £7. The person who had given the guarantee inquired as to what the company had done to ascertain the whereabouts of the missing employee. He was told that the company had done nothing. He asked the company's representative whether it had reported the matter to the police. The reply was in the negative. Then he asked the representative of the company whether the company intended to report the matter to the police. Again the reply was in the negative. Next he asked the representative of the company concerned whether it intended to repudiate this particular employee through the newspapers, whether it intended to tell the public that he was no longer authorised to make collections on behalf of the company. The reply of the company's representative was that no such action would be taken by the company. There were many other questions and answers. The other questions were just as reasonable and relevant as those I have quoted, and the other answers of the company were equally unconcerned and unreasonable. It is clear, therefore, that as soon as a company obtains a bond or guarantee from some private person in connection with the service of an employee, it takes no interest whatever in safeguarding the rights of the person giving the bond or guarantee, takes no interest or care whatever to ensure that canvassers and agents employed by it are kept under reasonable supervision, and, once the employee concerned has disappeared, takes no action whatever to safeguard the interests of the person who has given the guarantee.

Mr. Boyle: There is no time limit on that bond, either. If the employee guaranteed remains for 40 years in the service of the company, he is still guaranteed.

The MINISTER FOR LABOUR: In the particular instances I have been describing, the man disappeared with receipt books and application forms, and therefore could have written up another £1,000 worth of business and have collected another £50 or £100 in premiums and disappeared with the money. Although the company knew he had disappeared, and although it had no hope of his returning, it did not even spend 5s. on a newspaper advertisement to indicate to the public that he had no longer any authority to act on behalf of the company. It did not need to. It did not worry at all. It knew it had a bond or guarantee from some reputable member of the community, and knew it could recoup itself for all the losses it had suffered or might suffer as the result of the dishonesty of this former employee. The companies provide cover in regard to many types of risk. It should not be difficult for them to initiate and operate a scheme of their own for the purpose of safeguarding themselves against possible dishonesty of their agents, canvassers and other employees. In fact, satisfactory fidelity bonds are at present obtainable from certain firms in Western Australia. The Bill merely prevents assurance companies from requiring an employee to obtain a bond or guarantee executed by some other person. The Bill specifically provides that the power of issue in question shall not apply to a fidelity guarantee issued by any incorporated company carrying on the business of fidelity guarantee insurance.

Two or three other matters are provided for in the Bill. I have explained its main provisions. Judging on the experience we had in connection with last year's Bill, I feel confident that the present measure will receive almost unanimous approval in both Chambers and will in the not distant future become the law of Western Australia in regard to the matters I have discussed this afternoon. I move—

That the Bill be now read a second time.

On motion by Mr. Seward, debate adjourned.

BILL—SWAN RIVER IMPROVEMENT ACT AMENDMENT.

Second Reading.

THE MINISTER FOR WORKS (Hon. H. Millington—Mount Hawthorn) [5.41] in moving the second reading said: The object of the Bill is to apply the powers of the Swan River Improvement Act of 1925 to the foreshore reclamation works east of Mends-street jetty at South Perth in course of formation by dredging from the Swan River. These works are an extension of the reclamation that was provided three years ago under the powers of the 1925 Act from the Causeway to Manning Point, South Perth. With their completion the whole scheme of reclamation for both sides of Perth Water, from the Causeway to

Point Lewis on the north and to Mill Point on the south, will be finished. The work up to Manning Point was done by the Government with considerable assistance from the respective local authorities of the districts where the reclamation was effected; namely, the Perth City Council and the South Perth Road Board. The success of the work, and of the foreshore reclamation by the board in Melville Water beyond Mill Point, encouraged the road board to undertake in connection with this reclamation extension even greater responsibilities, and to incur much heavier expenditure over a much larger area, than for the work eastward of Manning Point. The board now proposes to assist the Government by being responsible for the cost of resumption of any private land required for the reclamation, and for top-dressing and road construction when the dredging is done. The extent of the proposed reclamation to a 7ft. contour above river level by the department is shown coloured green on the new plan referred to in the Bill, P.W.D. W.A. No. 29,011, which I shall lay on the Table.

In order to obtain the Government's consent to undertaking the reclamation at South Perth of the algae-affected and mosquito-infested portions of the foreshore to be found between Manning and Mill Points, the road board guaranteed, inter alia, to be responsible for the consent of private landowners concerned, or alternatively for the resumption of private property affected.

Hon. N. Keenan: Has any land been resumed?

The MINISTER FOR WORKS: I believe the board has purchased some land. I shall explain the difficulty later. In negotiating with the owners, therefore, the road board offered to reclaim their shorelands up to 7ft. contour on the condition that the narrow strip above high water mark which would be required to complete the area for the foreshore reclamation and a riverside road should be conceded free of charge. Although in some instances such reclamation of private low-lying swampy and water-logged land would have considerably improved some acres of land otherwise useless to the individual owner, the offer was in most cases rejected. In those instances where the land was under gardens for commercial purposes, either market or flower gardens, the board offered special compensation to the owners or lessees, in addition to the permanent improvement that would be effected through the land being raised to 7ft. above the river level. The dissatisfied owners demanded that the land should be raised to at least 10ft so that it could be used for building purposes by coming within the town-planning by-law, which prescribes that no building can be erected the floor level of which is lower than 10ft. above the river level. To have conceded this demand would have considerably increased the acreage of reclaimed private land to the advantage of the owner, but at the same time it would have disproportionately increased the cost of the work to a prohibitive figure, besides being subversive of the whole reclamation scheme for the river. The result was a deadlock. The work of reclamation in front of private land was discontinued, and the department's suction dredge was withdrawn for overhaul and subsequent use elsewhere.

The board then decided to use for public parks, gardens and recreation reserves the whole of the land to be reclaimed, including private properties, and to acquire additional land for the purpose of a complete scheme, and still to be responsible for the cost of resumption of the land needed for the work that may be authorised by the Bill. In order to lessen the cost of Government resumption, the board again approached the owners, this time with a view to private purchase by negotiation. Unfortunately, some of the owners had an exaggerated idea of the value of their land by reason of the fact that the original grant from the Crown showed the northern boundary of the block they now own, to be the shore of the Swan River. The consequence was that the board was forced back on the Government to effect a resumption of the private land needed for reclamation to the 7ft. contour, as included in the area shown on the plan that I intend to lay on the Table of the House. It is with regard to this resumption that the powers of the 1925 Act are sought by the amendment provided for in the Bill now before members. Under the 1925 Act, high-water mark is set as the shore boundary to private land. It is therein defined, and is to be fixed on the ground by the Surveyor General. This high-water mark has already been established with respect to the foreshore lands above the Causeway, the sub-

ject of the plan referred to in the Swan River Improvement Act, 1925. On the passing of the Bill I am now submitting, the Surveyor General will fix the shore boundary of private land at South Perth, and thus enable the area to be computed for resumption and compensation purposes.

Under the 1925 Act, it is provided also that in the payment of compensation for taking of land by the Minister, no compensation shall be payable for injurious affection or severance from the river occasioned by the construction of the reclamation works, nor shall any enhancement in value be paid for, that may be the result of, or caused by, the construction of the proposed works. It is considered reasonable that the same provisions should apply to the reclamation extension at South Perth from Manning Point to Mends-street jetty as applied to the reclamation work that has already been constructed below the Causeway, and as applies to the work above the Causeway that has been authorised by the 1925 Act, but not yet completed.

The deposited plan does not include this particular part of the foreshore. It is now included in the plan that I shall lay on the Table. The provisions in the Act of 1925 set out that owners of land adjacent to the foreshore are not entitled to compensation for severance. All land hitherto resumed for the work has been brought under the provisions of the Act which does not allow the claiming of compensation for severance. The Bill will fix the high water mark line—to be determined by the Surveyor General—and the foreshore boundary of private property, and the private land from that line, though not subject to compensation for severance, will have the same right to compensation as has anyone else's land. The Bill will bring that particular part of the foreshore into conformity with the provisions of the existing Act.

Mr. Marshall: Does the Government propose to pay compensation for severance from the waterfront?

The MINISTER FOR WORKS: No. The compensation that may be paid will be paid by the local authorities. Those bodies have also undertaken to construct the necessary road. All that we contract to do is to build the wall and carry out the necessary reclamation from the river bed and thus raise the line to the height of 7ft. above water level. This will have the effect of doing away with the bad spot that is algae-affected and eventually will complete the work from the Causeway to Mill Point. Already the reclamation has been completed from Mill Point on the Melville Water side. The South Perth Road Board has shown commendable enterprise, having spent borrowed money on carrying out the improvements where the area has been reclaimed. Undeniably, when the work is completed, it will be a wonderful asset and will beautify the foreshore around South Perth. The Bill does not ask for anything that is not in the original Act; the conditions of resumption will be the same as those that are in the original Act.

Hon. C. G. Latham: It will require a lot of explanation.

The MINISTER FOR WORKS: When the Bill is passed, everything will be in line with the original scheme. I move—

That the Bill be now read a second time.

On motion by Mr. Doney, debate adjourned.

BILL—CONTRACEPTIVES.

Second Reading.

THE MINISTER FOR HEALTH (Hon. A. H. Panton—Leederville) [5.56] in moving the second reading said: The introduction of this Bill is the outcome of two very influential deputations that waited on me, as well as of a number of complaints from people who have been receiving the class of literature that is dealt with in the measure. The Government is of the opinion that the advertising of contraceptives should not only be restricted, but that every effort should be made to prevent publicity of any kind being given to it. There is no intention to deal with that very controversial subject, birth control. We are simply making an attempt to curb some of the methods that are being adopted by people whose desire it is to place the articles in question before the public. What has been complained about has, more particularly in the last few months, become quite a common practice. After the appearance of a birth notice in the newspaper, and while the mother is still in a maternity hospital, either the mother or the father will receive

a package of the literature. Some of these instances have been rather distressing. As a matter of fact, one of my own friends, a young man, had become the father of his first child. Unfortunately, the child was still-born, and naturally the wife and he were broken-hearted. Imagine their disgust when two days afterwards they received a package of literature which intimated to them how they could prevent such things happening in the future. No decent-minded person will agree that that sort of literature, or advertising matter, should be distributed. Quite a number of my friends have called at my office and shown me packages of this literature, and have informed me that the people responsible for the distribution employ lads to place it in the letter boxes at private homes throughout the metropolitan area. Complaints have reached me from Subiaco, North Perth, Victoria Park and Claremont, and in every instance I was informed that the literature, in a sealed envelope, had been addressed "To the Householder," these words being printed in block letters. The complaints that reached me were genuine complaints, and it is for the reasons that I have given that the Bill is presented to the House.

A Bill of this description was passed in Victoria four years ago. The reason for it, from the information I have obtained, was because not only was literature being distributed, but the people responsible for the articles even went so far as to frequent the gates of colleges and there not only distributed the literature, but endeavoured to sell the articles themselves. If the present state of affairs is allowed to continue, members can visualise what is likely to happen. We shall probably be faced with the same situation that existed in Victoria. Consequently, I consider the Government is doing the right thing in taking a stand in this matter, and endeavouring to put an end to the practice.

The Bill is on much the same lines as the Victorian measure, though it contains certain other provisions which we have introduced and which we consider will be beneficial. The definition of "contraceptive" is the same as that contained in the Victorian legislation. The definition of "public place" is more comprehensive than that given in the Victorian Act, being based on that which appears in the proposed English measure. I understand that the English Bill has not yet been introduced. The definition of "Minister" provided in this Bill does not appear in the Victorian Act. Under the Bill, advertising in any newspaper, handbill, circular, magazine or programme printed within or outside the State is prohibited, and a person will be guilty of an offence against the Act if he publicly exhibits or causes to be publicly exhibited any such statement, or if he gratuitously sends or delivers or causes to be sent or delivered any such document dealing with these matters. The Bill provides for proceedings to be taken by the Commissioner of Police, subject to the Minister's approval. In the Victorian Act, the administration is vested in the Commissioner, but here we propose to vest it in the Minister, though the proceedings will be taken by the Commissioner, otherwise the incorporation of this legislation in the Police Act would be necessary. As that Act is now being considered with a view to consolidation, the advice tendered to us was that it would be far better to introduce this legislation as a separate measure, and place the taking of proceedings in the hands of the Commissioner of Police, subject to the Minister. Another advantage to be gained by this provision is that the whole of the police force in the State will be available to police the Act, and the necessity for appointing other inspectors for this work will accordingly be obviated. That members of the force will be in a better position than anyone else to police the Act throughout the State will be admitted.

The Bill also provides that before any proceedings are taken against the printer or publisher of any newspaper, etc., he will be notified of the offence. This clause is based on one appearing in the Health Act. We believe that reputable newspapers would not wittingly assist people to break the law, but it is conceivable that a newspaper proprietor, who would be liable under this Act, might very easily have an advertisement of this description in his publication without his knowledge. Once a warning has been issued, we shall expect whoever is responsible to ensure that the offence is not repeated. The Bill also sets out who will be liable in regard to the publication of advertisements in newspapers—whether it shall be the proprietor, the printer, or members of the company. Certain medical magazines and periodicals are exempted. Members will

appreciate that such magazines as a rule are consulted only by the medical profession, and are not as widely read by the public as are newspapers. A section from the Illicit Sale of Liquor Act is also included in the Bill. This provides for the confiscation of any material on conviction. Under the Illicit Sale of Liquor Act, in the event of a conviction liquor may be confiscated, but if the case is dismissed, the liquor is returned to the owner. The same will apply in this instance. If a person is found hawking contraceptives and, after trial, is convicted of the offence, the material will become the property of the court and destroyed, or otherwise dealt with as the court decides. In the event of a dismissal of the case, it will be returned.

The Bill provides that prosecutions for offences against the Act may be commenced upon a complaint made by any person, and may be conducted in court by a police officer or constable, on behalf of the complainant. We believe this provision is necessary and desirable. Ordinarily, in the case of a prosecution for an offence under most Acts of Parliament, the police either cannot or are very reluctant to conduct a prosecution on the complaint of some other person. In this instance a person making a complaint may be either not financial enough to prosecute, or may not have sufficient experience to enable him to do so; consequently we have provided that upon a complaint being made, the police will be empowered to prosecute. In that way the Act will be more satisfactorily policed. The Bill is a short and simple one, and I think it will appeal to members generally. They might not have had the same experience of this business as I have had.

Hon. C. G. Latham: We have all had some experience.

The MINISTER FOR HEALTH: The Bill is designed to prevent hawking or exhibition of contraceptives, and it will be agreed that the advertising of such articles should not be permitted to continue. I move—

That the Bill be now read a second time.

On motion by Mr. Needham, debate adjourned.

House adjourned 6.10 p.m.

Legislative Assembly.

Tuesday, 5th September, 1939.

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

ELECTORAL—SWEARING-IN OF MEMBERS.

Mr. SPEAKER: I am prepared to swear in the members for Guildford-Midland and Sussex.

Hon. W. D. Johnson (Guildford-Midland) and Mr. Willmott (Sussex) took and subscribed the oath and signed the roll.

QUESTION—WAR TIME LEGISLATION.

Commodity Prices.

Mr. TONKIN (without notice) asked the Premier: 1, Is he aware that there has been in Perth during the past few days an unwarranted steep rise in the wholesale prices of certain commodities? 2, Will he give consideration to the advisability of immediately introducing a measure for the purpose of controlling prices, both wholesale and retail?

The PREMIER replied: I intend to deal with that aspect in a statement I shall make to the House shortly.

MINISTERIAL STATEMENT.

Relief Workers.

The MINISTER FOR LABOUR: On Thursday last the member for Swan (Mr. Sampson) asked a question on notice regarding the conditions of single men in camps and the reply was that the points