

Legislative Council

Tuesday, the 3rd December, 1963

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The PRESIDENT (The Hon. L. C. Diver) took the Chair at 2.30 p.m., and read prayers.

MOTOR VEHICLE (THIRD PARTY INSURANCE) ACT AMENDMENT BILL (No. 2)

Introduction and First Reading

Bill introduced, on motion by The Hon. L. A. Logan (Minister for Local Government), and read a first time.

Second Reading

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [2.36 p.m.] : I move—

That the Bill be now read a second time.

The Bill is quite short, and quite simple. It comprises only three sections, the first of which is, of course, the usual alteration of citation which becomes necessary when an amendment is made.

The second clause is to amend the definitions contained in section 3 of the principal Act by including in the definitions of "participating approved insurer" any insurer who may hereafter be admitted as such. The need for this amendment will be obvious when consideration is given to the next clause.

The third clause is the major matter in this Bill, and this amends section 3L of the principal Act. The amendment is to allow an insurer to be admitted as a participating insurer, and to provide for the adjustment of the shares of the participating insurers in the fund when an insurer is admitted as a new participating approved insurer. The Act at present allows a participating approved insurer to withdraw, but it makes no provision for the admission of new insurers; the membership in the trust, therefore, is confined to those who were operating in third party insurance and who joined the trust at its inception, after, of course, allowing for those who have withdrawn. There has been the danger of further withdrawals, and as every withdrawal means that the shares of the remaining participants must be adjusted, the position has arisen where some of the participating approved insurers are becoming fearful as to their liabilities if the trust continues to show losses.

It is therefore considered possible that if the Act is amended to allow for the admission of new participating approved insurers, one or two of the companies operating in this State could be induced to accept membership in the trust, and to share in its risks; and also share in any

dividends which accrue. If a new insurer can be admitted he can help to replace anybody who has withdrawn, and this will give greater stability to the operation of the trust.

The trust at present is able to draw on some of the best insurance brains in the State; but obviously if those who are frightened at the prospect of continuing losses choose to withdraw, this could ultimately lead to an impossible situation under which the trust might break down, and third party insurance might become practically impossible to arrange. Nobody wishes this state of affairs to be reached, and therefore the Bill is brought down with a view to making provisions to overcome any such possibility.

As the admission of a new insurer to the trust would affect the shares of all members, it is provided in the amendment that on admission, the terms are to be agreed upon between the trust and the new insurer, but the actual shares are still to be determined by the chairman of the Premiums Committee. In the event of disputes between the trust and the chairman of the Premiums Committee, the onus is cast on the Minister of making a final decision. It is most unlikely that there will be any dispute between the trust and the chairman of the committee, but it was thought wise to make provision for this in case there should occur in the future some dispute, or even simply a failure of the chairman to make a determination.

This is a Bill on which there should be no room for any great diversity of opinion, and I therefore commend it to members. Before the Bill is read a second time, I would point out that I asked for some information in regard to the number of participants who were in the trust originally, and the number who had withdrawn.

When the trust commenced operating at the beginning of 1949, there were 64 participating approved insurers. There are now 47. One of these has been lost by amalgamation, but there have been 16 withdrawals; that is to say, more than one-third of the original participating insurers are no longer in the trust.

The Hon. F. J. S. Wise: Could the Minister supply me with a list of those who are still participating?

The Hon. L. A. LOGAN: No, I could not do that at the moment, but I will get it for the honourable member. I think the figures I have given will show to members of this House that if this rate of decrease of the members of the trust continues—and I have been informed that one of the companies with a fairly large percentage is likely to withdraw—it will throw greater onus on those companies that remain. If we provide for new companies to come in and, by doing so the others remain in the trust fund, it will add to the stability of the trust, and that is what we are looking for.

Debate adjourned, on motion by The Hon. F. J. S. Wise (Leader of the Opposition).

IRON ORE (MOUNT GOLDSWORTHY) AGREEMENT ACT AMENDMENT BILL

Returned

Bill returned from the Assembly without amendment.

INDUSTRIAL ARBITRATION ACT AMENDMENT BILL (No. 2)

Assembly's Message

Message from the Assembly received and read notifying it had agreed to the amendments made by the Legislative Council.

PUBLIC SERVICE ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by The Hon. A. F. Griffith (Minister for Mines), read a first time.

Second Reading

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [2.43 p.m.]: I move—

That the Bill be now read a second time.

This Bill amending the Public Service Act has three main objectives. There is contained in this measure machinery for the extension of the two weeks' annual leave at present granted to three weeks, and this will take effect as from the 1st January of this year. Certain definitions are clarified, and one of the aims of the Bill is to simplify administrative procedures. An important factor in this regard will be a resulting substantial decrease in the number of formalities required to be submitted to the Governor in Executive Council in respect of appointments, transfers, promotions, and leave approvals within the service.

The Bill also makes provision for regulations essential to the efficient working of the Public Service. The Civil Service Association was given the opportunity of examining the draft Bill, and it concurs with the view that the proposals contained in this measure are most desirable. The provision with respect to annual leave confirms an earlier Government undertaking in this regard. In addition to the clarification of several of the definitions, it has been considered desirable to add additional definitions in the interests of clarity such as "Justiciable Salary", "State Services", "Sub-department", "Temporary employee", and "the Public Service".

It is proposed in this Bill that the Public Service Commissioner be given authority to deal with appointments, transfers, promotions, temporary employment, and the creation and abolition of positions where such matters are subject to the jurisdiction of the Arbitration Court. Matters relating to officers and positions outside the jurisdiction of the Arbitration Court will continue in future to receive the approval of the Governor. The commissioner has only recommendatory powers at present in these matters.

One example of provisions which need attention, and which are covered by this measure, is in respect of promotions determined by the Promotions Appeal Board. While the board's decision is final and binding on all parties concerned, the commissioner is still required to recommend promotions for the Governor's approval. At present Executive Council minutes are required to be prepared to meet the formality of approving appointments of junior clerks and junior typists. As will be appreciated, the preparation of these formalities entails considerable paper work by departmental officers, the commissioner, Ministers, and Executive Council in order to obtain the Governor's approval. Furthermore, the process is repeated six months after the initial appointment for the confirmation of the appointment.

It has been established following a recent survey that 892 appointments and confirmations were prepared and submitted to the Governor for approval during the course of one year. Had the provisions in this Bill been in force, that number would have been reduced to 42. The Bill clarifies the conditions and qualifications governing the appointment of officers. They appear at present in many parts of the Act and throughout the regulations. In this measure, they have been brought together in one section.

With the introduction of this measure the opportunity is being taken to repeal several sections referring to matters covered for some years past by industrial agreements between the Civil Service Association and the commissioner, and also some which have been more appropriately dealt with by regulation. These include payment of higher duties allowance, work performed on Public Service holidays, and provision for retirement by way of life assurance or superannuation.

Permanent heads are to be given the power to approve sick leave up to two months in accordance with the regulations, and the commissioner may approve sick leave up to 12 months. Again this removes an obligation upon the Minister to approve appropriate recommendations to the Governor in Executive Council. The commissioner will be enabled to approve leave without pay up to a period of three months, so that in future only applications

for purposes of leave without pay in excess of three months will continue to require the Governor's approval.

On the other hand, the Governor will be empowered to determine that leave granted for study purposes may count as qualifying service for all purposes excepting annual leave of absence, so encouraging officers to study and enhance an already efficient Public Service. Provision has been made in the Bill clarifying the position concerning long service leave entitlements in respect of persons who have been in Government employment before being employed in the Public Service.

Some legal expressions of opinion have caused doubts regarding the interpretation of the existing section dealing with long service leave accumulations. The redrafted provisions clarify the intention of the Act in this regard, and authorise the Public Service Commissioner to approve accumulated entitlements in certain cases in lieu of Executive Council recommendations.

Under the Act at present, the monetary value of a deceased employee's long service leave entitlement may be made to a dependant. Should there be no dependant, the entitlement lapses. This is contrary to Department of Labour policy in relation to wages employees, and an appropriate amendment in this Bill brings the Public Service provisions into line. In the future, then, the monetary value of any long service leave entitlement will be payable to his estate unless he is survived by a widow legally dependent on him or by some other legal dependant who is approved by the Treasurer. Payment, of course, would be made promptly to a widow or some other legal dependant, so obviating circumstances which invariably involve dependants in hardship.

Officers of the Crown Law Department consider the existing regulations, and also the Governor's power to make regulations, inadequate. In order to revise completely the regulations, it is essential to repeal and re-enact the section dealing with the regulation making powers. This is being done to provide the Governor, on the recommendation of the commissioner, with authority to make regulations covering a number of important aspects of Public Service administration.

The regulations were last reviewed in 1934, since when the Civil Service Association has been pressing for their revision. They have been out of print for some years, and the decision to take the action proposed in this Bill should be well received.

The proposals now before the House are similar to those existing in all other State public services throughout Australia and, in particular, to those of Queensland and Tasmania, whose services are controlled by commissioners.

This measure does not alter any of the general principles of the existing Act.

Debate adjourned, on motion by The Hon. F. J. S. Wise (Leader of the Opposition).

CONVICTED INEBRIATES' REHABILITATION BILL

Second Reading

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [2.52 p.m.]: I move—

That the Bill be now read a second time.

Because the addiction to alcohol is widely regarded as a mental complaint these days for which psychiatric treatment is required, there are provisions in the Mental Health Act, introduced last session, for such treatment to be available to those people.

As a consequence, the 1962 Mental Health Act made provision for the repeal of the Inebriates Act, 1912-1919, for the reason that with but one exception there was no need to keep its provisions in our Statutes.

The one exception is that which deals with convicted inebriates, or, in other words, those who may not be entirely excused for committing unlawful acts arising out of a self-induced mental condition. This class of person is covered by section 7 of the Inebriates Act under which offenders may be placed in an institutional establishment for their reception rather than in a penal establishment.

One such institution was established, as is well known, last year; and, as a consequence, the provisions of section 7 were, by means of last year's legislation, accommodated in the Criminal Code. This has facilitated the making of orders for the reception of offenders into the Karnet Rehabilitation Centre.

There are at present 43 inmates at Karnet. In our short experience at that centre, it has become evident that the clause inserted in the Bill enabling these offenders to be placed in the institution did not, unfortunately, provide the machinery necessary for dealing with them adequately. It might be said that the Inebriates Act also suffers from this disability. There was occasion, however, for this disability in our legislation to become apparent, for it is doubtful if the section was ever fully implemented—this is because of the lack of such an institution as we now have at Karnet.

The position in which we find ourselves is that a person having been committed to an institution and accepted as an inmate may not have treatment varied in any manner, though this might be considered necessary to meet circumstances from time to time. It has become increasingly evident that there is a need for a properly constituted board comprised of persons experienced in the treatment of this class of individual, and a board empowered to make recommendations by which the courts and authorities may be guided.

Though the Inebriates Act provided that orders under which convicted inebriates were placed in institutions, might be varied or renewed, or perhaps rescinded, by a judge or magistrate, the Act gives no indication as to the circumstances under which these variations, and so forth, ought to be carried out, nor on whose guidance such decisions might be made. In the absence of any indication in these regards, it is difficult to imagine in what manner a judge or magistrate might have been persuaded to intervene.

This Bill has been drafted and comes to this Chamber with the commendation that its provisions will remedy this situation. Under its provisions convicted inebriates may continue to be placed in an institution. Furthermore, this measure provides for the award of punishment as well as the making of an order to meet the case of serious offences for which a person is convicted on indictment in a superior court.

It might be advisable to emphasise that the placing of a person in an institution such as a rehabilitation centre is by no means regarded as a punitive action. In respect of serious offences, a case occurred recently where the judge in the Criminal Court awarded two years' imprisonment as a punishment to be followed by a year in a rehabilitation institution.

The incongruity of the position under existing legislation may be emphasised when it is pointed out that the convicted person was ordered to be placed in an institution under section 7 of the Inebriates Act, though on the face of the law as at present existing, a punishment as well as a rehabilitation order is not contemplated. In all the circumstances, it is considered best to expressly allow superior courts to sentence an offender to prison as a punishment prior to the commencement of a period of treatment in an institution.

Another aspect has arisen recently, and that has to do with the necessity of issuing a medical certificate. In this instance, the judge, acting under the provisions of section 7 of the Inebriates Act, dispensed with the medical certificate. It is open to doubt as to whether this course of action was available under the particular section, though it clearly is under another section. In order to dispense with the problem, there is provision in this measure for the dispensing of the medical certificate in circumstances which, in the opinion of the court, warrant it.

In order to meet the difficulties which have become apparent at Karnet in the matter of varying the treatment order, this Bill will accord the court the power to vary an order by reducing the period for which the offender was ordered to remain in an institution or, alternatively, by allowing him to be released on trial leave. There could be circumstances where the treatment or rehabilitation was resisted by the offender. The Bill provides that

this contingency might be met by a rescission of the order to enable an award of such punishment as might have been awarded had the order not originally been made.

Finally, it will be open to the judge in exceptional cases to extend the original period for which the person was placed in an institution, but only to an extension for a period not exceeding an additional twelve months. This is somewhat of a modification of the power contained in the Inebriates Act which allows the order to be extended indefinitely. The indefinite extension is not thought to be in keeping with the modern approach to these matters.

In order that the provisions already referred to might be more effectively carried out, it is proposed to set up a board of experienced persons. The board will be at the disposal of the judge for his guidance. It will follow that in varying, rescinding, or extending the operation of an order, the court or judge will be required to be guided or have the assistance of a recommendation of the board. The members of the board will comprise two psychiatrists and one welfare officer. Basically, we are dealing with a mental complaint and that explains the bias towards psychiatric advice. It is intended to appoint a senior psychiatrist from the Mental Health Services and one in private practice. It will not be a full time job. The Bill expressly provides for as little formality as necessary with a view to the practical application of the board's powers being implemented as expeditiously as possible.

It is required under this Bill that the Comptroller-General of Prisons and his officers have regard to the recommendations of the board. Should its advice or recommendation be unacceptable for any reason, the impasse must be referred to the Minister. The members of the board are to hold office during the Minister's pleasure. It is considered this will ensure it becoming a closely-knit efficient body. There is provision for quick change in its personnel in the event of dissension or obstruction amongst its members. Continuity in membership over a reasonably lengthy period should facilitate the establishment of a body commanding the confidence and respect of the persons placed in institutions, so enabling them to gain their complete co-operation in treatment and rehabilitation. The measure has been drawn up to enable the Minister to cope quickly with any situation that might mitigate against this outlook.

It is provided that proceedings for variation, rescission or extension of orders are to be brought only by the comptroller-general, or with his consent. This will ensure that the board does not become involved in any legal procedures whereby it could lose the confidence of the persons whose treatment and rehabilitation are its major concern. It is considered best then for the comptroller-general to take the

responsibility for giving effect to both favourable and unfavourable recommendations by the board.

On the other hand, the board will be required to furnish reports direct to the court when they are called for. In any event, the recommendations of the board must accompany every application made by the comptroller-general. The powers of the Governor—akin to the Royal prerogative—to give relief are expressly extended to persons placed in an institution though they are not, in fact, undergoing punishment.

The Bill has retroactive effect as far as persons now in an institution are concerned. As a consequence of the passing of this measure, there would be no need to retain the section placed in the Criminal Code under last year's legislative scheme, and the measure contains the repeal of that section.

Debate adjourned, on motion by The Hon. W. F. Willesee.

MIDLAND RAILWAY COMPANY OF WESTERN AUSTRALIA LIMITED ACQUISITION AGREEMENT BILL

Second Reading

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [3.3 p.m.]: I move—

That the Bill be now read a second time.

May I commence by saying that the explanation about to be given for the introduction of this Bill is somewhat lengthy, but I feel sure that, when I conclude, members will regard its length as being completely necessary.

The Midland Railway Company of Western Australia, which was formed in 1890, received a grant of more than 3,300,000 acres of land, and has been operating a railway between Midland Junction and Walkaway—a distance of 277 miles—since 1895. The undertaking has not been a financial success. Nine dividends only have been paid during the 70 years' operation of the line; the last dividend was in 1945.

This railway was augmented by a road bus passenger service between Perth and Geraldton in 1946; and, two years later, a road freight service to carry urgent parcels, perishables, and other goods, was brought into operation over the same route. The road services were extended to Badgingarra in 1955, and to Ajana and Yuna in 1957, when the Government railway lines to those areas were discontinued.

Two of these extensions of the road services by the company were not successful, and they ceased operations in 1958. Badgingarra still continues in operation. The directors of the company approached the Government with a suggestion of a sale in 1952. The approach was renewed again

in 1955; and, in June, 1956, the Government guaranteed a loan of £600,000 to the company by the Commonwealth Bank.

This £600,000 was spent by the company in the purchase of new diesel-electric locomotives with which to replace its old steam locomotives, and the railway was completely dieselised by the end of 1958. The substantial economies resulting from this dieselisation enabled the company to speed up the replacement of the old rails of its permanent way with new, heavier rails, a work which had been proceeding only intermittently and slowly in previous years. Today, only about 31 miles of the old rails remain to be replaced.

Further loans to the company amounting to £340,000 were subsequently guaranteed by the Government, and these moneys were used by the company in purchasing two additional—and more powerful—diesel locomotives, and 100 new goods wagons. As may be expected, the financial results of the company's railway operations have improved considerably over the past few years, and are now on a profitable basis.

Bearing in mind that the object of this Bill is to provide a statutory agreement under which the Midland railway becomes an integral part of the Government railway system, it is considered right and proper to inform members of the background to the company's financial undertakings and commitments, as they are of the utmost importance in respect of the purchase price and the commitments being taken over by the State, through the Rural and Industries Bank as the Government's nominee.

In order to finance construction, and to meet other costs subsequently incurred, the company issued first mortgage debenture stock of £800,000 sterling; and, later, £600,000 sterling of second debenture stock. In the early days of its operations the company was unable to meet its obligations to debenture holders, and reversionary certificates were issued in 1911 in settlement of their claims for arrears of interest. At date, reversionary certificates amounting to £566,928 sterling in nominal value are still outstanding.

These certificates do not bear interest, but have certain rights in the event of liquidation or sale of the company, and the agreement which this Bill seeks to ratify provides that the company shall fully satisfy all claims of the holders of these certificates. This will be effected by the company by a composition of 2s. 4d. in the pound, this payment being made by the company before takeover by Government.

By 1962 the first mortgage debentures had been fully repaid. In 1960, the second debenture holders agreed to forgo arrears of interest, current, and future interest, and the premium payable on redemption, in return for the repayment by the company of the principal of these debentures

at par by equal instalments over a period of 20 years. This repayment of principal was guaranteed by the Government. By the 30th June of this year, 3s. in the pound had been repaid to the second debenture holders in accordance with this arrangement.

From the end of the second World War, the company has acted very properly in ploughing back into the maintenance and improvement of its railway all profits made during this period. Throughout its long history, the company has not made heavy payments to its directors, shareholders, or debenture holders.

The approach by the directors to the Government, which has culminated in the introduction of this measure, was made in January of this year. The purchase by the Government was proposed by the company on the basis of payment of £1 for each ordinary stock unit, the repayment of the principal sum to debenture holders, the meeting of the liability to reversionary certificate holders, and the taking over of assets and liabilities, including loans.

When this measure was introduced in another place, the Minister in charge of the Bill read a lengthy letter addressed to the Premier on the 10th January of this year by Sir Robert Adeane, the chairman of the company, and so it is available in *Hansard*. However, members in this Chamber will be interested to know that the approach then made for the Government to purchase hinged on the following extract from that letter, and I quote—

We understand the policy of the Commonwealth and State Governments is for Government to own public utilities, including railways. The company's undertaking is the only privately-owned railway in Western Australia, indeed virtually the only one within the Commonwealth. This state of affairs prevents economies and considerable savings which could be made by integration into the State's system and the unified control which would result from such integration.

In view of these facts, the board, with considerable regret, submits to you that the time has now arrived when, in the interests of all concerned, consideration should be given to the acquisition by the Government of the company's undertaking. To enable such consideration, I am enclosing a statement showing the terms which my board would be prepared to recommend proprietors to accept.

Following receipt of that letter, a committee of three representing the Railways, Treasury, and Crown Law departments was set up to examine the proposal. The committee, in recommending acceptance of the company's proposal, stated that the value placed on the company's rail and

road assets following inspection by Government railway officers was £4,284,845 (Aust.).

The liabilities and share purchase price, which the company originally requested be met to cover these assets, were as follows: Purchase of unified ordinary stock at par 593,162 at 20s. stg. equals £741,452 (Aust.). All the following figures are in pounds Australian. Payment of reversionary certificate holders, £82,384. Total, £823,836.

Loans as at the 1st July, 1963, consisted of second debentures, for the repayment of which the State would be liable, £629,000, Commonwealth Development Bank of Australia, £420,000. Other loans were Provident and Pensions Holdings Proprietary Limited, £200,000; E.S. & A. Nominees (Australia) Proprietary Limited, £140,000; total loans, £1,389,000.

The company's original offer also contemplated payment of up to £200,000 in accrued gratuities to staff in Western Australia, and the payment of £62,500, out of the company's U.K. resources, to London and local directors and London staff by way of gratuity, compensation, etc.

The Government interdepartmental committee, which I mentioned earlier, estimated current liabilities at £90,000, and the company's staff rights, such as liabilities in respect of long service leave and other accumulated entitlements, at £111,426. The committee also estimated incidental costs, such as training of staff in safe working, at £1,000, and loss of productivity in taking over staff in excess of immediate needs—say 25 men at £1,200 per annum for one year—at £30,000. The committee's estimate of taxation liability for 1962-63 and 1963-64 added another £30,000, bringing share price and total liabilities requested to be met to £2,737,782 (Aust.). So we see on those figures there would have been a surplus of £1,547,063 of the company's rail and road assets over those liabilities, including the purchase price of the unified ordinary stock.

Following negotiations with the company, however, the liabilities to be met by Government have been substantially reduced. Under the revised arrangement, the company, out of profits earned since negotiations commenced, has met the payment to reversionary certificate holders, and all accrued moral and legal liabilities to London and local directors, and London staff. The accrued liability for gratuities to staff in Western Australia, having been more accurately assessed, has been found to be well below the figure of £200,000 originally quoted by the company. These reductions aggregate roughly £200,000, and the surplus of the company's rail and road assets over liabilities will thus be increased by this amount.

Any surplus of profits of the company up to the time of takeover, after meeting taxes and cost of discharging liabilities in respect of reversionary certificate holders, London and local directors, and London

staff, would also be added to the general surplus of assets over liabilities, to which I have already referred.

To better appreciate the revised position, it should be realised that the negotiations in regard to assets and liabilities were based on the position as at the 30th June, 1962, as a starting point. A more correct way of looking at the purchase price by normal commercial methods is to express the purchase price for the unified ordinary stock, £741,452 (Aust.), as the price being paid on extended terms—incidentally, to be paid from revenue and not loan funds—in return for the company's net worth of approximately £2,500,000. This figure is arrived at by taking the asset figure of £4,284,845 (Aust.) and deducting total liabilities of £1,801,446 which equals £2,483,399 (Aust.). The figures which have been quoted are particularly significant as they indicate the difference between voluntary negotiations at the request of the company and what could be involved were compulsory acquisition by the Government considered.

The committee's report indicates that the road and rail services could both be operated profitably by the Railways Commission. This view is substantiated by a prepared statement submitted by the committee of senior officers from the Railways, Crown Law, and Treasury. The committee estimates that the Midland line operated by the Government railways in a normal year would earn about £90,000 less than was earned by the company during the financial year 1961-62. This would come about mainly because of the through rate of the W.A.G.R. system operating, instead of the local rate system available under company administration.

Similarly, in respect of the road transport system operated by the company, the earnings under State control would probably approximate £11,000 per annum less. As a consequence, total earnings under the State would be likely to be about £100,000 per year less than the earnings by the company in 1961-62. However, operating expenses under State control are also estimated to be substantially less—to the extent of nearly £132,000 less—than the company's operating costs. As a consequence, the total net revenue in a normal year, under State control, would exceed the company's net revenue for 1961-62 by nearly £29,000.

Important among the advantages to the Government on account of the takeover is that the integration into the Government system will bring free flow of traffic and economics of operation by avoiding marshalling at Midland and Walkaway. Government control will obviate the need for locomotives and crews standing idle, waiting arrival of trains from the other system. There will be no need for shunting and the yard staff. Maintenance of rollingstock now being carried out by the

company can be absorbed by the Government Railways Workshops at Midland, so rendering unnecessary the company's workshop, storehouse, and offices at Midland.

As a consequence, the land released at Midland will be available for a passenger terminal, which, with proper planning will improve the town of Midland. Such a terminal could provide for offices, shops, and other facilities, and an imaginative general form of redevelopment.

The accounting system can be simplified by being accommodated within the mechanised system of the W.A.G.R. The change-over will obviate the interchange agreement and the consequent staff work involved. This agreement has been unsatisfactory to both parties. A unified administration will control both systems. No new traffic or engineering districts or storehouses will be needed, and the cost of the London office and London and local boards will be saved.

A further advantage will lie in the fact that the resources of the W.A.G.R. will be more readily available to aid in the development of the Midland, Geraldton, and north-western regions. The development of Geraldton as a major railhead for the north, and the greater use of the pick-a-back system, Perth-Geraldton, will be more effective under unified control.

The committee, in its recommendation, suggested that payments to shareholders and debenture holders should be made over 20 years at 5½ per cent. interest on reducing balances.

There was the further recommendation that the Government could authorise the Commissioner of Railways to carry on the operations of the company—under lease if need be—until liquidation, the proceedings for which should be instituted as soon as purchase by the Government was completed. This was based on the assumption that the nominee company would be a public company.

However, the Government has arranged for the Rural and Industries Bank to perform this function. After lengthy consideration, the Government decided to give its approval to the proposal, subject to the company settling the claims of the reversionary certificate holders and London and local directors, and London staff. This later item is considerably reduced as compared with the original proposal.

The transaction for the acquisition will be financed from the Consolidated Revenue Fund and not the General Loan Fund. The interdepartmental committee is of the opinion that instalments of share purchase and loans can be met from the earnings of the Midland system and still leave a surplus in a normal year.

The mineral rights which had been the source of dispute between the company and the Government will be irrevocably the property of the Crown. As previously

mentioned, local users will benefit from the abandonment of the Midland "local rate" system of freight assessment. Other benefits to the State include proceeds from sale of surplus assets and avoidance of interest subsidy payments to the company, which interest subsidies would total £57,000 over the next four years.

An important factor which has been carefully weighed was the possibility of a call on loan funds for future rehabilitation work. This was assessed by the investigating committee at £934,500 over five years. This figure is now expected to be much less. Also, it can be spread over a longer period, having regard for the amounts spent by the company in recent years, and also the supplies of surplus materials that will be available from the W.A.G.R. sources.

The commissioner favours the integration of the Midland line into the W.A.G.R. system from an operational point of view. The commissioner's only reservation about the proposed acquisition was in respect of the possible effects of road transport on the Midland system and the administration of the State Transport Co-ordination Act if and when a direct coast road was developed.

The agreement provides that, in addition to certain other conditions, the offer to parties in the agreement is conditional upon—

- (a) its approval and acceptance by stock holders holding not less than 19/20ths in value of the issued capital of the company;
- (b) the trustees for the holders of the company's reversionary certificates agreeing to release and discharge the company from all rights, claims, and interests of the said holders;
- (c) the trustees for the guaranteed debenture stock holders in consideration of the payment to them of 1s. sterling on each stock unit of guaranteed debenture stock by the company on or before the 1st January, 1964, agreeing—
 - (i) that the liability for the payment of the moneys owed by the company to the guaranteed debenture stock holders be satisfied by delivering to the trustees R. & I. "B" debenture stock entitling the holders to sixteen annual instalments of one shilling sterling each for each one pound sterling stock unit; and
 - (ii) agreeing to discharge and release the company from all liability to the guaranteed debenture stock holders;

(d) the Australian Loan Council approving the issue guaranteed by the State of the R. & I. "A" and "B" stocks; and

(e) the passing and coming into operation of an Act to ratify the agreement.

Negotiations on the conditions (a), (b), and (c) have been successful, and meetings of the ordinary stock holders, the holders of the company's reversionary certificates, and the guaranteed debenture stock holders have been held and the necessary majorities have approved of the respective offers made to them.

It was part of the agreement reached between the vendors and the State and the R. & I. Bank that the stocks or bonds to be issued to the ordinary stock holders and the guaranteed debenture stock holders would be transmissible and registerable by a registry to be maintained in London. The Reserve Bank of Australia has agreed to make its registry in London available as the registry of the R. & I. Bank "A" and "B" stock and to carry out the duties of registrar of that stock so long as the conditions for the management and control of that stock are, generally speaking, the same as those obtaining in relation to Commonwealth Government inscribed stock or consolidated stock registered or domiciled in the United Kingdom.

The Act is required, amongst other things, to ensure the necessary authorisation in the R. & I. Bank to create and issue the "A" and "B" stock and to undertake and carry out its commitments under the agreement, to authorise the Treasurer to undertake the various guarantees set out in the agreement and in the deed with guaranteed debenture holders and, later on, with the mortgagees of the company, and to give necessary indemnities to the proposed liquidator to ensure the rapid and efficient liquidation of the company.

In negotiating the agreement, the company was anxious to ensure that the employees of the company would, as far as possible, be offered employment with the State railways or other State agencies on conditions, generally speaking, not less favourable on the whole than those which the employees enjoyed in their employment with the company. Amongst the conditions to be considered is the seniority to be accorded to each of the employees taken over by the State. It is necessary for the Act to validate any arrangement arrived at between the negotiators for the parties on the question of the employees' conditions and seniority.

It is hoped that conditions of service including seniority will be resolved by negotiation between unions, the company, and the commissioner.

If these negotiations fail, provision is made for special appeal machinery to a stipendiary magistrate. For obvious

reasons, it was necessary to limit the period during which appeals could be lodged. The period in the schedule to the agreement (page 18, clause 5) is three months from vesting date.

Appeals in respect of seniority are covered by clause 13 of the Bill in which the period for reaching agreement is 60 days from vesting date.

The employee has 30 days in which to request that his seniority be determined by a magistrate if agreement is not reached within this 60 days.

Debate adjourned, on motion by The Hon. H. C. Strickland.

TAXI-CARS (CO-ORDINATION AND CONTROL) BILL

Assembly's Message

Message from the Assembly notifying that it had agreed to amendments Nos. 1 to 3 and 6 to 12 made by the Council, had agreed to No. 4 subject to an amendment, and had agreed to No. 5 subject to an amendment being made to clause 7 of the Bill, now considered.

In Committee

The Chairman of Committees (The Hon. N. E. Baxter) in the Chair; the Minister for Local Government (The Hon. L. A. Logan) in charge of the Bill.

The CHAIRMAN: The amendment made by the Council, to which the Assembly has agreed subject to a further amendment, is as follows:—

No. 4.

Clause 5, page 4, lines 14 to 17—Delete paragraph (c) and substitute the following:—

(c) two shall be elected by taxi-car owners and operators; and

The further amendment made by the Assembly is as follows:—

Add after the word "operators" the words "other than such as are members of the body mentioned in paragraph (b) of this subsection".

The amendment made by the Council, to which the Assembly has agreed subject to an amendment being made to clause 7 of the Bill, is as follows:—

No. 5.

Clause 5, page 4—Add after paragraph (c) of subclause (4) a new paragraph to stand as paragraph

(d) as follows:—

(d) one shall be nominated by the Metropolitan (Perth) Passenger Transport Trust.

The further amendment made by the Assembly is as follows:—

Clause 7.

Page 5, line 22—Delete the word "and".

Page 5, line 23—Insert after the word "Police" the passage "and the member nominated by the Metropolitan (Perth) Passenger Transport Trust".

The Hon. L. A. LOGAN: I move—

That the further amendments made by the Assembly be agreed to.

Question put and passed; the Assembly's further amendments agreed to.

Report

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

**ABATTOIRS ACT AMENDMENT
BILL**

Second Reading

Debate resumed, from the 20th November, on the following motion by The Hon. L. A. Logan (Minister for Local Government):—

That the Bill be now read a second time.

THE HON. J. G. HISLOP (Metropolitan) [3.33 p.m.]: It does not afford me much pleasure to speak against a measure which has been brought to the House by the Minister in charge of it, or to eventually vote against it. I consider, however, there are certain elements of this Bill which make me feel I must be honest with myself in what I do in respect of voting on it. If what I bring before the House can be completely discredited, I will alter my views; but I do not believe that is possible.

This measure has two aspects. First of all there is the question of declaring abattoirs districts—and I do not think that need worry me very much except to say I think an abattoir district is an out-of-date matter, because I think that with the growth of skill in the meat industry in killing, preserving, and transport, the question of an abattoir site is of secondary importance; because, whilst an abattoir can be built locally, there is always the possibility that if another abattoir within a reasonable distance can produce meat at a lesser cost, it will do so and will create competition. So we may find butchers in a townsite who receive their meat from a cheaper source than do the butchers who take their meat from the local abattoir, and so can undercut them. This is all part of modern equipment. If one abattoir, can do this and compete with another then, of course, competition will continue.

The second portion of the Bill suggests that the appointment of Controller of Abattoirs and General Manager of the Midland Junction Abattoir should be separated and that no longer the one person should hold the two appointments. In fact, there seems never to have been two appointments. In accordance with the Act, the controller only takes charge of the Midland Junction Abattoir and Robb Jetty; and almost everybody in the town seems to know the story of the entry of the controller for the first time into Robb Jetty. The controller was decisively told by the manager of Robb Jetty to get out; and this was done on the authority of the then under-secretary, the Public Service Commissioner, and the Under-Treasurer. So it looks as though right from the start there has been disagreement between the individual in charge of the abattoir and those in the department who are interested in the control of Robb Jetty.

So, virtually, the controller never really transpired. Yet there have been one or two occasions when the controller has acted obviously as though he did have a post as controller, particularly when he brought back a report from America—a most extensive report, and one that makes very interesting reading and from which later he made a report on the question of decentralisation of abattoirs.

Let us go back into history a little, and we find that in 1951, I think it was, the controller was offered a post in Tasmania. Every effort was made by the then Government to persuade him not to take that post. I have seen copies of the correspondence of those days when The Hon. Garnett Wood, who was with us some years ago, was in charge of the Act. As a result of Mr. Wood's activities and those of the Government, generally, the controller decided to stay in this State.

I also know of the great extent to which the Public Service Commissioner at that time went in order to convince himself that there was every reason to increase the salary of the controller up to what he had been offered in Tasmania. If I remember rightly, the sum added in 1951, was £350.

Following that, of course, the abattoir in Midland has increased considerably and there is no doubt that every section that has had anything to do with the building of the abattoir has regarded the controller as contributing very greatly to its success—not only as its administrator, but almost as the designer of the abattoir, and even, to a degree, as the architect of it.

I would guess that about £1,500,000 has been spent there, and very little expenditure has been incurred by the Government apart from the cost of employing departments in the actual laying out or design of the abattoir. For years the controller has been regarded as having two

posts—controller, and Manager of the Midland Junction Abattoir. Now it is decided that these positions shall be divided.

I cannot help but think that, without laying any charge against this individual, this move must be regarded as a demotion. I cannot imagine that the rest of the meat industry in Australia will regard the move as being anything except a demotion for the controller. This could have a very dangerous effect on the person concerned, and it could reflect considerably on his ability; particularly if he decided to apply elsewhere for a position.

I think some really constructive ideas as to why this move is necessary, and why this division should take place, should be placed before us. One of the reasons which has been bandied about, so far as I can gather, is that it is regarded that the controller is opposed to decentralisation and to country abattoirs. Personally, I am unable to accept this statement; because if one likes to read page 11 of the report prepared by the controller in March, 1960, one sees what he learnt in America. The report reads—

Perhaps the most stark lesson in decentralisation is provided by Chicago, which in the past had been the recognised meat production centre for the United States—located as it is in the centre of the Mid West, famous for its gigantic packing houses, none of which operate today.

The great firms of Swifts and Armours have in recent years and months entirely closed down. These multi-storied, huge establishments employing many thousands, capitalised to enormous sums involving scores of millions of dollars, have been forced by a number of influences to decentralise into smaller units, located in the areas of production and over a range of anything up to two hundred and fifty miles from Chicago. Chicago itself still remains the administrative centre and hub of the meat industry of America, and the famous Union salesyards, in spite of decentralised works, still retain their throughput of livestock, 65 per cent. of which is prime quality purchased by agents for processing in the large eastern coastal centres.

The important lesson to learn from Chicago is the failure of these great institutions to keep abreast of the times with regard to their plants; forty years ago, when the meat industry in America was one of the greatest industries in the country, yielding fantastic profits, these profits were in a large measure invested into other highly lucrative undertakings and not in some reasonable measure put back into the plant to bring the works up to date in machinery and operational efficiency.

To give point to this, the story can be told of Armours who, in an endeavour to bring their works up to date and cope with wage and industrial improvements, invested something in the vicinity of fifteen million dollars on new plant and mechanical equipment. This enormous expenditure, invested to economise on the labour and time-distance factors, failed to ensure economical results, so that sooner than suffer further losses, that company sold its new plant as scrap and shut down the works. Armours have now decentralised works throughout the States, with small, compact, and modern two-storey packing houses located in zones of livestock production.

If we turn to the back of the report we find that the controller regarded the lesson which he had really learned as being the need for decentralisation. He presented a report to the Minister on his return on his assessment of the future of the livestock industry in Western Australia. I am not going to read the lot of the report, but when he came to the section dealing with decentralisation, the areas he chose for the sites for abattoirs were Geraldton, Manjimup, and Wagin. Bunbury was regarded as not suitable because he was opposed to what he called strip development along the coast. The last paragraph reads:—

The three centres suggested, namely Geraldton, Manjimup and Wagin, are capable of having their own Municipal Abattoirs in the future and, in my opinion, fulfil the requirements better than other centres; suiting a pattern of development best for the State and the industry.

He also mentions in paragraph 41 that the two existing private abattoirs, located at Harvey and Waroona, provide ample treatment facilities for the area.

It seems to me that the only argument that can be used against the controller, and his idea of decentralisation, is that he did not name the centres of decentralisation that apparently some persons desired. If this is regarded as sufficient to say that this individual is opposed to decentralisation, then I think it is an argument that fails very badly. Therefore I feel that a good deal more must be made known.

Sitting suspended from 3.47 to 4.11 p.m.

The Hon. J. G. HISLOP: Before the afternoon tea suspension I was referring to the fact that in the report of the controller there is obvious evidence that he does believe, and did believe, in decentralisation. The final paragraph on page 23—before he goes on to further detail—reads as follows:—

On the previous page the writer has detailed his views of the factors which led to the decentralisation of the meat industry in the United States of

America, and some of the advantages which such a measure might give to a community. Observations made throughout this tour of investigation, comments on which have been contained in foregoing chapters, have only strengthened his earlier conviction that such a measure must be considered in a State such as Western Australia. Being particularly mindful of the lesson provided by Chicago, the subject of decentralisation will form the subject of a report to the Minister for Agriculture, to be made by the Controller of Abattoirs.

So to make the explanation I have heard outside this House that the man is not in favour of decentralisation seems to me to have no bearing.

Let us consider the position as it really is. If we look at this Act carefully we will find that were this officer to accept the post of controller, he would not have a thing to do. So why continue with the post of controller? In the Act itself the controller simply controls Robb Jetty and the Midland Junction Abattoir. There has never been any control by him over Robb Jetty; and apparently no Minister has ever been capable of overriding the objections of the department that I have specified.

I met with the same fate when I entered an institution as controller; I was not allowed any hand in affairs. I certainly would not enter it a second time, unless I was given full authority.

Accordingly, if this individual did take the job as controller, there would be no job available. There is nothing to do. He would then be the Manager of Robb Jetty, and the Manager of Midland Junction Abattoir. I cannot see, for some years to come, what this controller can possibly do. Suppose the individual takes the post of general manager and remains in the position he has occupied for so long; what is his position in regard to attendance at such conferences as are called at intervals to discuss the meat industry and the work of abattoirs within Australia? It is not so long ago that the controller represented this State at such a conference.

Does he now, as Manager of the Midland Junction Abattoir, only have the authority to represent the State; or does it mean that someone can be appointed as controller who is not versed in the work of abattoirs, but who is versed in the role of administration; and that he will be appointed to attend these conferences? If it means that, we have really discredited this individual in the eyes of his fellows who hold similar positions throughout the State.

I cannot for one moment think that we are entitled to do that sort of thing to anybody, no matter who it is. I make no bones about saying that the man concerned has been a personal friend of mine

ever since he came to this State, and that is why I am speaking as I am. In these circumstances I feel inclined to be absent when a vote is taken, because I am personally involved and know so much about what has happened.

I cannot concede that we as a House should countenance this; and I am of the opinion that common agreement should have been reached about the position. In the first place, if this move had been discussed with the controller, we would not have this measure before us. Surely some arrangement could have been made between the two individuals concerned. The difficulty, so far as I can gather, is that it has always been extremely difficult for the controller to have direct access to the Minister; and in the days of the previous under-secretary, I understand it was even more difficult than today. Possibly that is why this conference between the two people did not occur. However, I feel it should have taken place.

I intend to suggest an amendment to this measure, and if it is agreed to by the Government, then perhaps I can vote for the legislation. I suggest an amendment be made whereby the post of controller is repealed, which would leave remaining the positions of Manager of Robb Jetty and Manager of the Midland Junction Abattoir. There has never been any control by a controller; and if my suggestion is adopted I think the present position would be rectified.

As I said before, I do not think there is anything for a controller to do. However, if the situation in the country grew to such an extent that it demanded the appointment of a controller, this appointment would be effected.

The Hon. H. K. WATSON: Could you tell us in what capacity he visited the United States and made that report? Was it as controller or manager?

The Hon. J. G. HISLOP: I do not know. He paid some of his own expenses, but he received considerable assistance from the Government. He certainly provided an official report for the Government, which was accepted as such. There is a statement on this file as to how the expenses were met and what he actually paid himself, but I cannot find it at the moment.

In view of the fact that there is no occupation as controller—and apparently there will not be for some considerable time—the repeal of the job of controller would leave the situation where there are two managers, both of whom are held in high regard. I cannot see that there will be any difficulties involved if the appointment of a controller is held over for three years or more; because, from what I have learned, I think the time of retirement of the present controller is only a year or two beyond that time.

I feel it is the duty of the Minister to have another look at this matter to see if the situation cannot be handled more amicably. I have no objection to the change taking place, but I have considerable objection to a person who has rendered service to the State being given little credit for his work at the end of a long period of service.

I will vote for the second reading of the Bill in order to discuss any amendments that might be put up, and if there are no amendments in the Committee stage I shall either leave the House or vote against the third reading.

THE HON. F. D. WILLMOTT (South-West) [4.21 p.m.]: I rise to support the Bill. I have listened with interest to the remarks of Dr. Hislop and I think they highlight the need for this measure. In the first place, I am dealing with the provisions in the Bill that any extension or declaration of abattoir districts should be approved by both Houses of Parliament. I think this is sound.

Dr. Hislop quoted from the report of Mr. Rowland in regard to the recommendations concerning the establishment of abattoirs at Geraldton, Manjimup, and Wagin; and members who are interested will remember that caused quite a deal of heated talk in the various areas, mainly because the people concerned did not understand to what the report was referring. Of course, it was referring to the establishment of municipal abattoirs in those areas. A lot of people overlooked that fact; and so that people in the future will not get into the contentious position they did then, I think the reference to both Houses of Parliament will satisfy the minds of those who had ungrounded suspicions. Nevertheless the suspicions were there. If the matter is referred to both Houses of Parliament those suspicions will not arise in the future.

Dr. Hislop referred to the position surrounding the controller when he went to Robb Jetty, and I think that highlights the need to separate the positions of controller and manager in both abattoirs. It is commonsense that if one man is the controller of abattoirs and at the same time is managing a business which is in opposition to the other, there must be some friction. I think that is only human nature. So I think the need to separate the positions is made very clear by that one instance. We know full well that in actual fact the position of controller virtually does not exist, as was said by Dr. Hislop.

The Hon. R. Thompson: Is there any friction between the W.A. Meat Export Works and Anchorage Butchers?

The Hon. F. D. WILLMOTT: I would not know. Is there?

The Hon. R. Thompson: No.

The Hon. F. D. WILLMOTT: What has that to do with the position of controller?

The Hon. R. Thompson: You said there was friction.

The Hon. F. D. WILLMOTT: I said there would be friction if the controller of an abattoir was the manager of a rival concern. Has the honourable member got that clear? That is what I intended to say.

Dr. Hislop has made the suggestion that by taking this action we are belittling in some way the present controller. However, as Dr. Hislop said, that position has not really existed. There has been a Manager of the Midland Junction Abattoir and he has been, to a very large extent, responsible for the vast improvements which have taken place there. I do not think that if we do away with the position of controller this will detract in any way in the minds of the public, interested parties, or anybody else from the reputation that the manager has built up as Manager of the Midland Junction Abattoir. It is as manager that he has built up his reputation, because the position of controller has not existed to all intents and purposes.

The Hon. F. R. H. Lavery: You do not think this is an attempt to try to get rid of Mr. Rowland?

The Hon. F. D. WILLMOTT: I certainly do not. I feel that certain people here are making the mistake of looking at this legislation from a personal point of view in regard to one man, instead of looking at the legislation itself. I think that is happening in this case; and I know it is easy to do that. So I repeat: I do not think the reputation of the Manager of the Midland Junction Abattoir will be adversely affected in any way.

Dr. Hislop asked what the position of this man would be in regard to his representing the State overseas. Nothing would prevent his doing that if the Government decided he should go overseas to represent this State and it was agreed to by the Midland Junction Abattoir Board. As far as I can see, nothing would stand in his way.

The Hon. F. R. H. Lavery: You said two "ifs." You said, "if the Minister" and "if the board."

The Hon. F. D. WILLMOTT: I am afraid that if the honourable member is going to correct my English, there are two "ifs." If the Government desires to send this man overseas and if the Midland Junction Abattoir Board approves—because that is the board which is in control of the Midland Junction Abattoir—there is no reason why he should not go.

The Hon. F. R. H. Lavery: That is the point of my query.

The Hon. F. D. WILLMOTT: I am glad we have got that clear between us.

The Hon. F. R. H. Lavery: I am not satisfied though.

The Hon. F. D. WILLMOTT: I would like to add this: I think it is obvious that the recommendations made by the present controller were regarded with suspicion in some quarters, because those quarters were not well informed. I think there will always be suspicion surrounding any suggestions made by the controller if he is, at the same time, managing a rival concern. Any suggestions made by a controller in these circumstances would be regarded with suspicion, even though there were no grounds for the suspicion. Therefore, I think the Bill to separate these two positions is a good one.

The Hon. H. K. Watson: What will be his jurisdiction as controller?

The Hon. F. D. WILLMOTT: He has very little as controller because, as was pointed out by Dr. Hislop, he has nothing to do.

The Hon. H. K. Watson: Under this Bill?

The Hon. F. D. WILLMOTT: This Bill simply separates the positions, and does not create anything more for the controller to do than he has to do at the present time, which is practically nil. That is why I cannot see any great objection to the separating of these positions.

The PRESIDENT (The Hon. L. C. Diver): Order! Will the honourable member please address the Chair?

The Hon. F. D. WILLMOTT: Certainly. I repeat: I support this Bill and feel it is right to separate the two positions. What the eventual position of controller will be in years to come I do not know; neither does any other honourable member. However, I would remind members that the Minister has stated that the present Manager of the Midland Junction Abattoir will be given his choice as to which position he will fill; and I think we can all be certain in our own minds which he will choose—the one that carries some responsibility. He will be the Manager of the Midland Junction Abattoir for the reason stated by Dr. Hislop; namely, that the position of controller up to this time has meant very little in this State. I feel the Bill is doing the right thing, and it has my full support.

Debate adjourned, on motion by The Hon. S. T. J. Thompson.

TOTALISATOR AGENCY BOARD BETTING ACT AMENDMENT BILL (No. 4)

Second Reading

Debate resumed, from the 27th November, on the following motion by The Hon. L. A. Logan (Minister for Local Government):—

That the Bill be now read a second time.

THE HON. W. F. WILLESEE (North) [4.31 p.m.]: The Bill proposes to take moneys which are represented as being unclaimed dividends from the Totalisator Agency Board and place them into Consolidated Revenue. The amount at stake is £40,000 per annum.

This matter gives rise to very serious thought. In the first place, the money belongs to people who have not been able to convince the Totalisator Agency Board that they are entitled to it. It is a pity that the board sees fit to align itself with the same principle that would apply to an on-course tote, and is not more elastic in concept in allowing a dividend to be paid where it could be reasonably claimed beyond any doubt that the money was due to the investor. However, that is the law as it stands, and that is the rule at the moment. The line taken by the Totalisator Agency Board is exactly in line with that concerning the on-course tote.

As a result, the amount of unclaimed dividends is rising each year, and it has now reached the figure of £40,000 per annum. It is interesting to note that *The West Australian* of the 22nd November stated, in connection with this measure, that the dividends were to be given to charity. However, it is quite obvious, on reading the Bill that this is not to be the case. The money will be taken into Consolidated Revenue and allocated as the Treasurer might see fit.

It is most unlikely that the Treasurer will distribute this further money to charities, because he has to give consideration to the Grants Commission in respect of existing expenditure, and it could have an adverse effect upon the claim of Western Australia at the present time.

The Hon. J. G. Hislop: I think it is in regard to social services.

The Hon. W. F. WILLESEE: It is not so much social services, but dividends to charity. I think it comes under section 85 of the report of the Grants Commission. Social services expenditure is subject to an adverse adjustment. It is unlikely that an additional £40,000 could go into Consolidated Revenue and then be allocated for charitable purposes.

The Deputy Leader of the Opposition in another place has claimed that the money should be set aside for some charitable institution. He named the Old People's Welfare Council, an organisation which does very great work in this State and which is interested in expanding. However, it has not got the necessary money to enable it to expand. Not only is it desired that this organisation should expand in the metropolitan area, but it is a laudable suggestion that it should be allowed to expand and go into the major towns in the country areas. Many of the members of the Old People's Welfare Council have contributed to this fund by way of their own unclaimed dividends; so they

would have given back to them, in an indirect manner, something to which they were entitled and something which is, in fact, their own.

A sum of £20,000 per annum set aside for this purpose would be of immense benefit to the organisation. The council would be able to widen its horizons, and the Government would be relieved of having to find such a sum of money, if it so desired, through the Treasury, with the consequent difficulties that would be encountered with the Grants Commission.

The Deputy Leader of the Opposition in another place also suggested that half of the money should be set aside for helpless and physically incapacitated children; children who are born without limbs. Considerable hardships have to be faced by the parents of these children. We occasionally hear of such cases when publicity is given to a particular child, as in the case of Mary, a young girl who was born without arms or legs. The case was taken up by Ngai-a, and approximately £5,000 was raised for the treatment of Mary. But there are many cases about which we do not hear, and the parents of such children are impoverished as a result of their endeavours to provide their children with the benefits of a good upbringing. The parents have to carry this burden throughout the life of the child.

There are many other charitable organisations that could come within the scope of this money. But there has to be a starting point, and the two organisations I have mentioned appear to be a logical starting point. People in the evening of their lives should be catered for, and incapacitated children should receive all the help they can get. If the money goes into Consolidated Revenue it is more than probable that none of it will go to charity; and if the money is divided amongst several charities the amount for each will be almost negligible. The probability is that the money will be swallowed up in Consolidated Revenue and lost forever.

I do not regard this money as being money which would come from a normal taxing measure. The money is virtually gift money, which accumulates under a special set of circumstances. It has not arisen at the direction of the Government, but has become available purely by the administrative action of the Totalisator Agency Board. In that respect, I feel the Government would not be doing anything unconstitutional in setting aside this specific sum of money for specific charities. Moneys come from the Lotteries Commission. They do not go through the Treasury, and the moneys do not go back to the Government. I am of the opinion that these moneys should be set aside for charitable purposes, and preferably be given to the two institutions I have mentioned. I feel that the Government is in

error in taking the line it is taking, and I have no alternative but to oppose the Bill.

THE HON. F. R. H. LAVERY (West) [4.40 p.m.]: I would be lacking in my duty if I did not rise in connection with this matter. I was a member of the executive committee of the Aged People's Welfare Centre in Fremantle when a sum of £22,500 was raised within two years. We received some assistance from the Government. I was also associated with the Allan McKenzie appeal. We raised approximately £6,000 in five days from the public of Australia. Of the amount raised, a sum of from £1,050 to £1,150, which was surplus to the needs of the fund, came under the control of the Chief Secretary's Department, and it has been under the control of that department ever since. That money belongs. I would think, to the people of Western Australia, and it could have been used on behalf of Mary, the limbless girl, or set aside for the purchase of a piece of heart equipment for one of our hospitals.

This money mentioned in the Bill, is like manna from Heaven, in that it has come from nowhere, so far as the Government is concerned. It does not belong to the Government but to individuals, and it could be used to reduce some of the Government's expenditure in connection with social service work in this State. I think every member has at one time or another applied to the Government for assistance in connection with some worthy cause. But on almost every occasion we have been told that it was a cause in connection with which the Government could do nothing; and we have had to have recourse to public appeals.

The Commonwealth Government, as a result of the last pensions increase for widows, advanced the sum of £3; and this is one of the reasons why I am speaking now. Mr. Willesee pointed out that if this money goes into Consolidated Revenue it is unlikely that it will find its way into social service work, unless it is used for the purpose of cutting down Government expenditure. I know the Minister for Child Welfare is not happy about the situation with regard to the £3 advanced by the Commonwealth Government for widows.

I propose to relate the case of a lady whose husband died and left her with seven children. One child is at the Tuart Hill high School another is at Modern School, three are at the Westminster School, and a young child, a boy is not yet of school age. As a result of the £3 advanced by the Commonwealth Government, this lady received an increase of only 6s. 10d. over the amount of money she received before. Out of the money paid to that person, a sum of £2 13s. 2d. has been absorbed by the State to reduce its expenditure on social benefits.

Members may have read some few weeks ago a letter published by *The West Australian* from the Rev. Kingston, an Anglican Minister at Medina, who stated that some cases had appeared in his own parish. If the Commonwealth Government, with its extremely strict control of pensions, can see fit to advance a pension of £3 to the widows of the Commonwealth, surely the State should not seek to balance its Budget from the money received by those widows. There is no argument about the truth of these circumstances because the Minister, in answer to a member's question some days ago, gave a very fair reply setting out the full position.

I feel that if this money at present held by the T.A.B. is paid into Consolidated Revenue it will be lost to smaller bodies. Merely for the purpose of using a figure, if the State is expending £500,000 on social benefits and amenities for small organisations at present, this money, if it were paid into Consolidated Revenue would only reduce that expenditure to £460,000. It is money which does not even belong to the State. It belongs to those people who do not know how to handle their affairs in a proper manner. I am certainly not in favour of voting this money to Consolidated Revenue.

If the Government had a particular trust to which this money could be paid so that in the future it could be expended on a centre for aged people, or on manifold social services in Western Australia, it would be some recompense to the thousands of voluntary workers who give their time and services to various charitable organisations in this State in a voluntary capacity, and who have played no mean part in providing amenities and services for disabled persons whether they be young or old. I would support that.

I would think that the Minister who is in charge of the Bill before the House has played his part in such charitable work in the district where he has lived, as, no doubt, we have all played our part in such work. Here, we are only about 30 people of the thousands who contribute annually to the many charitable organisations in Western Australia, and I feel that £40,000 would form a very useful nucleus for the purpose of establishing a trust fund specifically for such work. I want to pay Dr. Hislop a compliment in view of the fact that when I approached him in regard to the McKenzie baby, for whom we raised a large sum of money, he tendered some advice which led to the happening of certain events. Unfortunately, that money has never been used, because God never brought the McKenzie baby back to us after he had treatment in America.

However, the remaining sum of £1,200, of the £6,000 which was raised, plus interest, was lying idle in the Chief Secretary's Department. I believe it has since been allocated to some fund, although I do not know what it is. That is only a small

amount which is lying idle at present, but it could be put to good use during the course of the work of that department. However, why should it not be paid straight into a trust fund especially created for providing social service benefits for the people? I should say that many people today could receive benefits and assistance if this money were paid into a trust and were properly administered. If the State Government is prepared to take £2 13s. out of £3 of pension money paid to a widow with six children, I am not prepared to vote for this money to be paid into Consolidated Revenue.

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [4.50 p.m.]: First of all, I would point out that if members oppose this Bill—as has been suggested—all they will achieve will be to allow the money to remain with the racing and trotting clubs.

The Hon. W. F. Willesee: You could bring down another Bill, though.

The Hon. L. A. LOGAN: I do not think there is time to do that now.

The Hon. W. F. Willesee: You could introduce it next year.

The Hon. L. A. LOGAN: That is true, but in the meantime, the trotting and racing clubs will be enjoying the benefit of £40,000 for another year. I do not doubt that the organisations mentioned by Mr. Willesee and Mr. Lavery are very deserving, but I would hate to be the one to decide that one organisation was more worthy of receiving this money than another. It would be a very difficult decision to make. It is realised that this is money which, unfortunately, as a result of carelessness, or for some other reason, some bettors are not in a position to claim. They have no-one to blame but themselves, and I feel quite sure that if it were possible for the T.A.B. to take a more lenient view of the position it would certainly honour some of these claims.

However, it is extremely difficult for anybody to pay money out to a person who simply states that he has lost his betting ticket and is claiming the money he has won. If the T.A.B. started paying out money on such flimsy evidence as that, it would be besieged with claims.

The Hon. F. R. H. Lavery: We had a claim for £50,000 in a sweep a short time ago.

The Hon. L. A. LOGAN: Yes, and look what happened! I therefore consider that the T.A.B. is adopting a sensible attitude in ensuring that any person who makes a claim against it because he has lost his betting ticket should prove such claim.

In reply to Mr. Lavery's statement that the State Government has been taking money from the pension paid to a widow with five or six children, I can assure him

the Government has not, in any circumstances, taken money from a widow's pension merely for the sake of balancing its Budget. The Government took money away from one class of pensioner to give it to another class to balance things out. It did nothing more nor less than that.

Unless the Government had taken this action, the position could be that in one house there could be a widow receiving a Commonwealth pension, plus a supplementary allowance from the Child Welfare Department which, altogether, would amount to £9 5s. per week. In the house next door to her there could be a man with a wife and family living on the basic wage of £15 per week. Next door to them there could be a deserted wife, or a woman whose husband was in prison, and she could be supporting six or seven children on only £5 a week. That was the situation which the Government had to face; and no Minister could tolerate such a situation continuing when there is no more money available from State funds. Therefore something had to be done to balance out the payments received by these various cases.

The Hon. F. R. H. Lavery: If the Commonwealth Government had not paid the £3 pension, you would have done it just the same.

The Hon. L. A. LOGAN: No, we would not. We would not be paying any more than we are now. It provided an opportunity to raise the status of some deserving people because they had not been treated properly in the first place. This was due to the fact that there was insufficient money available. Mr. Willesee can tell the House what the Grants Commission has said about the State's social service payments. Not one penny has gone into Consolidated Revenue. It has all gone to deserving cases. In view of the great discrepancy between these various deserving cases, a formula based on the basic wage was worked out.

I will now return to the subject matter of the Bill. As I said earlier, the organisations mentioned by Mr. Willesee are no doubt deserving. But I could name several others. What about Nulsen Haven, the Slow Learners' Group, the spastic children and the blind? One could go on enumerating dozens of deserving organisations which are justly entitled to all the money they can get. Under the provisions of this Bill, if the money is paid into Consolidated Revenue, it will enable the Treasurer, when he receives a request from any charitable organisation for an increase in the grant allocated to it, to accede to such request.

The Hon. H. R. Robinson: What about the Blind School?

The Hon. L. A. LOGAN: I do not know which organisation will benefit from the money. Fortunately, I am not the Treasurer, who will be the one to sort this out.

We all know that most charitable organisations start on a voluntary basis, but within two or three years many of them find they cannot carry on because their source of revenue has dried up. They then approach the Government for financial assistance. This has been going on year after year for some considerable time. Because of rising costs, and because there has been a falling away of public subscriptions, somebody has to find the wherewithal to enable these organisations to continue with their work, and the only way this can be done is for the Treasurer to make an advance from Consolidated Revenue. Therefore I am certain that this is the only way to handle this money.

The Hon. R. Thompson: You reckoned it was all right when the Act was passed and the money was paid to the racing clubs.

The Hon. L. A. LOGAN: There was no way out of it at that particular time.

The Hon. R. Thompson: But this means we are now suggesting that this money shall not be paid to them.

The Hon. L. A. LOGAN: The amount of money received by racing and trotting clubs has put them back on their feet. It has certainly given the racing clubs in the north-west a new lease of life. Many of them would have gone out of existence if it had not been for the advances they have received over the last two or three years.

The Hon. J. G. Hislop: Over what period will that money accumulate?

The Hon. L. A. LOGAN: It is estimated that it will amount to £40,000 per annum. It depends on the people who lose their betting tickets; and it depends on how long it will take for people to become more careful and look after their property in a proper manner. If, in the future, bettors change their attitude and are more careful with their betting tickets, the estimate of £40,000 could easily be reduced by half. Therefore, to try to make a decision that the money should be paid to one or two organisations would mean that a very dangerous precedent would be created. I hope the House will agree to the Bill as it is printed.

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

Ayes—13

Hon. N. E. Baxter	Hon. G. C. MacKinnon
Hon. A. F. Griffith	Hon. H. R. Robinson
Hon. J. Heltman	Hon. S. T. J. Thompson
Hon. J. G. Hislop	Hon. J. M. Thomson
Hon. A. R. Jones	Hon. F. D. Willmott
Hon. L. A. Logan	Hon. J. Murray
Hon. A. L. Loton	(Teller)

Noes—11

Hon. D. P. Dellar	Hon. R. H. C. Stubbs
Hon. J. Dolan	Hon. R. Thompson
Hon. J. J. Garrigan	Hon. W. F. Willesee
Hon. E. M. Heenan	Hon. F. J. S. Wise
Hon. F. R. H. Lavery	Hon. J. D. Teahan
Hon. H. C. Strickland	(Teller)

Pairs	
Ayes	Noes
Hon. R. C. Mattiske	Hon. R. F. Hutchison
Hon. H. K. Watson	Hon. G. Bennetts

Majority for—2.

Question thus passed.

Bill read a second time.

In Committee

The Chairman of Committees (The Hon. N. E. Baxter) in the Chair; The Hon. L. A. Logan (Minister for Local Government) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Section 23 amended—

The Hon. W. F. WILLESEE: I take this opportunity to elaborate on my views with regard to the payment on lost tickets, and to the need of the Totalisator Agency Board to be more lenient in its policy. In the case of the on-course totalisator, the ticket is issued by a machine and given to the bettor by the clerk. In this case the clerk does not know the identity of the bettor. However, in the case of bets through the Totalisator Agency Board the clientele is generally very regular in each agency; and as a general rule the punters bet in set denominations. Furthermore, the clerks get to know the punters quite well.

In one instance when I took up the case on behalf of a person who had lost his ticket, he notified the agency of the fact before the running of the race. The clerk remembered that person making the bet, yet he could not be paid when the horse either won or ran a place. Even when the circumstances can be ascertained, the Totalisator Agency Board is not elastic in its policy on payment of unclaimed tickets. I realise there is the possibility of collusion between punters and clerks in agencies, but as the total of the unclaimed dividends has grown to such a large extent, the policy of the board should be more flexible; especially when the circumstances can be verified. Generally the clerks employed in agencies are trustworthy people. If it can be proven that a ticket is lost, and the dividend has been unpaid, the board should be more lenient in its policy.

The Hon. F. R. H. LAVERY: When I was complaining about the money taken from the widow, I had in mind not only the department administered by the Minister in charge of this Bill, but also the State Housing Commission, which took 11s. for the rent.

The Hon. L. A. LOGAN: I understand the Minister in charge of the Totalisator Agency Board has instructed it to take a more lenient, tolerant, and realistic view of claims for unclaimed dividends through the loss of betting tickets. If it can be proven that such claims are genuine, I understand the board has been instructed

to accept them. This is not an easy problem to overcome, but in the instance mentioned by Mr. Willesee the person concerned notified the agency before the running of the race. I shall pass on the views he has expressed to the Minister in charge of the board.

In answer to the interjection made by Mr. Lavery, my instruction is that no widow shall receive less than an extra 10s., compared to what she is now receiving. The money payable to the State Housing Commission has nothing to do with me. Where deserving cases can be established that widows are not getting enough, I have the prerogative to increase the allowance to whatever amount I wish. No cases of hardship will arise if they can be avoided. I shall pass on to the Minister concerned the sentiments which have been expressed by Mr. Willesee.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by The Hon. L. A. Logan (Minister for Local Government), and passed.

WHEAT INDUSTRY STABILISATION BILL

Second Reading

Debate resumed, from the 27th November, on the following motion by The Hon. A. F. Griffith (Minister for Mines):—

That the Bill be now read a second time.

THE HON. H. C. STRICKLAND (North) [5.8 p.m.]: I have looked through this Bill, and listened very intently to what the Minister had to say in his introduction. There is no reason at all for opposing the Bill. However, some thoughts crossed my mind when I considered the wheat stabilisation formula, and the history of wheat stabilisation which has proved to be of immense value to the wheatgrowers, and to the economy of Western Australia, and of Australia generally.

I often wonder why it costs 14s. 5d. or more to grow a bushel of wheat, yet only half of that cost is involved in growing oats, and the cost is about 9s. 6d. to grow a bushel of barley. I hope that either the Minister or other members in this Chamber, who are wheatgrowers, will be able to enlighten me on this matter. I often wonder how the cost of sowing and harvesting a particular crop is arrived at, as compared with the cost of another crop. I would be pleased to hear an explanation from members of this House as to how the wide variation in the cost of production comes about. I understand that the

same amount of fertiliser, and the same preparation and machinery are required; but apparently I have been misled, and do not understand the position.

Another query which crossed my mind relates to the Commonwealth average of 17 bushels per acre; this means that scientific farming has increased the yield tremendously. Therefore the profits per acre have also increased proportionately; yet the Farmers' Union still claims it cost just as much to grow a crop which yields 17 bushels per acre, as one which yields 28 to 40 bushels per acre. This becomes rather confusing to the layman who knows nothing about farming costs and production. I am sure the general public would be enlightened if some indication could be given to establish how these wide variations occur.

When speaking on another subject recently, one wheatgrower told me that wheatgrowers had made tremendous contributions to the local consumers of wheat. Some years ago I noticed an article which appeared in the *Farmers' Weekly*; in this article the wheatgrowers claimed to have contributed £140,000,000, within a certain stated period, to the bread consumers of Australia, and to the stock feed users. That is a tremendous sum, but I cannot understand how they arrived at that figure.

While they claim to be making a tremendous contribution to the community, they are apt to lose sight of the fact that the community makes a tremendous contribution towards the production of wheat—towards the cost of transporting and marketing the harvest. We know that rail freights are determined, and the railways are run, to serve the farming community. We all realise that very costly harbours have been established in this State, but no charge is made for wharfage for the products of the soil. Yet people who produce machinery and other manufactured articles have to pay wharfage charges. It has always been a sore point with the Fremantle Harbour Trust that it has been unable to raise even a small amount of levy from the wheat producers to enable the trust to balance its budget. Only the Minister and the Government have power to sanction any charge which is to be imposed for wharfage dues.

Between the years 1953 to 1959 I remember the occasions when deputations from the Albany Harbour Board, the Bunbury Harbour Board, the Fremantle Harbour Trust, and the Railways Department, which at that time controlled the Geraldton wharf, requested the Government to impose some small charge for wharfage on each bushel of grain handled. If the request had been granted a tremendous amount would have been added to the income of those instrumentalities, and they would be able to balance their budgets.

But, of course, the Government would not agree; and no Government has ever agreed. Therefore, as it is right, perhaps, to claim that the human consumption price has been rated lower than the price which would have been obtained overseas—particularly immediately following the war—the farmers might justifiably have some claim. However, it is not a valid claim when we look generally at the conditions controlling the removal, transportation, and marketing of wheat, because, on the other hand, the consumers do contribute through taxation towards those costs.

I was under the impression that the Minister for Local Government was in charge of this Bill, but the Leader of the House is in charge of it. I do not know whether he is a farming man.

The Hon. W. F. Willesee: He is pretty versatile.

The Hon. H. C. STRICKLAND: He is our Minister for Justice at the moment. However, I am hoping that some of the wheat farmers will explain these matters and tell us how they come about in order that the public might know it is not getting its bread on the cheap. After all, I suggest that if all the wheat was dumped on the home market it would not fetch very much per bushel.

Debate adjourned, on motion by The Hon. N. E. Baxter.

NATIVE WELFARE BILL

Second Reading

Debate resumed, from the 28th November, on the following motion by The Hon. L. A. Logan (Minister for Local Government):—

That the Bill be now read a second time.

THE HON. H. C. STRICKLAND (North) [5.17 p.m.]: This is a Bill which has as its objective the easing of restrictions which have been placed on natives since native welfare legislation was first introduced, and it is pleasing to realise that the Government has seen fit to introduce it. Although it could be better than it is, it is certainly a move in the right direction. Numerous attempts have been made in Parliament to implement many of the provisions in this Bill, but they have been consistently rejected.

The Hon. F. R. H. Lavery: On a party basis.

The Hon. H. C. STRICKLAND: The time has now arrived when most of us agree that the restrictive native welfare legislation should be amended as early as possible. Under this Bill, natives will be well on the way to full citizenship, and as they become more educated, they will be assimilated into the community.

There are one or two portions of the Bill which I feel could be improved. Actually it is very difficult when speaking on this principal Bill to refrain from referring to the several others which are introducing consequential amendments. The improvements to which I referred would not make any drastic alterations to the provisions in the Bill, but they are, nevertheless, necessary.

Speaking of native welfare generally, I have always been of the opinion that the welfare of natives should be a Commonwealth Government responsibility, thus relieving the States. I feel this because the legislation varies from State to State. The Commonwealth Government, I would say, has always taken the lead in furthering the welfare of natives. It has always been ahead of Western Australia, although Western Australia has as many natives as, if not more than, the Northern Territory. However, it was the Commonwealth which, in the Northern Territory, commenced to uplift the natives in a practical way, and it certainly has achieved results.

Having realised this, and having had a look-see, the Western Australian Government has decided to follow the lead. At the moment a ridiculous situation exists in the north of Australia. In the Northern Territory a native of mixed blood has automatic full citizenship rights. He is able to go into hotels and purchase liquor. However, if he drives a mob of cattle over the Western Australian border to Wyndham, and goes down to the hotel to wash the dust out of his mouth, he is prohibited from doing so. If he does so, he is breaking the law. It seems rather ridiculous that this situation should exist within a distance of a few miles.

As we know, half-castes in Western Australia are classed as natives, but this is not the case in other States. There was an instance some years ago of a trained nurse who went from Western Australia to Melbourne to undertake higher training. Here she was classed as a native, but when she arrived in Victoria she found she was just an ordinary Australian citizen and was treated the same as any other Victorian.

That sort of situation seems to me to be ridiculous, and there should be a uniform law covering all States, the same as exists in regard to wheat stabilisation, and other matters. This would obviate any complications. I believe that our system in Western Australia is completely wrong. I have always had the opinion that instead of aborigines being classed as such—and they are only classed as such by law—they should all be born citizens, and then those who are incapable should be placed under the care of the Native Welfare Department. There are many in Western Australia—particularly in the north—who are not able to fill in income tax forms, and they would certainly be incapable of voting intelligently. Despite this, hundreds of

them were enrolled for this last Federal election. How they voted, or for whom they voted, I would not have the faintest idea. There is not the slightest doubt that some of them would all vote the one way.

There is one feature about the native vote which we will never know. The public will never know, anyhow. The Federal Government claims that it has a secret ballot. I would say it was secret all right. Someone went through the Kalgoorlie electorate putting hundreds of them on the roll with the idea, no doubt, of winning that seat, but missed out. It would be interesting to be able to judge the political intelligence of those natives. As this was the first occasion large pockets of natives voted, I believe the Federal Government should make this information available, at least to Parliaments, so that we might have some idea of their political intelligence.

I was speaking to a person who attended the first election in the Northern Territory when adult natives had a vote. With the object of observing he attended an institution where there were some 200-odd native electors. Of course, things happen up there which would not be allowed in any of our polling booths. The superintendent of the institution was the presiding officer or returning officer and of course the natives did not come up and state their names. They were called up. Billy Watchem, or whatever his name was, was called and he was asked "Do you know who you are voting for?" The answer was "No". Then he was asked "Do you know how to vote?" Of course he did not; so the superintendent had to show him, and he took him to the booth. I suggest that that type of thing happened on Saturday, too, in some places in this State.

As I have said, for our edification, as we urge full citizenship rights and responsibilities for natives, it would certainly be enlightening to know the results at those particular polling booths. It is doubtful whether the public ever will. But the Federal members will have an opportunity to know, and no doubt they will know. That is one aspect of citizenship which natives, generally, are not able to accept. Of course being able to live up to the laws which all citizens are required to live up to, such as those dealing with the filing of income tax returns; notification of change of address; and so on, is beyond many hundreds—thousands I would think. For that reason it is wise to move progressively to the ultimate goal of assimilation.

It is 11 years since I introduced a Bill in this Chamber with the object of starting along this road; but, of course, I did not get past the second reading. That Bill, simply had the intention of separating the castes—the mixed bloods—and saying to them, "You are no longer natives; you are citizens and must live up

to being citizens." But they could apply to be placed under the Native Welfare Act if they were unable to assume the responsibilities of which I have just spoken.

It is interesting to look back to see the population figures I quoted when I introduced the Bill in 1952. During the course of the debate I mentioned that the castes—the hybrid natives as I referred to them—were increasing rapidly, mostly in the South-West Land Division; and I said that in time we would have quite a problem if something was not done about the matter.

It is interesting to read of the increase. In 1952 the full-bloods numbered 8,606, and the mixed-bloods 6,486, making a total of 15,092 natives within the bounds of civilisation; and they did not include quadroons—they were half-castes or full-bloods. In June, 1963, according to the report tabled today, the full-bloods numbered 9,205, so the increase there is only 599 in the past 11 years. But it must be remembered that the full-bloods were dying out; their population was getting less and less. As a result of the work of the missions; of other institutions; of the Department of Native Welfare; and of the Commonwealth Social Service Departments, there has been a change of heart amongst the full-bloods and they have begun to increase their population rather than reduce it. The mixed-bloods in 1952 numbered 6,486 and in 1963 they numbered 11,249, or an increase of 4,763 in the same period. That is a tremendous increase.

The Hon. L. A. Logan: Nearly double

The Hon. H. C. STRICKLAND: Yes; and of course they are multiplying more rapidly every day. If we take that rate of increase, which is about 33 per cent., we can see that in another 11 years there will be a sizeable native population—classed as natives; the mixed-bloods anyway—unless something is done to set them off on the road to assimilation; and I do not think that will be very difficult. It is, however, most urgent that something be done in connection with this matter.

Although the Bill commences by removing many of the restrictions applying to these people, I feel there could be some confusion unless the Minister can explain just what the Government has in mind in regard to its intention of declaring certain areas in respect of some of the legislation—the Licensing Act, particularly—and just how the Government proposes to meet the position.

Here again, if an area is declared, say, an open area—I do not know what it is going to be called—in regard to liquor, we will have an imaginary line, and there will be somebody on one side of it and somebody on the other side. That makes the position very difficult and hard to police; but it is a step forward.

I am a bit concerned about the definition of native after reading the proposed amendments to the Licensing Act. I feel there could be complications in respect of the definition in the Native Welfare Act, as amended, and I would like the Minister to get some information on this point. Here again it is necessary to refer to the two Bills in order to explain the position. The definition of native in the Licensing Act is being altered. The Licensing Act states—

Every aboriginal native of Australia, and every aboriginal half-caste or child of a half-caste (such half-caste or child habitually associating and living with aboriginal natives), shall be deemed to be an aboriginal native within the meaning of this Act, and the court adjudicating upon any complaint may, in the absence of other sufficient evidence, decide on its own view and judgment whether any person, with reference to whom any proceedings are taken under the Act, is or is not an aboriginal native.

Under the Act at the moment some discretion is left with the court. There have been cases—I can recollect several—where castes have been charged with an offence against the Licensing Act; and I can recall that in one case, after delving through the Native Welfare Department, just on evidence in Broome, it was found the natives go into 32 and 64 parts of aboriginal blood. On one occasion it was established that there was just that fraction of aboriginal blood that took a person out of the Native Welfare Act, or put him into it. The court then had a discretion; but under the Licensing Act Amendment Bill which is now before the House, it will have no discretion at all, because section 162 will be repealed and the definition will be this—

In this section and in section one hundred and fifty-one of this Act—

They apply to the supplying of liquor to natives—

—the term "native" has the same meaning as that term has in and for the purposes of the Native Welfare Act, 1963.

It is from this point that we have to refer back to the Native Welfare Bill to find out what "native" means; and the following is the definition of native in the Bill:—

- (a) any person of the full blood descended from the original inhabitants of Australia; and
- (b) any person of less than full blood who is descended from the original inhabitants of Australia or from their full blood descendants, except a person so descended who is only one-fourth or less than one-fourth of the original full blood;

So a quadroon is not classed as a native, but those of more than quarter aboriginal blood are classed as natives. The definition goes on to say—

but notwithstanding the provisions of this interpretation, any person of the full blood or of less than the full blood descended from the original inhabitants of Australia who—

- (i) has served in the Territory of New Guinea or beyond the limits of the Commonwealth as a member of the Naval, Military or Air Forces of the Commonwealth; or
- (ii) has served a period of not less than six months' full time duty as a member of the Naval, Military or Air Forces of the Commonwealth,

and has received or is entitled to receive an honourable discharge, has all the rights, privileges and immunities and is subject to the duties and liabilities of a natural born subject of Her Majesty who is of the same age;

That definition is quite clear, but I feel it has made no provision for the holders of citizenship rights. It states, "any native". I would like the Minister to ascertain whether the definition of native in the Bill exempts the holders of citizenship rights.

The Hon. L. A. Logan: It does, doesn't it?

The Hon. H. C. STRICKLAND: Not in this measure. It may do in the Natives (Citizenship Rights) Act. I feel this point needs looking into, and I would be glad if the Minister would have it looked into before he replies to the debate, or before the Committee stage of the Bill is completed. The point I have in mind could cause a tremendous amount of confusion because, while the Government states it is retaining the Natives (Citizenship Rights) Act—that is in the Minister's notes but not in the Bill—to confer these privileges on natives, the definition in the Licensing Act contains a restriction.

The Hon. L. A. Logan: They are exempt under the Licensing Act at the moment.

The Hon. H. C. STRICKLAND: Yes, at the moment. That is my complaint. The court now has a little bit of elasticity, but under this measure it will have none at all.

The Hon. L. A. Logan: A native with citizenship rights is no longer a native under the Act.

The Hon. H. C. STRICKLAND: This says "any native". It is only a matter of having the point checked; we just want to be clear on these things. We know it is the Government's intention to grant this privilege, but to overcome any confusion in the matter it would be well to have the matter checked. After all, a returned soldier or a discharged member of the forces—or a

member of the forces for that matter—is not classed as a native, and he is entitled to all the privileges. Because of the definition in the Bill, I feel some reference to an exemption certificate might be required to be included in order to clear the matter up.

The Hon. L. A. Logan: They are dealt with in separate legislation—the Natives (Citizenship Rights) Act.

The Hon. H. C. STRICKLAND: That is how it looks. I do not profess to be the last word on these legal aspects, and I feel this question should be looked at.

This Bill and the complementary measures which accompany it are, perhaps, matters for comment in Committee. Generally speaking, I see no objection to them. I have an amendment on the notice paper in relation to visiting native reserves, but it is a minor one. This matter is restricted to a great extent as there are not many native reserves these days except those under the control of missions; and the provision in the Bill seems a bit restrictive. Under the restrictions, even members of Parliament would be required to obtain permission from the local officer before they could enter a reserve.

I think that is far too restrictive because, after all, if members of Parliament have not sufficient character to allow them to enter native reserves there must be something wrong. Let me give an instance. If a member visited Hall's Creek, and wanted to have a look over the native reserve, the native welfare officer might be 200 or 300 miles away, in some other part of his district. In that case, under the provisions in the Bill, it would not be possible for the member to get permission to enter the reserve.

Why should an elected member of Parliament be required to get permission to enter a reserve?

The Hon. F. J. S. Wise: Some of the natives may be his constituents.

The Hon. H. C. STRICKLAND: That is so; he may wish to see some of his constituents; but apart from that, many members of Parliament visit the far north these days, and now that transport is swift, each year large numbers of visiting members of Parliament travel through the area. The natives, and particularly their welfare, are of great interest to them, and members should not have to be bothered about getting permission to enter the reserve. They do not want to go there for any ulterior purpose; they want to go there to have a look around and see how the natives are being treated. They want to form some opinion as to what should be done for the natives, and whether what is being done is good or bad for them. It seems to me that my amendment could be accepted because I think it is a reasonable proposal.

As far as I can see there is nothing else in the Bill which requires serious condemnation. The native problem is a difficult one to handle, particularly as it exists in Western Australia; and I believe that no Government could introduce a Bill which would meet every requirement. All I can say is that since the war there has been a remarkable uplift in the health, the habits, and particularly the hygiene of natives generally. The native who works on the stations these days is a different proposition to what he was only 10 or 12 years ago.

I read in the Press the other day where somebody had come across some nomadic families that roam around the desert. They are really only families because they are only small groups, but the people who saw them thought they had discovered stone age men. I do not know whether they have just been discovered or not, but it is something which happens quite often.

One of the greatest influences in uplifting the natives, or which has been a factor in bringing about their more rapid uplift, has been public opinion over the last 10 or 12 years. Public opinion on the native question has certainly changed to a very large degree in Western Australia, particularly in regard to people's outlook towards the natives. Public opinion, of course, has always had a very big influence on Parliament. Only two years ago one of these nomadic families, similar to the one we read about a couple of days ago, wandered on to Christmas Creek station and they saw a young calf. This was something they had not seen before and so they tasted it. Naturally they were arrested, taken to the Fitzroy Crossing police station, and were tried by a magistrate.

The initial charge against them was that of cattle spearing which, of course, carries a very heavy penalty, but that charge was reduced. Years ago the charge of cattle spearing carried a penalty of many years on the end of a chain. I have seen them working around Roebourne and Broome—Roebourne particularly—and they were chained at the ankles. When I first went there I saw the chain gangs, and that state of affairs continued until the 1920s. Some of them had chains around their legs and others had chains around their necks. Sometimes the chains were too hot for me to hold in my hand because of the heat of the sun.

That state of affairs has changed, and in the instance I mentioned the charge was reduced to one of being in possession of meat. That nomadic tribe consisted of only two or three adults; the rest were children. There were no middle-aged people, and whether they had died off or been eaten, nobody knows. They were given six months and they had to spend it at the Fitzroy Crossing Police Station. But

that six months' sentence meant that they simply sat around on the bank of the river and, as they had never seen a river before, having lived in the desert, it was quite an experience. They used to sit in the shade of the trees, on the banks of the river, and fish for barramundie. Their meals were cooked for them by the police, and they did odd chores around the place such as chopping the wood and things like that. They had never seen an axe before and so it was quite an experience for them.

Although they had been given a six months' sentence, they were having the best time they had ever had in their lives. They were being provided with food, including meat, sugar, bread, and so on. But something happened and public opinion flared up. People said it was disgraceful having these poor fellows shot into gaol, and so they were released.

The Hon. J. Dolan: Couldn't they appeal against it?

The Hon. H. C. STRICKLAND: So the influence of public opinion is great, and in relation to native welfare it has worked miracles in the last few years. In this instance the natives did not go back to the desert, but decided to stay in the civilised area. The children were taken to Christmas Creek station and the adults joined the children. They were glad to be there because it was a place where they could get food and they did not have to sit by a soak in the desert waiting for a lizard or a rat to come along for water before they could get any food. That is how the natives in the desert survive.

I think this measure is a step in the right direction, and it will certainly be for the betterment of native welfare. I support the Bill.

THE HON. D. P. DELLAR (North-East) [5.53 p.m.]: Having looked through the Bill I cannot help but feel that it is a definite step in the right direction. Undoubtedly in the early stages there will be a few problems that will have to be ironed out, but at last someone is doing something to try to assimilate the natives into the white population. I am sure the majority of natives will feel at last that they belong to the country which once belonged to them. It will take some time for them to become properly assimilated but, in the meantime, it will give them something in which they can take an interest and something for which they can work, and they will be able to feel that they are wanted.

This measure will give a lot more control to the native welfare officers, and also to the police. At times complaints regarding natives are made to the native welfare officer, but he says, "It is out of my jurisdiction. You must go to the police." So the person wanting to make the complaint goes to the police and they say, "It is out

of our jurisdiction. You should go to the native welfare officer." Consequently the native is getting pushed around and he feels he is not wanted.

The passing of the Bill will at least give control, not for the purpose of hounding natives, but to enable those who are trying to look after them more adequately to do their job. Mr. Strickland spoke about educating natives; and the granting of voting rights to natives is a step in that direction.

As members realise, in my province, which goes down to the north-east corner of the State, we have a different type of native as compared with the natives in the less remote areas. I was distributing cards at a polling booth during the elections last Saturday and one native came up to vote. Naturally he started asking questions. I gave him a card, and so did another person who was handing out cards for the other side, and I said to him, "You go inside and they will look after you." However, in the town itself there were at least 100 to 150 natives, and whether they voted nobody knows. In any case, the extension of voting rights for these people is a means of educating them and is a step forward for them. It gives them an interest and makes them feel that they are wanted.

I cannot say any more about the measure except that it is worth-while legislation, and I congratulate the Government on taking the step it has. It is legislation which is long overdue.

THE HON. F. R. H. LAVERY (West) [5.55 p.m.]: I shall not keep members very long in discussing this measure, but the introduction of the Bill is for me a happy occasion. I can remember Mr. Hubert Parker, when he sat on this side of the House, and probably a number of other members who are still here, telling us that the time was not ripe for the introduction of legislation such as this. They said it was too early and the native people were not sufficiently educated to introduce such proposals. I have seen the galleries of this House filled with native people until two o'clock in the morning; and every time a Bill dealing with natives came before this House it became a political football.

I have previously said to the Minister for Native Welfare (Mr. Lewis), and I said to him again today, that his name will go down in history for the introduction of this Bill. I have no doubt he had a great amount of difficulty in bringing the Bill to Parliament, even with the many shortcomings it has. I am sure he must have had a great deal of opposition from many people, unless they are hypocrites.

I well remember when Mr. Lewis and another gentleman—I have forgotten his name—were standing for the Moore seat. On the day of the election I was in Moora with another member of this House.

It was a wet day and the subject in the hotels, and everywhere else that day, was to the effect that this man would do something for the natives. It was well known that if he were elected to Parliament he would do something for them. But many other Ministers before him who wanted to do something for the natives were not able to do it.

I know a great deal of credit must be given to the Commonwealth Government, and particularly to the member for Curtin (Mr. Paul Hasluck). I have been very much concerned about native welfare over the years, and I have also been frustrated in what I wanted to do for them. Unless one could get the necessary support one had no chance of introducing legislation which would eventually become law.

About 10 years ago my late wife and I travelled 2,000 miles around the State, at our own cost, and probably we broke many laws so far as the Department of Native Welfare was concerned; because we interviewed people whom probably we should not have interviewed. My wife is the one who deserves the credit because she wrote down everything we saw and heard in regard to natives.

My father and mother reared a boy from three years of age to 14 years of age. They got this boy from a family in Southern Cross; and ever since I have been in Parliament I have been keenly interested in these matters. I was particularly interested to hear what Mr. Lewis had to say at the opening of a very fine hall at the Palottine Mission at Riverton a few weeks ago. It is most interesting and pleasing to see the number of educated coloured boys and girls who are showing the way. Mr. Lewis pointed out that in years gone by, when there was opposition to such matters, people would say that it was not the time to give natives privileges, because they would drink to excess; or that they were inclined to spend their money as soon as they got it. I think members will agree with me when I say that quite a number of Australians do just that.

I remember when I was at Gnowangerup seeing a notice in the C.W.A. rooms which stated, "No natives admitted here." Mr. Lewis spoke about all this opposition and prejudice to giving the natives such privileges as might be contained in this Bill. The opinion at the time seemed to be that that was not the time; it was not opportune. When Mr. Lewis emphasised that the time is now, his statement was received with great acclamation and his remarks were given a tremendous ovation.

Whether the Bill before us does all that we want is beside the point. The main thing is that it is an attempt to treat as human beings a section of our Australian people which has been denied this right previously. They are now to be treated.

on the same footing as the white people, in relation to the matters outlined in the Bill.

I would like to give credit to Mr. Lewis, but I feel he, and Ministers before him—both Liberal and Labor Ministers—have not been able to get the necessary support for legislation of this kind. I think therefore that when it is eventually introduced and placed before us for our consideration we should applaud such legislation.

Sitting suspended from 6.4 to 7.30 p.m.

THE HON. J. M. THOMSON (South) [7.30 p.m.]: The promotion of native welfare with all its complexities has been a challenge to society, generally, not only within the State of Western Australia, or Australia as a nation, but far beyond our shores for very many years. I am afraid the progress towards the social, economic, and political stability of the natives has been somewhat slow; but it has been the concern of not only members of Parliament, but many people within our community.

Unfortunately, to many people, progress has been far too slow, but I am sure the foundation which we have laid for the progress of these people is sound and practicable, and, although we are still some distance from our goal, I think the measure before us this evening, and those that will immediately follow, will ultimately be rewarding, not only to the natives, but to ourselves as we see the uplift in their social and economic stability.

Some of us have approached the matter of native welfare over the years with much caution because of the knowledge we possess by our contact with these people in the various pastoral and agricultural districts in which we live. We know the old way of life for these people has gone and, too often, they are ill-equipped to find a place in the new structure. Sometimes they retain certain aspects of their original aboriginal heritage, such as language, ideas, and tribal obligations, but usually the high moral and ethical standards of the tribe have been lost or have been entirely disregarded over the last number of years.

We know they float between two worlds, one which is gone and which is irretrievable, and one which seems far beyond their reach. However, I am satisfied that the contents of this Bill and the measures that will follow, not only during this session of Parliament, but in others to come, will be directed towards uplifting their social structure. We will have to exercise our patience and see that the measures we endeavour to implement are sound and practicable in their application. I think the attempts made over the last 10 or 12 years have been rewarding inasmuch as we have been able to provide a lot for these people. I would draw attention to the

housing programme that has been instituted. In addition, the general appearance of the native has shown a most noticeable improvement, particularly those natives in the great southern areas of this State. I would say the dress of those coloured men, women, young men, and young girls has improved considerably. This, of course, is because of the interest and concern which we have shown towards them.

I would say that education is a matter of great importance to these people and is something that will play an important part in their lives. Therefore, we must at all times strive to do our best in this regard so that the natives in turn will be able to improve their lot in life. They are now being educated to the end of primary school and into high school, and this is a cause for much satisfaction; but the most disappointing thing is that after we have lifted them to this stage, they are unable to find constant employment.

I know it is said that they do not want constant employment, but that is a problem with which we will have to persist. We will have to see that they are gainfully employed in agricultural pursuits in the rural districts of the State. That is something which would be very commendable and rewarding. We will have to see that they are encouraged and given the opportunity of entering the skilled trades and other occupations within commerce and industry.

It has been worthily said that we should provide areas within the State where these people will be able to occupy and develop land and reap the reward for their efforts. That is very good indeed, but let us go further than that and see that these people have an opportunity to enter the trades to which I have referred. I am now thinking particularly of the building trade, which I think would be an admirable occupation for these young men, and one which would give them the opportunity to learn a trade. I admit it will require plenty of patience and tolerance on the part of those who will be called upon to accept the responsibility of providing them with an apprenticeship and teaching them a trade. This is a challenge to us, to industry, and to the commercial life of this State.

The contents of this Bill are aimed along these lines; and I think we should give the natives every assistance we can. We know they are prone to be unreliable, and prone to not want to turn up to work when they are expected to because of the very nature of their existence, their tribal conditions, and the nomadic traits in their characters. This, of course, to the people who are endeavouring to teach them a trade and provide them with gainful employment is rather exasperating, but I feel that this can be overcome by education and example, plus tolerance—and plenty of that will be required.

We will not achieve this result in five or 10 years; I think we will have to look beyond that stage. However, it is a sad thing to see these young people taking an active part in their scholastic activities and achieving a degree of success in examinations, only to drift back to their former way of life after they leave school. However, I feel the legislation before us this evening will pave the way in overcoming those difficulties.

In conclusion I would refer to the licensing Bill, on which I may have a few words to say when it is before us. The subject that measure covers is one that is causing quite a deal of concern to people generally, but again I think we must treat these people as people. Hitherto, many of us have been inclined to say that we are going to be in for a terrific amount of trouble. I do not think we are. I do not think that trouble will eventuate to the extent that some people fear.

We will have to be realistic and face up to the problems that will confront us; and if we handle this question wisely, I feel we will be well satisfied, just as members of the Legislature of many years ago could take satisfaction in their strivings to make the conditions of the coloured people much better than when those members of Parliament took up cudgels on the natives' behalf.

I am sure that if Parliament, in its wisdom, had tackled the problems that we are tackling today, those problems which concern us so much would not be as difficult as they appear to be at this moment. Therefore I am sure that what we do today will be rewarding to the community in the distant future; and, because of the passing of this legislation, people will say a very worth-while job was done by members of Parliament at this particular time.

I support the Bill wholeheartedly and trust that I will have an opportunity at a later date to make some comment in regard to the question I referred to concerning the supply of liquor to natives.

THE HON. F. J. S. WISE (North—Leader of the Opposition) [7.44 p.m.]: I hope this Bill and the Bills following it will have no difficulty in passing this Legislature this evening. I agree entirely with the sentiments expressed by my colleague, Mr. Strickland, as I have some knowledge—I could quite fairly say considerable knowledge—of the background of this legislation, because I was in the position of having the responsibility of handling the initial legislation in the Northern Territory some 10 or 12 years ago, and it was the first advanced move launched in connection with a progressive attitude towards natives in Australia.

I must admit that I was afraid, at the time, that the steps then being taken were far too advanced to be undertaken. It will be recalled that a gentleman from

Western Australia was appointed as Director of Native Welfare. The gentleman's name was Giese. He did amazing work in administering the laws of native welfare in the Northern Territory.

This Bill had, as its origin, the meeting of ministers that was held in Darwin not many months ago, when all of the matters associated with the Commonwealth laws and the well-being of the natives in the Northern Territory were discussed.

I wish to pay a tribute to the work of the mission stations in the outlying parts of Australia. I do not mean those stations in close proximity to populated centres; but those stations which for 50, 60, or more years have chosen a very difficult way of life in an endeavour to do something for the natives; to train them for stock work; to train them as artisans, as mechanics, as carpenters; so that they might be assimilated in towns in the outlying parts of the Northern Territory and the north of Western Australia.

The mission station at Beagle Bay, and other stations, have made a great contribution, far in advance of anything that the State could, through its Native Affairs Department—or Aborigines Department, as it was named for most of the time—have done of its own volition.

I have often thought how little has been done by those in very high places and how little is known of the backwardness of this very primitive race of Australians—the aborigines of Australia—in such places as the United Nations. How much nonsense has been talked in such places as to what should be done for some very primitive people; people who have had no idea of contact with white people or of living and associating with white people. All sorts of motions are moved and expressed, and they are quite inappropriate to the circumstances which obtain in real life. Indeed, it was the prodding by the United Nations, as a result of its decisions, which forced the Australian Federal Government almost prematurely along the path of doing things for which the natives of Australia and of Papua, New Guinea, were not ready.

One of the matters of very great concern in legislation of this kind is that whilst we must endeavour to be progressive and to do certain things in preparation for native assimilation, we have to prepare, I think, for their assimilability; because we are dealing with people, a very large portion of whom are unassimilable.

The Hon. L. A. Logan: Quite true.

The Hon. F. J. S. WISE: There is no doubt about that; and often they are people who do not wish to be disturbed. This is something in connection with which a good administration will, I think, make haste slowly. If it makes haste slowly it will make haste more effectively and more permanently.

I think that is the approach the Government is making to this problem. I agree with the attitude adopted in dealing with those people in very remote areas. Once we endeavour to understand this particular problem, although we are legislating to bring in one law it must not be forgotten that there is a vast difference between the great southern native—the great southern half-caste—and the nomadic tribes of the Canning stock-route area; of the Kimberleys; and of the area east of Laverton. This one law will cover them all.

So, I repeat that with the best intentions in the world we must be very careful in the administering of this law, even if it is the best to meet the situation of today. I wish the department well in the handling of this measure, and I support the various Bills as they are presented to the House.

THE HON. J. D. TEAHAN (North-East) [7.52 p.m.]: The native question is one that claims world-wide interest, as well as Australian interest, and is one that deserves some comment, if only a few sentences.

The Bill before us—and others that are to follow—is to provide for the uplifting of the native and his assimilation with the white population. Other nations will judge us by how we treat the natives. Some nations are ready for us to put a wrong foot forward, when we will know all about it to our discredit, whether we are entitled to discredit or not.

It is our endeavour to do the best we can for the native. I think it has been correctly said that a lot has been done to reach the stage which has been reached at present; but public opinion has probably played the biggest part in that development. Public opinion is a powerful weapon. Mr. Strickland said that public opinion had played no small part in what we will see in the near future.

I recall the names of three Native Welfare Ministers. I refer to Mr. Lewis, the present Minister, to the late Mr. Perkins, and to Mr. Jack Brady. Each Minister has applied himself to his task, and has devoted himself to the work which has had to be done. Some Ministers have worn themselves out in connection with their duties. Each has acquitted himself well. I could mention the names of other Ministers who have done a good deal towards the uplifting of the natives.

As a boy I lived in a place well beyond Kalgoorlie. We saw a lot of natives every day. I went to a small State school and for the five or six years that I was there no native boy or native girl attended the school. I knew the native as a despised person; as a person who came to one's back door and begged for food; a person who was ill-fed, undernourished, and

poorly dressed. Can we wonder that as young people we grew up to think of the native only in that way?

It is hard to realise that something very different is now the case. I lived alongside the railway line and I used to see two or three trains pass every day. I think I was 20 years of age before I saw a native travel on a passenger train, although they used to travel on passenger trains, but only under police escort and sometimes in chains. As children, we would peep in through the carriages and sometimes we would see a native chained to a leg of one of the seats. We often saw natives in goods trains. Apparently that was the only way they could travel. They would clamber on top of a load of chaff, or on top of a coal tender, or on top of a truck load of wood. Their favourite spot was on top of a water wagon. Our opinion of the natives was not the best, although we knew they were treated quite well.

Last weekend I travelled to Meekatharra, which is 500 miles from Perth in a north-easterly direction. I saw a large number of natives. I saw a small number at the polling booths. The natives that I saw impressed me with being neatly and cleanly dressed. I could not help remarking on the matter. When walking in the main street I spoke to five or six elderly native men, each of whom was around 60 years of age. I was surprised at their intelligence. I asked each one what schooling he had had, and each said that he had had no schooling. One said that as a boy he lived in the Northampton district. I asked him whether he knew Vic Johnson, the former member of Parliament. His face lit up in a smile and he said, "Of course I do; and what is more I could tell you what family he married in, and what his wife's name was before she was married." That was the display of intelligence shown by these people.

Recently, when I was standing in the railway yards at Kalgoorlie, I saw a gang of fettlers going to work. I watched them walking down the track. A railway man who was with me said, "You see that native chap there?" The native in question was about 25 or 26 years of age. He was walking quite humbly with the others, talking and joking. The railways man said, "He is the ganger." The other men in the group would have been about 30 years of age or over. The railway man said that the native was a good ganger.

A few years ago I travelled through one of the Murchison towns. The clerk of courts there told me that a few years ago they had had some trouble with the natives. They were noisy and keeping people awake and they were committing various other misdemeanours. A few years later I again asked him how the natives were behaving and he told me that he was not having any trouble. I asked him why there had been a change in their attitude. He

told me that, in his opinion, the magistrate and the justices of the peace in the district had let the natives know that although they had been granted certain privileges in the same way as the white man, they were also subject to the penalties under the law to which the white man was subject. It did not take the natives long to appreciate their position. This man told me that they now came into the town and have a drink and are always on their best behaviour. That conversation proved to be most interesting to me.

Therefore, this Bill which seeks to assist in the assimilation of the natives into our community is another great step forward towards achieving that objective. I hope it will meet with all the success it deserves. I support the second reading.

THE HON. A. R. JONES (Midland) [8.2 p.m.]: I, too, express my satisfaction with this Bill, and I intend to support it. I feel that in the past I may have been one of those who, for various reasons, were inclined to tread cautiously and to hold back the advancement of the natives in this State. First of all, I considered it was necessary that the natives should attain a reasonable standard of education. I now feel we have reached the stage where education has been made available to natives in some areas and they are taking full advantage of it.

In the Murchison goldfields, the eastern goldfields, and in the pastoral areas, hostels have been established to which native children are brought and accommodated so that they may be able to attend school in any particular district. Further, in the agricultural areas, and also in the metropolitan area, there are institutions—mainly the State schools—which are available to about 70 or 80 per cent. of the native children; and, as I said earlier, full advantage of these facilities is being taken by the natives.

So I feel that a new phase in native welfare, mainly along the lines of improved education, is being entered. I therefore believe that this advanced step proposed in the Bill must be treated with the utmost tolerance and respect. I am afraid that many of these people will not make the grade in the same way as many white people do not make the grade. Therefore we must be extremely tolerant in our attitude towards the natives.

In one sense, we are very fortunate that the Australian aborigines are an entirely different type of race from many other coloured races throughout the world because, for one thing, the colour of the Australian aboriginal tends to breed out if his descendants continue to intermarry with white people or part white people, and if they continue to adopt our way of life and our standards of living. Therefore, it could so happen that in a few generations,

if the trend of natives intermarrying with white people continues, we will no longer have a native problem.

Another important factor is that their numbers are not great, although Mr. Strickland has said that they are multiplying very rapidly. We may have to educate them in so far as that is concerned because, at the moment, many of them seem to be raising large families so that they can enjoy the benefits of social service payments which are now available to them. Those benefits will continue to be available to them under this new set-up, of course, but they must be educated to appreciate all the good things which white people enjoy, and not abuse them.

Another aspect of assimilation for which we must have high regard is the fact that we are all copyists; not only native people, but white people also. That is, we have a tendency to copy other people and adopt some of their traits or habits whether they be good or bad. Therefore it is up to us to set an example to the native people so that when they copy us they will copy that which is good and not that which is bad. Unfortunately, too many of us—we cannot always give a reason for it—are not always good citizens, in the proper sense of the word, and some of us need education in that regard, too. Therefore, as I have said, it is up to us to try to become model citizens so that we can set a good example to the natives.

I want to take this opportunity to reiterate the statement made by members that we have to be tolerant. A great deal will hinge upon the Department of Native Welfare and, particularly, upon the Police Force. The members of the Police Force will have a difficult situation to handle—at least for some time—and they will have to show some tolerance towards these people. Undoubtedly many natives will do the wrong thing, and it would be stupid to throw them into gaol and treat them unjustly. We must be tolerant to the point of giving them two or three chances. With those few words I will conclude, and I hope I will be able to play my part in assisting in the assimilation of these native people.

THE HON. S. T. J. THOMPSON (South) [8.8 p.m.]: I support the Bill, although I consider it is just a beginning. There is a great responsibility placed upon us to do something for the natives. This Bill will give them the right to have free access to liquor. In my opinion that is the last privilege they really need. Mr. Jack Thomson commented on native children attending school. I have seen many of them in our high schools. It is found that the coloured boys and girls excel at sports, and often they are looked upon as heroes during their school lives. They are accepted by all children without any distinction until they reach 14 or 15 years.

Unfortunately, when they leave school, we are not providing for their needs or assisting them in their immediate post-school years. That is a problem we have to face. At the present time there are not many full-bloods. In the south-west area they have disappeared very rapidly. There are large groups of half-castes and quarter-castes in practically every country town, however, and there are practically no opportunities for them to earn a living. Unfortunately, when they obtain some education it becomes more difficult for them to occupy their time to the fullest extent. They just hang around the town, and, as the Minister for Native Welfare has said, they are getting all the liquor they want now.

Unfortunately, from the point of view of the native people, they have one very good trait. That is, whatever one member of the family has, all members of the family share. If one native has a house, all his brothers and sisters and cousins share it; and this applies wherever one goes among them.

The Hon. R. Thompson: Real socialism.

The Hon. S. T. J. THOMPSON: Yes, that is right. We will have to make greater provision to educate them to use their hands because they are exceptionally good with their hands and in many instances they make very good mechanics. Perhaps we could establish shearing schools, or a motor mechanics' school for them, because they make exceptionally good shearers and there is no doubt that they seem to have a natural ability to get any "old bomb" going. With the necessary facilities made available to them they could become extremely useful citizens, especially in the agricultural districts.

I merely wish to express these few words as a warning. I am greatly in favour of the Bill, but, as I said at the outset, it is only a beginning in the many steps that will have to be taken towards the assimilation of these people.

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [8.11 p.m.]: Firstly, on behalf of my ministerial colleague, The Hon. E. H. M. Lewis, I would like to voice my appreciation of the sentiments expressed by members of this House towards the Bill, and of the complimentary remarks that have been made about the attempts by the Minister for Native Welfare to do something for the natives of Western Australia. Mr. Lewis, of course, followed in the steps of other Ministers for Native Welfare who have, over the past few years, taken a keen interest in the welfare of natives and have made a start along the road to educate them until we have reached the position we have today of making this legislation possible.

We could argue the point as to whether this legislation should have been introduced 10 or 15 years ago. In my opinion, it would not have been worth anything if it had been introduced 10 or 15 years ago. Only the reforms that have been effected and the usual process of evolution have made it possible for this Bill to be given a trial. It was not easy for the Minister to introduce this Bill, being fully aware of the criticism that has been expressed by many people. However, Mr. Lewis travelled the State, north and south, east and west, and then attended a conference of all State and Commonwealth Ministers for Native Welfare in Darwin. Following that conference he returned to this State imbued with the idea that something should be done, especially towards achieving some uniformity among the States of the Commonwealth in their respective dealings and Statutes relating to the welfare of natives.

When one realises that the largest town in the electorate of Moore—the electorate represented by Mr. Lewis—and one of the largest towns in the province which Mr. Jones, Mr. Heitman and I represent, has the greatest native population of any country town in Western Australia, it will be appreciated that the Minister had to have a great deal of political courage to introduce a Bill of this nature. Looking back on the history of this legislation, I can recall many heated debates in this House on native welfare, and I can clearly visualise the late Hon. Pat Roche standing up and opposing "politics and plonk" for the natives. He was certainly against any reforms of that nature, and possibly, if I were on that side of the House today, I would be arguing much along the same line.

However, I can accept the principles of the Bill which Mr. Lewis has brought before us for our approval. Whilst I know the legislation will not do the complete job, and that only evolution will do that, at least the measure lays the foundation upon which the people of Western Australia can build to assist in the assimilation of these natives. I quite agree in the remarks expressed by Mr. Wise that unfortunately the United Nations Organisation played a leading part in regard to a subject of which it knew absolutely nothing. Further, the sense of values expressed by the world Press has also played a great part in this question.

The other morning, at a civic reception, I had the temerity to challenge a representative of the world Press on the very same subject; namely, the sense of value shown by the world Press in regard to these matters. I openly stated at that civic reception that people who knew absolutely nothing about the problem were entirely wrong in making the statements they did in regard to it. I believe that public opinion in this State and in Australia, together with the degree of educa-

tion available to the native population, has resulted in the legislation which appears before us.

I agree with the comment of Mr. Syd Thompson that the native population should be provided with gainful employment when they leave school. We must appreciate there are 3,814 native children attending primary schools, and 333 are enrolled in secondary schools. If we do not take steps to provide them with gainful employment after they leave school, then the education they are receiving will be entirely wasted; and any steps which are proposed in the legislation before us will be nullified if action is not taken to provide employment for the native children in their adolescent stage, after they have completed their education. The effort to assimilate the native population will be unsuccessful.

I shall not deal with the provisions which give the native population the right to drink. The only discordant note in this debate was struck by Mr. Strickland. I do not know whether he appreciated what he was saying about the electoral officers, and about their chasing the natives to get them to vote in the Federal elections to return the Government.

This legislation was framed as a result of the recommendations of a Select Committee appointed by the Commonwealth Government, which comprised members of all parties. That committee recommended that natives be given the right to vote. When that recommendation was adopted by the Commonwealth Government it was the duty of the electoral officers to teach the native people in this State, as was done in Queensland, the Northern Territory, and other States, what the vote meant—not how they should vote. They have probably educated the native population in this State very well, as was borne out by the television interview of three natives last week.

The first was a woman. The interviewer placed a microphone before her and asked if she was going to vote on the Saturday. She replied that she was not, because she would not have a clue what it was all about, and she would not know who to vote for. This person has been given the right to vote. Two other natives were asked similar questions, and they gave practically the same answers. They said they would not vote, because they did not know enough about the matter. They thought that the right of natives to vote should be taken advantage of eventually, when they became more educated. They thought that at the present time they would be doing the wrong thing by voting, because they did not know what it was all about.

The Hon. J. M. Thomson: Some were able to exercise an intelligent vote and did so.

The Hon. L. A. LOGAN: If half a dozen natives were employed at a station, and they went along to the polling booth but there was no-one to tell them what to do, naturally the employer would tell them what to do.

The Hon. A. L. Loton: It need not be a cattle station where that is done.

The Hon. L. A. LOGAN: That happens anywhere. I thank members for the way in which they have handled the debate on this Bill, and for the very complimentary remarks they have made in regard to this attempt to do something to assimilate the native population. I believe this legislation, on its own, will not achieve that result. We can debate on whether or not the present juncture is too early for these steps to be taken; I am inclined to believe it is possibly too early, but it is up to the people of Western Australia to make sure this legislation takes effect. As legislators we have done our part to place the legislation on the Statute book; if the people are not prepared to adopt it they cannot blame Parliament for not giving them the opportunity to assist the native population.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (The Hon. A. R. Jones) in the Chair; The Hon. L. A. Logan (Minister for Local Government) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Interpretation—

The Hon. L. A. LOGAN: I did not reply to the query raised by Mr. Strickland in regard to the interpretation of native in the Licensing Act. I refer to section 6 of the Natives (Citizenship Rights) Act which states—

Notwithstanding the provisions of the Native Administration Act, 1905-1947, or any other Act the holder of a Certificate of Citizenship and any child whose name is under the last preceding section, included in a Certificate of Citizenship shall have all the rights, privileges and immunities and shall be subject to the duties and liabilities of a natural born or naturalised subject of His Majesty.

This provision is not being repealed, because when a right is conferred on a native it should not be taken away. When an area is proclaimed, some natives in it may have citizenship rights, and we do not wish to deprive them of their rights.

The Hon. H. C. Strickland: I thank the Minister for his explanation.

Clause put and passed.

Clauses 5 to 19 put and passed.

Clause 20: Entering of reserves prohibited—

The Hon. H. C. STRICKLAND: I seek to exclude members of either House of the Federal or State Parliaments from the provision in this clause. It is an affront to a member of Parliament to have to apply to the native welfare officer in a particular locality for a permit to enter native reserves or missions. He may have constituents in those places, and may desire to discuss various matters with them.

As the law stands members of Parliament have to obtain a permit to enter native reserves, but in most cases they are unable to do so for various reasons. Mr. Abbey and I this year flew to a native reserve, but we were out of order and we should have applied to the native welfare officer in Wyndham for a permit.

A member of Parliament passing through Halls Creek may desire to enter a native reserve, but the native welfare officer may be hundreds of miles away in the course of his duties. Even in those circumstances it would be an offence for a member of Parliament to enter the reserve without a permit.

The amendment in my name seeks to insert certain words in line 22 of page 11, but after a discussion with the Minister before the House sat, it was suggested that the words should be inserted in a later portion of the clause. For these reasons I shall depart from the amendment on the notice paper, and instead I move an amendment—

Page 11, line 25—Insert after the word "Department" the words "or a member of either House of the Federal or State Parliaments."

The Hon. L. A. LOGAN: The reason why those words have not been included in the principal Act is that under regulation 24 any person who is not a native, and who desires to enter a native reserve, can obtain a permit. The Commissioner of Native Welfare may insist on the giving of a bond by an applicant, but I am not aware of any case when a bond was insisted on. The Minister in another place did not agree to an amendment similar to this.

We are here to debate the rights and wrongs of all amendments, and if members think there is merit in the amendment it is up to them to agree to it. I only wish to point out that the Minister in another place did not agree to a similar amendment.

I agree it may be difficult, when a member of Parliament is travelling through a district, to obtain a permit from the commissioner. I would not like to use the argument that previously members of Parliament did not want to go on to native reserves when natives did not have the right to vote, but now they want to go on to those reserves when natives have the right to vote.

The Hon. H. C. STRICKLAND: That is an unfair comment.

The Hon. L. A. LOGAN: I would not use the argument along those lines, although it was expressed in those terms somewhere else. I do not want to raise anything of such a nature in any debate. I am merely trying to state the case. It is up to the Committee to decide whether there is any merit in the argument raised by Mr. Strickland.

The Hon. F. J. S. WISE: Members of outlying districts and provinces have considerable communication with missions and those associated with missions within the districts and provinces they represent. It would not be exaggerating to say that North Province members would receive 100 letters a year from mission stations and the representatives of missions within that province. I know men in the department to whom I would be reluctant to go to seek permission to enter a native reserve.

Here we are in this Chamber formulating the very legislation which will govern the conditions of natives. Yet, when this legislation is passed we will be expected to go to some officer, of junior rank at times, in the department to seek this permission. We could even be told by the officer concerned that he had no instructions in the matter and that he would write to Perth. That could happen, and I do not think members should be put in such a position.

Suppose one of our congenial companions opposite—Mr. Watson, for instance—desired to go north next winter and I accompanied him. Is it appropriate that I should go and ask someone who has been in the north for five minutes whether I could go, for instance, to La Grange mission station, where I would be very welcome, or to Beagle Bay where I have a standing invitation to go for a month any time I desire? The same situation would arise if we were accompanied by a Federal member, or a South-West member. I believe Mr. Strickland's amendment is on the right track and I hope it will be accepted.

The Hon. D. P. DELLAR: I consider this amendment is important and I agree with the remarks made by Mr. Wise. There are nine reserves in the North-East province, and I believe that the natives concerned should have the same representation as the white folk, if they are to be encouraged to adopt our way of living.

The Hon. J. M. THOMSON: I rise to support the amendment. I do so for the reasons already expressed by other members. Under this Bill the natives will have the same right of access to members of Parliament as have white people; and is it not right that, if necessary, and the natives desire it, we should visit their reserves? We should not have to first seek authority from someone who may not be resident in a particular area.

The Hon. A. F. Griffith: There are so many native reserves that you might go on one without knowing it.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 21 to 38 put and passed.

Schedule put and passed.

Title put and passed.

Report

Bill reported, with an amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by The Hon. L. A. Logan (Minister for Local Government), and returned to the Assembly with an amendment.

RAILWAYS (STANDARD GAUGE) CONSTRUCTION ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by The Hon. A. F. Griffith (Minister for Mines), read a first time.

CRIMINAL CODE AMENDMENT BILL (No. 2)

Second Reading

Debate resumed, from the 28th November, on the following motion by The Hon. L. A. Logan (Minister for Local Government):—

That the Bill be now read a second time.

THE HON. H. C. STRICKLAND (North) [8.42 p.m.]: This is another move to delete some of the antiquated provisions concerning aborigines. This Bill amends the Criminal Code to delete the provision regarding whippings. Under the Criminal Code at present, a non-aboriginal boy, if ordered to be whipped, is whipped in private; but an adult or juvenile aboriginal male must be whipped in the presence of a J.P., a member of the Police Force with a rank no lower than a sergeant, or an officer of the department. This is a rather repulsive provision, and I congratulate the Government on taking this step to delete it.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by The Hon. L. A. Logan (Minister for Local Government), and passed.

LICENSING ACT AMENDMENT BILL (No. 4)

Second Reading

Debate resumed, from the 28th November, on the following motion by The Hon. L. A. Logan (Minister for Local Government):—

That the Bill be now read a second time.

THE HON. H. C. STRICKLAND (North) [8.47 p.m.]: The Bill proposes to make it possible for the Government to ease restrictions on the sale and supply of liquor to aborigines. The Government has tackled this question on a very sound basis; although there are bound to be some complications. Nobody can achieve 100 per cent. success in every attempt; or, for that matter, in any attempt. There is no doubt, however, that with the education of the native, and the passing of time, this Bill will enable the liquor laws to meet the requirements of various parts of the State.

We find that the existing laws in relation to supplying liquor to natives are, in the main, the reason for many of the prosecutions against natives, and against non-natives, for the supply of liquor to natives.

There are two kinds of people involved: the lowly white who will provide natives with grog; and he is usually a habitual inebriate himself—an alcoholic, and he more or less, to use Australian slang, runs the rabbit. The other type imposes on the native—he is a black marketeer. He exists, and he is a danger or a menace in some parts of the State where the Government probably will proclaim these provisions.

Unfortunately there are many natives in those areas who are not yet ready to accept responsibility. The Minister said previously that the Natives (Citizenship Rights) Act will look after quite a number of them; and the amendments moved by the late Mr. Roche, when he was in this House, in relation to servicemen and ex-servicemen, will look after another section of them.

In the main, the natives are being provided for; and I feel that there will not be, in the southern portion of the State—which seems the logical area which should not be proclaimed—the disturbance which many people envisage as a result of the natives having easier access to liquor; and I agree with what Mr. Jack Thomson said in this regard when he was speaking previously.

There is not the slightest doubt that they are the victims of all sorts of impostors when it comes to the supply of liquor. I have always argued that if it were made freely available to them so that they could go into a hotel and drink sanely what they desired, and could choose the drink they

wanted, rather than have some stuff concocted and sold to them in a bottle, they would be much better off, and so would the public.

We have numerous full-blood natives, as well as many mixed-blood natives, in the northern towns, and those who have the privilege of drinking in hotels conduct themselves very well indeed. They look after themselves quite well, and it is very rarely that we see those types of natives in trouble. The native who is prohibited from entering a hotel is the one who gets into trouble. It is going to be very difficult to overcome that problem. This legislation is a move in the right direction and should be a great help.

THE HON. J. M. THOMSON (South) [8.52 p.m.]: If I heard the Minister aright when he introduced the Bill, he said it was the intention of the Department of Native Welfare to carry out an intensive educational programme before the Bill was proclaimed, the idea being that the native should get a better understanding in respect of his approach to the laws that we are now about to pass pertaining to the supply of liquor. I hope it will not be long before the Bill is proclaimed, because these people already have liquor supplied to them. They go to the toilets at the back of hotels, or into the toilets of civic centres or schools in back lanes, where they consume the liquor they receive; and we know they receive it; and I wonder to what extent we will succeed in the educational programme that we have in view.

These people are undoubtedly fully aware of the measures before Parliament, because quite a number of them, from time to time, have asked me, as I have moved around my district, when the Bill dealing with natives and the liquor question will be passed. I have said, "It will be passed, presumably, within the next few weeks before Parliament rises."

If we think we can delay the time with a view of trying to educate the natives to drink in a moderate way, we will defeat the purpose that we conscientiously desire this legislation to achieve. I trust that it will be proclaimed at an early date so that the natives may receive their liquor as we intend.

I think there is much merit in the bottle ban that is apparently in existence as a result of the co-operation of a number of licensees; and wherever that ban has been imposed we have learned, on the good authority of various police officers, that the consumption of liquor by natives has considerably lessened. With the supply of liquor to them over the bar, and the control of bulk liquor maintained in the manner just referred to, a lot of the anticipated trouble will subside, thus enabling the educational programme period to be reduced to a minimum, and the full value of the legislation to become an early reality.

I trust the Minister will approach the matter I have raised in a practical and sympathetic way, knowing that the licensee will still have the right to refuse to supply liquor to a native—or to any white man or white woman; and that must always be the case. I trust that from now on the full benefits we envisage by this legislation will be at the disposal of the people we are trying to serve in this instance.

THE HON. N. E. BAXTER (Central) [8.57 p.m.]: It appears we are trying to lift the standard of the native in some degree in various ways. The Bill proposes that in proclaimed areas of the State natives will be permitted to enter hotels and drink on the same conditions as white people or Australian citizens, and will also be able to purchase as much liquor as they like to take from licensed premises.

We have to consider whether this is a good thing or not a good thing. In my opinion, based on my experience, I do not think it is a good thing. Having seen this practice operating in country towns where there are persons with citizenship rights, and coloured people who are not considered natives under the Act, I can assure you, Sir, it will create a terrific number of problems. The policing of this matter is going to be a huge problem, particularly in centres where there is no police officer. One might instance Tammin. The nearest police officer to Tammin is at Kellerberrin. In other centres in Mr. Jack Thomson's area where natives congregate, there are no policemen at quite distant places.

The whole point is this: Can the Police Department supply enough officers to police these centres and keep this matter under control? I do not think it can, because it is not what the natives drink in the hotel where the publican and his staff can control them to quite a degree under the Licensing Act that is the problem; it is the liquor they take away to the reserves and the camps. That is where the danger arises. I have seen where natives have taken liquor into the camps and distributed it to other natives who do not have citizenship rights, and the first thing that happens is a good old melee with sticks and boots and everything. How we are going to control that position, I do not know. I have seen places where the policeman has been called out as late as 11 o'clock at night, or even later, to try to control fights that have occurred in native camps.

I think it will be far from a good thing when we get away from the present system under which natives with citizenship rights can be controlled in regard to the distribution of bottles, as Mr. Thomson mentioned. When I was in the hotel at Beverley, with the co-operation of the policeman we refused to sell bottles of liquor to coloured people for them to take away. Even so, the natives were supplied by people who would come in and purchase liquor in

bottles and then go outside and deposit it in a certain place so that the natives could come and pick it up.

This problem is particularly difficult to control and several years ago I introduced a Bill to try to deal with it. My Bill was introduced in an effort to do something about the person who was suspected of supplying liquor to natives but, unfortunately, the Bill was turned down, even though the Commissioner of Police and the other police officers with whom I discussed the matter were very much in favour of it. They thought it would be a way of controlling the problem that exists with natives getting bottles of liquor.

We have been told it is the intention to educate the natives how to drink. If we can educate the natives how to drink we will be doing a much better job than we have been able to do in educating our own people how to drink. There is no doubt that if we take that line we will have to start on our own people before we start on the natives. If we cannot educate our own people how to drink in moderation, how can we expect the natives to do it?

I read a little article by Kirwan Ward not long ago regarding the question of natives drinking. The person mentioned in the article was supposed to be educating the natives on how to drink and, according to Kirwan Ward, the native said "Is this how the white man drinks?" to which the white man replied, "Yes." The native said, "I thought so!" I think that sums up the position, and I am afraid from my own point of view in trying to educate the natives in this direction we would be fighting a losing battle.

I do not feel very happy about supporting the Bill in its present form. I would like to see some restrictions in regard to liquor in containers that can be taken away from hotels, even if we have to limit the amount and place further restrictions on people supplying natives with liquor over and above the amount the natives are entitled to receive under the Act.

The Hon. J. M. Thomson: What about a bottle ban?

The Hon. N. E. BAXTER: I would be in favour of a bottle ban. I think it would go some way towards controlling the position, and it would be a means of educating them by allowing them to go to an hotel to drink without being able to buy bottles to take away. However, I think we should place a provision in the Licensing Act to the effect that any person suspected of supplying a native with bottled liquor can be, on the order of two justices or a magistrate, refused the supply of liquor in the future. I think that would be a way of dealing with the problem.

We could educate them by giving them the opportunity to drink at hotels, where they can be controlled at the discretion of

the licensee and at the discretion of the police officer of that district. However, to leave it wide open as the Bill proposes, in proclaimed areas, I think would be one of the worst things we could do, and we would be doing a disservice to everybody.

I trust the Government will give some consideration to a restriction on the supply of bottles so that we will gradually be able to educate the natives by allowing them to drink in hotels in moderation; and, when we find they can drink in moderation, and can control themselves, perhaps later on we can extend the Act to allow them to purchase a certain number of bottles of liquor. However, I am not prepared to support the measure in its present form.

THE HON. F. R. H. LAVERY (West)
[9.5 p.m.]: I am sorry the honourable member has drawn me to my feet, but I cannot let Mr. Baxter get away with what he just said about the education of natives on drinking; because as I said on a previous Bill, which was discussed in this Chamber, we know natives are getting as much liquor as they want now, under all sorts of subterfuges, and they are paying plenty for it.

I can name a grocer in a south-west town who is always glad when night falls. He works back at his shop, supposedly packing orders for the next day. He is packing orders, all right, but he is putting these orders out the back of his shop and as it gets dark the natives pick them up. That man is a justice of the peace, and I challenged him myself about what he was doing on one occasion. The natives were paying 7s. a bottle for beer. So with all due respect to what Mr. Baxter said regarding the hotel side of the business, I thought I should put those ideas forward.

I thought the major Bill, which has been passed, was accepted in a very good spirit of conciliation, as was the Bill which dealt with the Criminal Code. I thought this Bill would receive the same treatment, because the principle in the major Bill had been accepted. Apparently that is not to be, and I have to support Mr. Thomson in regard to the matter.

There is just one point I would like to make in regard to the proclaimed areas. What happens when the natives go across the line? We know that a proclaimed area has an imaginary line running around it somewhere. For instance we know that in our own electoral districts the same sort of thing happens. In my own case on one side of the street the houses are in the West Province, and on the other side of the street they are in the Suburban Province. There must be a line of demarcation. But what happens when the natives cross the line in this instance is another point.

I do not think Mr. Baxter has fallen into the spirit of things tonight. I am not criticising him for having the right to speak, but I think he is still back in the year 1952.

The Hon. F. J. S. Wise: It is the beer he is worried about, and not the spirit.

The Hon. F. R. H. LAVERY: I do not think the honourable member has progressed to the year 1963. He has the right to express his own opinions, but I still think that what Mr. Thomson said is quite correct, and this measure will bring trading in liquor into the open.

The Hon. N. E. Baxter: An open slather you mean.

The Hon. F. R. H. LAVERY: No more drink will be sold than is being sold now, but the point is that it will not be sold illegally. As I said on the Native Welfare Bill, I was in Moora on the day Mr. Lewis was elected, and the hotel proprietors were fearful about this proposal. They wanted to know how many policemen they would need to have there to control the natives. I would venture to say that not one more policeman will have to be employed. There may be a few more summonses, but when one reads the report of the Commissioner of Police for 1962 it is amazing the number of summonses that have been issued against white people for drunkenness. I support the measure.

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [9.8 p.m.]: Like Mr. Baxter I was one of those who feared this reform for natives possibly more than any other reform. However, I have reflected on the matter and examined my own conscience regarding what is going on in Western Australia today under our existing laws. When one does that one starts to appreciate that all of the things that one imagines will happen with this reform are already happening today.

The Hon. F. R. H. Lavery: That is so.

The Hon. L. A. LOGAN: Therefore if all these things are happening this proposed reform can do only one of two things; either it can improve the position, or it can make it worse. To make the position worse, we have to reach a stage where a greater quantity of bad liquor—not the good liquor—is being made available to the natives. But there will be more natives to drink it, and there will be more of the people to whom Mr. Strickland referred—the low whites—who will not only want to drink with the natives but who will also try to make a few bob out of them. There will be a greater number of those people, and that sort of thing will make the position worse.

The Hon. F. J. S. Wise: All things are worse when they are illicit.

The Hon. L. A. LOGAN: Yes. I could say something about that but I shall not do so. Then we have to look at it from

the other angle to see if this legislation will improve the position. Surely, if the native is given access to good liquor, instead of the plonk and methylated spirits and water mixed together, which many of them drink today, and for which they are paying plenty, it will be a good thing. He will be given the opportunity to drink good liquor—even the advertisement says "Beer is best"—and surely the situation must improve!

I can assure Mr. Thomson that there is no intention of delaying the proclamation of the Bill any longer than is necessary. Before the Act is proclaimed an intensive educational system will be put into operation. We do not intend to proclaim areas where natives can drink, but we will proclaim areas where they cannot drink. I would not be surprised if we proclaimed an area north of the 26th parallel, which would give to natives living in the South-West Land Division the right to drink. As the natives further north were educated we would probably reach the stage where the only proclaimed areas would be some of the missions. Possibly it would be to their own benefit that that should be so.

I do not know, but I think that is how it will work. I think we will have to proclaim areas where natives cannot drink. As Mr. Thomson said, a native will be subject to the same laws as the white man and, when the legislation is passed, he can be refused a drink if he is causing a nuisance or if he is neglecting his family. He can also be put on the Dog Act; and, if necessary, and it can be put into effect, we can have a bottle ban which has applied in a number of country centres.

The Hon. J. M. Thomson: And it has been very effective.

The Hon. L. A. LOGAN: May be, as the Minister has said, it will be necessary to do this in some areas, but I think this will overcome the problems mentioned by Mr. Baxter. The experience of New South Wales, where this reform has been put into effect, has been that there have been very few, if any, more offences committed by natives because of drinking than was the case previously. I have reports from every State in Australia on this question. In regard to the Northern Territory, it states—

There was a short period of readjustment but these people are now regarded as being ordinary members of the community.

In regard to New South Wales the report states—

The secretary to the Aborigines Welfare Board advises that the Commissioner of Police, in summing up returns from Police Stations throughout New South Wales as at the end of July, 1963, confirmed that there had

been no increase in the number of charges against aborigines for drunkenness or associated offences.

The Hon. F. J. S. Wise: I bet you haven't got a report from Tasmania or Victoria.

The Hon. L. A. LOGAN: I could give the honourable member one from the other two States, but I do not think there is any need to do so. If we were as fortunate as Victoria and Tasmania, there would be no need for this legislation.

I appreciate the fears which have been expressed by Mr. Baxter, because quite a few of us have had the same fears over the years. However, I have re-examined my thinking and my approach to the problem, and I think if Mr. Baxter had been with me the other day when Mr. Clayton Mitchell told us of the number of dozens of bottles which had been consumed by one family group of natives he would have had his eyes opened, as I did. The number of bottles which went from the store to this community of natives, and which were consumed at their camp, was terrific.

The Hon. N. E. Baxter: This Bill will not stop that; it will make it worse.

The Hon. L. A. LOGAN: It will not make it any worse; but that is what is going on today.

The Hon. N. E. Baxter: It is not controlled.

The Hon. L. A. LOGAN: How are we going to control it?

The Hon. F. J. S. Wise: They could use tins.

The Hon. L. A. LOGAN: If we could find the definition of "can" we might be able to work this out. If the matter gets out of hand we could legislate for it again. But with the education it is intended to give these natives, and with the areas that are not to be included for the benefit of this reform, and which will be proclaimed, this will gradually be extended as the position improves, and I think we will find that some of our fears will be groundless. I trust that will be the case, not only on behalf of the natives, but for the good of all of us. I hope the fears that have been expressed will not eventuate, and that this reform will be considered by the natives and by the white people as an attempt on our part to assimilate the native population.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by The Hon. L. A. Logan (Minister for Local Government), and passed.

EVIDENCE ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 28th November, on the following motion by The Hon. L. A. Logan (Minister for Local Government):—

That the Bill be now read a second time.

THE HON. H. C. STRICKLAND (North) [9.19 p.m.]: This Bill also has relation to natives. It seeks to repeal section 102, and to amend section 103 of the principal Act which provide for natives who are not able to make an oath. Those provisions are now redundant and the Bill seeks to repeal and amend them respectively.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by The Hon. L. A. Logan (Minister for Local Government), and passed.

MINING ACT AMENDMENT BILL (No. 2)

Second Reading

Debate resumed, from the 28th November, on the following motion by The Hon. L. A. Logan (Minister for Local Government):—

That the Bill be now read a second time.

THE HON. D. P. DELLAR (North-East) [9.22 p.m.]: This is another Bill which seeks to provide added amenities for natives. It seeks to remove section 292 of the Mining Act. I feel we must support this measure, because it is a further step towards assisting the natives and their employment in the mining industry. During my trip to the north over the week-end, I discussed the Bill with quite a number of mining people in that area, and they were very happy to think that we were at last trying to do something to assist the natives by way of employment.

There is, however, one matter which I would like to raise that could creep in. I refer to the employment of natives on mining reserves. We could get the ruthless type of employer who would try to pick up leases; peg an area of ground, and have a man in to hold the lease for him. He could do this by providing him with a

small hut on the lease, giving him thirty shillings, or less, a week, together with his food. This would provide cheap labour for such people. I hope the Minister will give us an assurance that this matter will be closely policed. There is always the fear of opportunists taking advantage of the position to try to employ cheap labour in order to benefit their pockets. I see no reason why the Bill should not be passed, and I hope the Minister will give me the assurance for which I ask.

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [9.25 p.m.]: I think I can assure the honourable member that the department will make certain that natives are not exploited in the manner he has mentioned. The Minister raised this question with his department, and he was given an assurance that the matter would be policed to ensure that no native was exploited in this manner.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by The Hon. L. A. Logan (Minister for Local Government), and passed.

FIREARMS AND GUNS ACT AMENDMENT BILL (No. 2)

Second Reading

Debate resumed, from the 28th November, on the following motion by The Hon. L. A. Logan (Minister for Local Government):—

That the Bill be now read a second time.

THE HON. H. C. STRICKLAND (North) [9.28 p.m.]: I support this Bill. It merely removes a restriction from natives under the Firearms and Guns Act. It will place natives on the same level as other applicants for firearms and guns.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by The Hon. L. A. Logan (Minister for Local Government), and passed.

STAMP ACT AMENDMENT BILL (No. 3)

Second Reading

Debate resumed, from the 27th November, on the following motion by The Hon. A. F. Griffith (Minister for Mines):—

That the Bill be now read a second time.

THE HON. F. J. S. WISE (North—Leader of the Opposition) [9.32 p.m.]: I do not intend to oppose this Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by The Hon. A. F. Griffith (Minister for Mines), and passed.

RESERVES BILL (No. 2)

Second Reading

Debate resumed, from the 26th November, on the following motion by The Hon. L. A. Logan (Minister for Local Government):—

That the Bill be now read a second time.

THE HON. F. J. S. WISE (North—Leader of the Opposition) [9.34 p.m.]: This annual Bill which usually arrives in this Chamber a week or two prior to the end of the session is one that we have had a chance to examine. I have taken the opportunity to examine the clauses of the Bill in conjunction with the plans and can find no objection whatever. I support the second reading.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by The Hon. L. A. Logan (Minister for Local Government), and passed.

ROAD CLOSURE BILL

Second Reading

Debate resumed, from the 26th November, on the following motion by The Hon. L. A. Logan (Minister for Local Government):—

That the Bill be now read a second time.

THE HON. F. J. S. WISE (North—Leader of the Opposition) [9.42 p.m.]: I support this Bill. The several transactions are, in the main, very minor. Indeed, it is surprising with the thousands of transactions that take place annually through the Titles Office, and their adjustments with different local governing bodies, that on an occasion such as this only seven require parliamentary sanction. It will be noted that one of these is a right-of-way. One of the clauses deals with all roads abutting on to the rabbit proof fence, which is in a different category. One would have expected that with the thousands of transactions in the metropolitan area during the last year of operations we would have had a great many more in this Bill. I was very surprised to find such a small Bill on this occasion.

With the operations of town planning in the city and the adjustments made in the truncations, involving whole blocks as they do in some cases, we will have many more of these, from time to time, where the Crown will have to take certain action. In any case, I do not want to hold this Bill up, and I repeat that with the exception of one case they are all of a very minor character although very important in themselves.

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [9.44 p.m.]: I would like to inform the House there has been considerable agitation for some method to be found to deal with back lanes which are mainly in the metropolitan area. I have had investigations made by a committee on two occasions, but up to date its members have not been able to come up with any really satisfactory conclusion. I have not given up yet, but the only advice they have been able to give me is that a town planning scheme would be required to close these rights-of-way.

The difficulty we find is that when owners of houses are offered the lanes which run along the back of the houses, they do not want them, because they would have to move back their fences to incorporate the land within their boundaries. I can assure members that I will continue to work on the matter in an endeavour to find a satisfactory solution.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by **The Hon. L. A. Logan** (Minister for Local Government), and passed.

Sitting suspended from 9.48 to 10.15 p.m.

LICENSING ACT AMENDMENT BILL (No. 3)

In Committee

The Chairman of Committees (The Hon. N. E. Baxter in the chair; The Hon. E. M. Heenan in charge of the Bill.

Clause 1 put and passed.

Clause 2: Section 39 amended—

The Hon. E. M. HEENAN: Section 39 contains the provisions which apply to the holder of a gallon license, a two-gallon license, a brewer's license, and a spirit merchant's license. Subsection (1) (a) imposes on those licensees a duty to keep a book and to enter therein after every purchase of liquor, the date of purchase, the quantity and kind of liquor purchased, and the name of the seller.

It is proposed in the Bill that gallon licensees be removed from subsection (1) (a) of the Act, and I pointed out during the second reading that gallon licensees were keeping the record provided in that subsection. They keep a record for their own purposes because, subsequently, they have to submit liquor returns and other information. I am satisfied that the provision in subsection (1) (a) does not inflict any hardship on the licensees. I have made inquiries among the people concerned and they told me that was so.

In order to meet the objection of the Minister partially, I am prepared to forgo the proposal in the Bill to delete the words "gallon license" from subsection (1) (a). However, in section 39 (2) (b) it is provided that the licensees shall keep a book and shall enter therein after every sale the date of sale, the quantity of liquor sold, and the name of the purchaser. The gallon licensees consider that provision to be obnoxious, not only to themselves but to the public. Many people resent being asked by gallon licensees to supply their names, and to have their names recorded in a book. It causes inconvenience to people who are conducting grocery shops, and it is an annoyance to the public, who resent and misunderstand the motive of the gallon licensee in asking for their names. Experience has shown that this provision in the Act serves no worth-while purpose.

I suppose the Minister will contend that the purpose of subsection (1) (b) is to prevent gallon licensees from selling single bottles of liquor, and to assist the police to administer the law. However, if a gallon licensee flouts the law and sells single bottles of liquor, the police invariably catch up with him by assigning one of its agents to make such a purchase. The law would be thereby administered and maintained.

Section 39 (1) (c) provides that the two books I have referred to shall be produced to a police officer, or an inspector of liquor, on demand, and he may peruse those

books. I have no objection to this provision. To overcome the objection raised by the Minister during the second reading I move an amendment—

Page 2, lines 2 and 3—Delete all words after the word “by” down to and including the passage “subsection (1)” and substitute the following:—

adding after the passage “pounds” at the end of subsection (1) the following proviso:—

Provided that paragraph (b) of this subsection shall not apply to the holder of a gallon license.

This amendment will make the Bill less far-reaching than previously, but at the same time it will do away with the requirement of the gallon licensee to keep a book setting out every sale that takes place, and the name of every person to whom liquor is sold. The amendment will go a long way to meet the objection raised by the Minister.

The proposal in the Bill seeks to eliminate gallon licensees altogether from the provisions of section 39 of the Act, but the amendment I have just moved proposes that they be relieved of their responsibility under subsection (1) (b) of the Act.

The Hon. A. F. GRIFFITH: When Mr. Heenan introduced this Bill, clause 2 sought to remove the gallon licensee from any of the obligations set out in section 39. They were that the gallon licensee shall, firstly, keep an account of the liquor he buys; secondly, keep an account of the liquor he sells; and, thirdly, produce the books for inspection by the police. Mr. Heenan seemed to think that by deleting the words “gallon licensee” the gallon licenses would be absolved from observing the provisions in paragraphs (a), (b), and (c) of that subsection.

The Select Committee which inquired into the licensing laws of this State recommended to the Government that not only should gallon licensees enter the names of the purchasers of liquor, but also their addresses. It has been agreed that the Bill be read a second time, and I accept the vote of members that the names of purchasers of liquor from gallon licensees shall not be entered in a book for that purpose. Although I do not agree to the vote I accept the position. The whole of Mr. Heenan's argument rested on the difficulty of the gallon licensee to make the entries of purchasers of liquor, and to ensure that the correct names were recorded.

I have an amendment on the notice paper and I want the Committee to be the judge as to which of the two is the better. I suggest mine is because whilst it does remove the obligation on the gallon licensee to obtain the name of the purchaser, it does not destroy the principle

of the Act, and that is that the gallon licensee shall enter up what he buys and what he sells and will make himself available to the police if an inspection of his premises is required. Under Mr. Heenan's amendment the provisions of paragraph (b) will not apply. However, my interpretation of the purpose of this Bill is to take out the words “and the name of the purchaser”. Was not that the purpose?

The Hon. E. M. Heenan: No. It is to eliminate that book altogether.

The Hon. A. F. GRIFFITH: That is in complete conflict with the speech delivered by the honourable member when he spoke on the Bill. If the honourable member refers to the remarks he made he will find I am right. The idea, according to the honourable member, is to relieve the gallon licensee of the absurd business of having to write Bob Menzies' name, or the name of some other famous statesman.

The Hon. F. J. S. Wise: Arthur Griffith!

The Hon. A. F. GRIFFITH: Or Frank Wise! I am prepared to accept that principle. However I am not prepared to accept the principle that the gallon licensee should be absolved from all the other requirements under paragraph (b). Why should he not account for the liquor he has sold? Why should he not be under the surveillance of the police?

The Hon. R. Thompson: I bought a case yesterday and obtained a receipt for it out of the cash register. I was asked no name by the storekeeper, and no record was made. That is going on now, and we explained that to you before.

The Hon. A. F. GRIFFITH: That storekeeper broke the law and Mr. Ron Thompson helped him.

The Hon. R. Thompson: I did it for a purpose.

The Hon. A. F. GRIFFITH: Shame on him!

The Hon. R. Thompson: That has happened to me a hundred times at least.

The Hon. A. F. GRIFFITH: I think we should be serious about this. I do not want to be unduly difficult. A fair thing is a fair thing. Let us accept the deletion of the name. I think that could be tedious for the storekeeper. However I do not see why he should not comply with the other provisions of paragraph (b).

If members read my amendment, they will realise that I am giving what Mr. Heenan asked for. If he does not accept it, I suggest he is not sticking to the argument he submitted when debating the Bill at the second reading stage.

The Hon. G. C. MacKINNON: Since our last debate, I have discussed this matter with two gallon licensees in the metropolitan area and have inspected the shops of two in the country. I agree with the Minister. I understand that at the moment the police inspect the books and

certify the stock balances at a certain date. Those to whom I spoke considered it was quite normal and good business practice to keep books of purchases and sales, but they ask that they be relieved of the somewhat odious duty of asking a customer his name. The information I have been able to elicit is in line with the amendment as proposed by the Minister, and I support him.

The Hon. H. C. STRICKLAND: The Minister has asked why a gallon licensee should not have to comply with the remainder of the provisions in paragraph (b). I believe it is unnecessary. What is the point in it? Why should he have to?

It has been stated that if he did, it would assist the police. What are the police looking for? Surely they are not looking for someone dealing in illicit liquor, because, if so, surely they would not expect the gallon licensee to be involved, when any quantity of liquor can be obtained from a hotel without any questions being asked!

Under the law at present the gallon licensee must enter the record after each sale. Imagine the situation at Christmas time when several customers are in the shop at once on Christmas Eve! I do not see the point at all in retaining paragraph (b).

I agree that a record must be kept of all purchases, because these must be supplied twice a year, but I cannot see the point in the provisions of paragraph (b). They merely have a nuisance value. As Mr. Ron Thompson said, he was able to purchase liquor without any questions being asked, and the Minister said he was breaking the law. Of course the law is ridiculous in my opinion. The Minister should tell us why this is necessary.

I have had a quick look at the report of the Commissioner of Police and I cannot see any information as to how this paragraph has helped the police, nor any indication as to what prosecutions they have been able to follow up under this paragraph. Perhaps the Minister might be able to tell us something about that.

The Hon. A. F. GRIFFITH: I am arguing at the moment on what was intended by Mr. Heenan when he introduced the Bill. It is not right or proper to introduce a Bill on one line of argument, and then subsequently change it. Mr. Heenan, when introducing his Bill, told us that it would delete application of the section to the holders of a gallon license. I then stated, "That would mean that a gallon licensee would not have to keep any records of sales whatsoever". Mr. Heenan said, "It would not mean anything of the sort." That appears on page 1127 of *Hansard*.

That means that we were not, in fact, going to remove this obligation from the gallon licensee. I do not believe that members would have agreed to the second

reading if this had been the intention. The intention was that the name of the purchaser would not be required, and on that basis I am prepared to agree. However, I am opposed to this amendment and foreshadow the one I have mentioned.

The Hon. E. M. HEENAN: I would appreciate it if members would have a hurried glance at page 2218 of *Hansard* No. 13, because I do not want anyone to think that I have attempted to mislead them.

The Hon. A. F. Griffith: I did not think that for a moment.

The Hon. E. M. HEENAN: I made it very clear at the bottom of that page that it involved gallon licensees in unnecessary bookwork.

The Hon. G. C. MacKinnon: This is not the putting in of the name?

The Hon. E. M. HEENAN: I am prepared for them to have and to keep the book containing a record of all purchases. They are prepared to accept that, too, but I do object to the second book containing the details of every sale showing the name of the person to whom the liquor was sold. I want that book eliminated altogether.

From now on, during the next few weeks, members can imagine the position of gallon licensees having to enter all these details forthwith. As Mr. Strickland cogently pointed out, what is the purpose of it all? What does it achieve? The Minister has remained silent on that aspect. A member can go to a hotel, a club, or our own bar at Parliament House, and all this information does not have to be given. I said during the second reading that if I thought this Bill was going to interfere with the police in any way in regard to their enforcing the law I would drop it.

I cannot quote this officially, but unofficially I am told that the police think it is not worth that much. What does it matter to the police about the name so long as the gallon licensees comply with the fundamental law to sell liquor by the gallon? If a licensee sells less than a gallon the police do not prosecute per medium of this useless book. What invariably happens is that they hear about it and they send an agent to the store in question and he orders a couple of bottles. If the grocer foolishly sells them to him he is caught red-handed, and that is the way the police get their prosecutions.

The Minister said that I based my argument on the requirement regarding the name of the purchaser. I may have emphasised that aspect, but it is by no means the sum total of my argument. I said it was annoying to the public, but I also said that it involved the gallon licensees in unnecessary book work which was of little purpose. I think the Committee could safely accept my amendment, bearing in mind that clubs, hotels and other places,

do not have to do it, and they are all involved in the business of selling liquor. Therefore, why should gallon licensees be called upon to do it?

The Hon. A. F. GRIFFITH: I do not want to labour this point but Mr. Strickland has asked me to give some idea of why I think the provision in the Act is necessary. I can inform members that the matter has been discussed with the Chief Inspector of the Liquor Inspection Branch, and the police are very much against the amendment.

The Hon. F. J. S. Wise: Why?

The Hon. A. F. GRIFFITH: It will in their opinion make for illicit sales of liquor to juveniles, of which the Chief Inspector states there have been many complaints. It will also result in the sale of single bottles and other illegal sales, and it could deprive the police of any prospect of checking the position. I was using those words in respect of the way the Bill was printed when it was introduced; because in the first place it took all obligations from the gallon licensee.

I know this sort of thing is not practised by the reputable licensee but we have laws not to deal with the reputable people but to deal with those who do not live within the law, and there have been many complaints such as I mentioned.

While Mr. Heenan did emphasise the point about the necessity to supply the name, and said that was the important thing, he did not rest his case on that aspect. He mentioned the other aspect about writing in the name, and when I said by way of interjection that that would mean that a gallon licensee would not have to keep any record of sales whatever, he said, "It would not mean anything of the sort." But it would mean something of the sort.

I have nothing further to say about the matter except that I am prepared to accept the decision of the Committee. I hope it will agree with my remarks about the name, but I hope it will not be prepared to absolve the gallon licensee completely from the requirements of paragraph (b). Why should he not have to enter the sale of liquor into a book, or on a docket, or an invoice of some sort? When one buys other articles in a shop one gets an invoice or something of that sort. I hope the Committee will not agree to the honourable member's amendment, but will agree to the amendment I have on the notice paper because it adequately deals with the situation and gives Mr. Heenan what he wants.

The Hon. R. THOMPSON: I think the Minister is out of date if he thinks that the provision in the Act will help the police regarding the sale of liquor to juveniles. If the police are conscious, as I think they are, of the great amount of liquor

that is being sold to juveniles, they will realise that it is not bought from gallon licensees. It is purchased from hotels' drive-in bottle departments.

The Hon. G. C. MacKinnon: Where is the drive-in bottle department at Mandurah?

The Hon. R. THOMPSON: I do not know.

The Hon. F. R. H. Lavery: There are plenty in Perth.

The Hon. G. C. MacKinnon: This applies not only to the city.

The Hon. R. THOMPSON: I agree, but I am speaking of the city at the moment. A great volume of the trade of drive-in bottle departments is to juveniles.

The Hon. A. F. Griffith: Then the licensee is committing a very grave breach of the Act.

The Hon. R. THOMPSON: They even have under-age people serving in those places.

The Hon. A. F. Griffith: Serving?

The Hon. R. THOMPSON: Yes. They would be under 21, not under 18.

The Hon. A. F. Griffith: What is the Barmalds and Barmen's Union doing about it?

The Hon. R. THOMPSON: They are not covered by the Barmalds and Barmen's union.

The Hon. A. F. Griffith: Aren't they? I thought they would be.

The Hon. R. THOMPSON: When a storekeeper gets liquor into his store it is entered up in his books. The Minister agrees that the name should not be entered, so how can the police check on this business? I think it is a ridiculous point to raise that it would be a deterrent to the sale of liquor to under-age people.

The Hon. A. F. Griffith: I told you the police were completely opposed to the total amendment.

The Hon. E. M. HEENAN: The Minister made the statement that the Bill would mean that people would not have to keep any records of their sales, and I said it did not mean that at all. Obviously a storekeeper is not dealing only in liquor. He deals in butter and all sorts of groceries, and he has to keep records of what he buys, and from day to day or from week to week he has to keep a record of what he sells. So of course these storekeepers have to keep records. In the gallon license store that I patronise at Mt. Lawley, and where we buy all our groceries, there are about seven or eight assistants, and one can imagine the nuisance it must be for those assistants running around entering up the details.

I question the attitude of the police. We have had this useless provision in the past, and the police have gone along with the

fictitious names written in the book. No addresses were required. The police still want this book to be maintained. It is unfair to place these people in a better or worse position than other vendors of liquor. If they break the law, the police will catch them. A person under 21 years of age does not have to sign a book on entering a hotel. I admit the police do not catch all of them, but they do catch some.

The Hon. F. R. H. LAVERY: Adding names in a book when liquor is sold means nothing, unless the address of the purchaser is also supplied.

The Hon. A. F. Griffith: That is what the Select Committee on liquor recommended.

The Hon. F. R. H. LAVERY: If there were a dozen names in a book, it would only suggest to me that the licensee was not selling less than one gallon of liquor. There would not be enough police in the Licensing Branch to police every gallon license in the city. These people who sell fairly large quantities of liquor do not make up their books at the particular time. They are made up some days later. How can we police that?

A gallon license holder might sell 50 cases of beer in gallon amounts on Christmas Eve. The staff are flat out getting these orders and receiving payment. The Minister said a docket was supplied for goods purchased. But when one purchases goods at Charlie Carter's or Tom's, the docket shows the prices of the commodities, but not the names of the commodities purchased. It is no good entering names in a book without the necessary addresses. This is an unnecessary clause. Let us get rid of it. If after 12 months the police feel otherwise, then they can come back to Parliament and seek further legislation.

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

Ayes—11

Hon. D. P. Dellar	Hon. J. D. Teahan
Hon. J. Dolan	Hon. R. Thompson
Hon. J. J. Garrigan	Hon. W. F. Willesee
Hon. E. M. Heenan	Hon. F. J. S. Wise
Hon. F. R. H. Lavery	Hon. H. C. Strickland
Hon. R. H. C. Stubbs	(Teller)

Noes—13

Hon. C. R. Abbey	Hon. G. C. MacKinnon
Hon. A. F. Griffith	Hon. J. Murray
Hon. J. Heltman	Hon. H. R. Robinson
Hon. J. G. Hislop	Hon. J. M. Thomson
Hon. A. R. Jones	Hon. F. D. Willmott
Hon. L. A. Logan	Hon. S. T. J. Thompson
Hon. A. L. Loton	(Teller)

Pairs

Ayes	Noes
Hon. R. F. Hutchison	Hon. R. C. Mattiske
Hon. G. Bennetts	Hon. H. K. Watson

Majority against—2.

Amendment thus negatived.

The Hon. A. F. GRIFFITH: I move an amendment—

Page 2 lines 2 and 3—Delete all words after the word "by" down to and including the passage "subsection (1)" and substitute the following:—

adding after subsection (1) the following subsection:—

(1a) Notwithstanding the provisions of paragraph (b) of subsection (1) of this section, the holder of a gallon license shall not be required to enter in the book to be kept pursuant to that paragraph, the name of the purchaser of the liquor.

If the Committee agrees to this, section 39 of the Act will provide that paragraphs (a), (b), and (c) shall be performed in accordance with the Act, except that gallon licensees will not be required to enter the name of a purchaser. That is what he has been looking for, and I think this is a reasonable solution.

Amendment put and passed.

Clause, as amended, put and passed.

Title put and passed.

Report

Bill reported, with an amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by The Hon. E. M. Heenan, and transmitted to the Assembly.

MILK ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by The Hon. L. A. Logan (Minister for Local Government), read a first time.

Second Reading

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [11.16 p.m.]: I move—

That the Bill be now read a second time.

One of the main purposes of this Bill is to grant to the Milk Board borrowing powers as has been done during this session in respect of the Bunbury and Albany Harbour Boards, the Metropolitan Water Supply instrumentality, and earlier in respect of the Fremantle Harbour Trust and the State Electricity Commission.

The granting of this power is considered essential in the first instance to enable the board to raise funds for the purchase of permanent offices. The board has, since its inception in 1933, paid out substantial sums of money by way of rent for office premises. Up to date this has amounted to more than £20,000. An

amount of £3,000 was paid as rental for offices between 1933 and 1945 and since the board became a permanent authority in 1946, a further £17,000 odd has been defrayed in meeting the increased office accommodation necessary for the administration to deal with the expansion of the industry. It is high time the board owned its own office establishment. We had the case of the board being turned out of its premises in St. George's Terrace last December when the building was sold. On that occasion the board received one month's notice to quit.

As a consequence, the new office was situated at short notice in premises in Hay Street East. This is leased for a period of four years at a rental of £1,404 per annum, which is payable in addition to rates amounting to £195 odd per annum. The rent paid for the previous premises at St. George's Terrace was at a rate of £1,615 per annum. The importance of the industry and the work of the board necessitate adequate and permanent premises for present and future needs and it is considered that these may best be obtained through the raising of the necessary finance under the borrowing powers provided by this legislation.

As with similar measures introduced along these lines, it might be said in regard to the Milk Board, too, that the passing of this measure would render it unnecessary for the board to approach the Treasury for an allocation of loan funds, so safeguarding these funds upon which such urgent demands are continually being made for the financing of general public works.

Consequently, although the Act provides for an advance to be made by the Treasury to defray any administration expenditure for which the administration funds of the board may from time to time be insufficient, the procurement of funds for the initial purposes already indicated by the raising of loan funds under the powers included in this Bill is considered preferable to increasing the demands on the Treasury for a loan fund allocation. The machinery involved and the necessary procedure for the raising of these funds is contained in the Bill, and it is on similar lines, as previously indicated, to those contained in other recent measures. The Treasury concurs with this proposal and has indeed suggested the amendment now before the House.

Another important amendment deals with the powers of the board to fix the prices for bulk milk, and for milk in bottles or other containers. It has always been accepted that this is one of the important aspects of the industry with which the board should interest itself. Nevertheless, doubts have been expressed regarding the powers given to the board in this regard by the Act to fix separate prices for milk, and for milk in bottles or other containers. Officers of the Crown Law Department

have confirmed this view, and in order to resolve the problem there is an appropriate amendment contained in this Bill to remove any doubt whatsoever that the intention of the parent Act is to so empower the board. This power is considered vital to the pricing structure and it is not desirable there should be any weakness in the Act in this regard.

A further amendment deals with the number of treatment licenses which may be allowed at any one time. At present the maximum number of treatment licenses which may be held by any one company may not exceed one quarter of the total number of licenses issued. There were 12 treatment licenses issued at the 30th June, 1963. After that date one license was not renewed, and, as a consequence, the total is now 11. A further reduction in the total number of treatment licenses to 10 may be expected in the near future when one firm completes a new treatment plant and two of its plants are amalgamated into one.

Under the existing restriction, milk treatment firms are prevented from providing additional milk treatment facilities in country areas. It is, therefore, considered most desirable that the existing formula be changed. The appropriate amendment in this Bill increases the number of licenses which may be held by any particular company to four, or, alternatively, to the whole number equal, or nearest, to 40 per cent. of the total treatment licenses issued, but not exceeding that percentage. For instance, of 10 licenses issued, four may be held under the new formula by one individual company. The passing of this amendment would greatly facilitate and indeed make it possible for the expansion of milk treatment facilities in rural areas by companies desirous and in a position to do so.

In the drawing up of the new formula, consideration was given to the alternative percentage with a view to permitting expansion, while at the same time retaining some limitation. Obviously, it is quite impossible to legislate to provide for all eventualities and, no doubt, whatever limit is set by this amendment, it will at a later date be necessary to again review the position to meet the then existing circumstances. There is no question but that the tenor of the debate in Parliament, when the restrictions were originally introduced, indicated a conclusive line of thought that some limit be placed on the total number of licenses issued to one company.

This Bill retains that principle, and while the likelihood of further changes within the treatment section of the milk industry renders it difficult to cater for all future developments at this point of time, it is considered the alteration to the formula be kept to the minimum as proposed in this measure. As previously alluded to, later changes, when considered

necessary, may be submitted to Parliament in the full knowledge of existing developments and trends as they occur.

Another amendment deals with accounting procedure. The Act at present requires that the expenses incurred in connection with inspection and testing for tuberculosis in dairy cattle shall be paid from administration funds. This differs from procedures in other similar schemes where such expenses are paid from the compensation fund concerned. A sum of £42,526 has been paid out of the administration funds of the board to meet expenses incurred in connection with the inspection and testing for tuberculosis in dairy cattle since the commencement of tuberculosis testing under the Milk Act in 1947. It is rightly considered that expenses of this nature should be a charge against the Dairy Cattle Compensation Fund as is done in other similar schemes. There is an amendment in this Bill to bring that about.

The final amendment deals with the annual Ministerial recommendation to the Governor as to the amount of compensation to be paid. The Act provides that an assessment of the amount of compensation to be paid must be recommended once a year by the Minister. This is the maximum amount of compensation payable in respect of the destruction of any one diseased animal. It is desired to modify this procedure to the extent of enabling the Minister to recommend to the Governor an assessed figure from time to time and when changes occur. This will avoid an unnecessary recommendation being made when no change in the maximum compensation figure is necessary. It will also enable the Minister to recommend a new maximum figure at any time during the year; whereas under the existing circumstances, this is not possible until 12 months has elapsed since the previous recommendation.

The Hon. F. J. S. Wise: Before you sit down, can you tell us what has brought about the necessity to ensure the board has the power to fix prices. That has never been in any doubt has it?

The Hon. L. A. LOGAN: Apparently there has been some doubt in the minds of the board and Crown Law.

The Hon. F. J. S. Wise: What is the reason for that?

The Hon. L. A. LOGAN: I could not answer off the cuff, but I will get the information.

The Hon. R. Thompson: The principal Act gives the board power to fix the maximum price at which milk may be sold by a retailer in any dairying area, and the same applies to where it can be sold to milk vendors.

The Hon. L. A. LOGAN: My notes say that doubts have been expressed regarding the powers given to the board by the Act, to fix separate prices for milk, and for milk in bottles or other containers; and

officers of the Crown Law Department have confirmed this view. Apparently the Crown Law Department is doubtful that the provision in the Act covers milk in bottles and other containers.

The Hon. R. Thompson: It looks as though we will have the Tetra pack forced on us whether we want it or not.

The Hon. L. A. LOGAN: I do not know about that, but a lot of people are using the Tetra pack today.

The Hon. A. F. Griffith: Only for the Tetra pack, a lot of people in remote areas would not get milk.

The Hon. R. Thompson: They can get different prices in different areas, too.

The Hon. L. A. LOGAN: The Crown Law Department says the Act is too wide to cover the individual things mentioned here. However, I will ascertain the information for members.

Debate adjourned, on motion by The Hon. F. J. S. Wise (Leader of the Opposition).

VETERINARY MEDICINES ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 28th November, on the following motion by The Hon. L. A. Logan (Minister for Local Government):—

That the Bill be now read a second time.

THE HON. A. R. JONES (Midland) [11.26 p.m.]: I have taken the opportunity of checking some notes given me and I find, as the Minister explained, this Bill is necessary because of several changes that have taken place in recent times. The Veterinary Medicines Act of 1953 provided for a Veterinary Medicines Advisory Committee, and the Deputy Government Analyst was one of its members. The title of that office is now the Divisional Chief, Food, Drugs and Toxicological Division of the Government Chemical Laboratories, so it is necessary that the Act be amended to provide for the new title.

Another member of the committee was the principal of the Animal Health and Nutrition Laboratory. Of course, we know that that no longer exists as such, but is now an integral part of the Department of Agriculture and the head is known as the Chief Veterinary Pathologist. Therefore, on that account, it is also necessary that an amendment to the Act be made.

An addition is made to section 6 of the Act which provides that if there is any further change in the name of the title of the officer, then the position will be covered and that person's name can be changed or the name of the department can be changed and he can be a member of the committee. An opportunity has also been taken to give a clear definition of what is an analyst and what is a veteri-

nary surgeon. I feel it is necessary to incorporate these amendments, and I support the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by The Hon. L. A. Logan (Minister for Local Government), and passed.

STATE FORESTS

Revocation of Dedication: Assembly's Resolution

Debate resumed, from the 27th November, on the motion by The Hon. L. A. Logan (Minister for Local Government) to concur in the Assembly's resolution—

That the proposal for the partial revocation of the State Forests Nos. 4, 14, 22, 23, 29, 38, 49, 51 and 65 laid on the Table of the Legislative Assembly by command of His Excellency the Governor on the 7th November, 1963, be carried out.

THE HON. F. J. S. WISE (North—Leader of the Opposition) [11.32 p.m.]: I support this motion. It is quite something to find the Forests Department agreeable to relinquish areas of the size that it is prepared to relinquish on this occasion. There appears to be an alteration in the department's approach to some of the problems that used to worry Mr. Murray when, in years gone by, it was difficult to get 20 or 30 acres excised for the purpose of assisting somebody.

On this occasion there are quite a number of large areas. I am sure that the areas must have been shorn of firewood for the department to find it possible to have them excised. I have studied the areas, and they appear to be quite in order.

THE HON. J. MURRAY (South-West) [11.33 p.m.]: Whilst it is true that there are large areas which have been released by the conservator—or rather on the recommendation of the conservator—I am concerned with certain aspects of the areas. Mr. Wise suggested that some of the areas must have been completely denuded even of firewood for the Conservator of Forests to take such a lenient view.

Reference is made in the Minister's notes to the excision of 46 acres of country; an area some three miles west of Dwellingup. The conservator says that this is dieback country. The Minister, in his notes, refers also to 38 acres of country, one mile south-east of Kirup; and this country is also described as dieback country.

For some years now this dieback country has been a source of concern to all people in the south-west portion of the State who are interested in our State forests and in perpetuating the regrowth of our forests. It would appear that the conservator has no solution to the dieback problem, or he would not so readily agree to the excision of these areas from State forests. I think most members will admit that there is good reasoning in that.

These areas are in natural jarrah country; in fact, they represent the cream of the area. I think it is time that the Conservator of Forests brought down a report as to what extent there has been research into this problem. Whilst there are 80 acres of country mentioned, there is a much larger area of jarrah country that is suffering from dieback. I do not know whether it is a disease or whether it is a seasonal occurrence which might develop much further. Jarrah cannot stand up to the excessive wet. In the early days of the appearance of dieback, some people held the view that it was caused by a rising water table in semi-cleared areas, with subsequent drowning of trees. But that applies on flat country.

The country to which I am referring is on ridges, and the areas can be seen from the roadway. It looks as though a very severe bushfire has passed through the areas, but that is not so. Dieback is something far more dangerous to our jarrah country than the occasional fire. I would say that dieback is a disease; and whether it can be arrested is something about which I would like to hear from the conservator.

The matter is so important that the Minister should see whether he can supply an answer to Parliament before the House rises; and he should advise what steps the conservator is taking to check the serious inroads into our jarrah country. I support the Bill.

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [11.38 p.m.]: I will advise the Minister for Forests in another place of the matter raised by Mr. Murray and, if possible, I will supply an answer before the House rises, I hope, this week.

Question put and passed, and a message accordingly returned to the Assembly.

ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [11.39 p.m.]: I move—

That the House, at its rising, adjourn until 11 a.m. tomorrow (Wednesday).

Question put and passed.

House adjourned at 11.40 p.m.