

cannot subscribe to the other school of thought.

All the criticism we have heard against this measure so far is somewhat similar to that which we heard against the drink traffic. Members know that not many years ago there was a very vigorous crusade against the consumption of intoxicating liquor and when the question of liquor law reform was raised there was considerable opposition. It was realised that over consumption of alcoholic liquor was harmful to the community and was a danger to every citizen and that it was necessary to do something about it. Something was done, but the drink traffic was not abolished. It was controlled and, as a consequence, I venture to say we have not had the evil results of over indulgence in intoxicating liquor since the reform laws became effective that we had before their introduction. I look upon the question of betting and gambling in the same way as I look upon the drink traffic. I realise that in some instances over indulgence in betting can be injurious to the person concerned. But it is the responsibility of the particular citizen to see that he or she does not indulge in this particular pastime or recreation or relaxation beyond his or her financial capacity.

I consider that if legislation of this kind becomes law it will be the means of regulating and controlling the gambling evil as it is called. We have had pointed out to us, by the Leader of the Opposition, the grave position that has arisen in South Australia. I am not doubting what has occurred there, but it is not beyond this Parliament, in framing this legislation in Committee, to provide against the occurrence in this State of those particular evils.

Again, the experience in the other States should be of assistance to us in dealing with this Bill. I have given the matter careful consideration and I cannot see why we should continue to have one law for one section of the community and another for some other section. If a man can afford to go to a racecourse and back his fancy, by all means let him do so; but if he is not in a position to go to a racecourse why should he be prevented by law from having his modest few pence on a horse for which he has a fancy? I cannot see what evil or what harm can be done by the passing of legislation of this nature, but I can see that, if an attempt is

made to abolish betting off the course, the last stage of this situation will be much worse than the first.

It is right that Parliament should deal with the question now in the hope that a different system might be brought about so that men and women who feel inclined to indulge in this pastime might do so without breaching the law. To my mind, it is a reflection on us to have things continue as they are at present. The time is now opportune to deal comprehensively with the whole position so as to allow people the opportunity to lay their bets and at the same time prevent the present unenviable situation. Every citizen should have the same right to indulge his particular fancy; and if it is right to bet on the course, then it should also be right to bet off the course. I support the second reading of the Bill.

On motion by Mr. Read, debate adjourned.

*House adjourned at 10.30 p.m.*

## Legislative Council.

*Wednesday, 30th October, 1946.*

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

### QUESTION.

#### BUILDING TRADES.

##### *As to Scheme for Training Boys.*

Hon. A. THOMSON asked the Chief Secretary:

1. Has the Government noted the statement in yesterday's issue of "The West Australian" under the headings of—"Boy Builders." "Training Tradesmen in Britain"?

2, Owing to the lack of opportunity existing in Western Australia for boys who wish to learn a trade, will the Government give consideration to the establishment of a similar scheme in Western Australia?

The CHIEF SECRETARY replied:

1, Yes.

2, The matter will be investigated and considered by the Government.

### **BILL—CHARITABLE COLLECTIONS.**

Introduced by the Chief Secretary and read a first time.

### **BILL—FACTORIES AND SHOPS ACT AMENDMENT (No. 2).**

*Report of Committee.*

**THE HONORARY MINISTER** (Hon. E. H. Gray—West) [4.36]: I move—

That the Committee's report be adopted.

I promised yesterday to have inquiries made regarding the possibility of improvement in the emergency ration of petrol in country areas. I have done that, and have been informed that in country towns where there are two or more garage proprietors they, by mutual arrangement, roster themselves for emergency ration purposes, and put notices on their respective garages every Sunday. Where there is but a single garage in the town arrangements are always made for the supply of emergency rations, and word is left at the garage by way of notice.

Question put and passed.

Report adopted.

### **BILL—TRAFFIC ACT AMENDMENT (No. 1).**

*Second Reading.*

Debate resumed from the previous day.

**THE HONORARY MINISTER** (Hon. E. H. Gray—West—in reply) [4.37]: I am gratified with the way in which the Bill has been received in this House, and with the support given to it by members. There appears, however, to be some opposition to the proposal that the staggering of licenses

should be uniform throughout the State. The Government does not agree that there should be any differentiation between the country and the city in this respect. I would impress upon those members who have spoken on this question that I think it would be practically impossible to have two effective systems in operation in the State, and by restricting the proposed amendment regarding staggering to the metropolitan area I think we would be doing a serious injustice, not only to country motor vehicle drivers, but also to the local authorities. I think it would be recognised as a business proposition that we must have one method, and the system proposed in the Bill will be of great assistance, not only to the traffic authorities and local authorities in country areas, but also to all owners of motor vehicles.

Hon. E. H. H. Hall: Would you mind explaining that?

The HONORARY MINISTER: I am trying to do so. If members read the original Act, and the proposed amendment contained in the Bill, they will find that if we agreed to confine this amendment to the metropolitan area the local authorities would be put to great inconvenience. Not only that, but the owners of motor vehicles—both trucks and cars—would be at a disadvantage, because there are advantages to them under the new system. A license may be obtained straightaway for 12 months at any date, which is of advantage to the man paying for the license. If that can be done in the city, why not give the country people the same opportunity? I hope members will compare the Bill with the original Act. If that is done they will discover in the Bill privileges that do not exist in the parent Act. Mr. Thomson expressed the hope that it was not the intention of the Government to make any alteration in relation to the collection of traffic fees. I would remind him that there is no provision in the Bill for the centralisation of the collection of those fees.

The hon. member also drew attention to what he considered was the unequal distribution to local authorities of funds from the Metropolitan Traffic Trust Account, referring in particular to the Boddington Road Board. He stated that there was heavy traffic over that authority's roads, and sug-

gested that increased assistance be provided by the Government. I would like to inform Mr. Thomson that work carried out by the Main Roads Board in various districts is influenced by circumstances. The Boddington Road Board has received more favourable consideration than have other bodies, owing to the heavy traffic caused by Industrial Products Co. During the year 1944-45, over £5,000 was made available by the Main Roads Board for special work in that district. Mr. Thomson and Mr. Mann drew attention to the selfish behaviour of drivers of large trucks, which have a habit of taking up most of the road. If offences of this nature come under notice in the metropolitan area, action is taken by the police. In other localities the question is a matter for the local authorities.

Reference to hit-and-run drivers was made by Mr. Thomson, who requested information of the number of accidents caused by cyclists. In the 12 months ended the 30th June, 1946, the number of fatal motorcycle accidents was 34, serious 207 and minor 619, a total of 860, which is a very formidable number. In the same year the number of cycle accidents was 471, of which seven were fatal, 96 serious and 368 minor.

As to the patrolling of roads, which was also referred to by Mr. Thomson, I must state that the metropolitan roads are patrolled regularly, and this results in numerous traffic offenders being brought before the court. The motor patrol with the loud speaker, to which Mr. Thomson referred, is still in operation during busy periods for the purpose of pointing out irregularities on the road. Mr. Tuckey considered that the regulations concerning headlight beams were unsatisfactory. These regulations restrict the beam to 3 feet high at a distance of 75 feet, and headlights that comply with this regulation are quite safe, provided speed limits are not exceeded. It is considered that a higher beam would be an incentive to excessive speed. Motor drivers who have had experience on country roads will agree with that contention.

Criticism of the delay that occurs in the issue of licenses was made by Mr. Tuckey, and I take it that he was referring to drivers' licenses. Any delay in this regard occurs at the annual renewal period and is due to all licenses expiring on a common date. The proposal in the Bill that licenses

be staggered will obviate any such delay. At present, when licenses are renewed, several issuing officers, and not one as stated by Mr. Tuckey, are engaged. If necessary these licenses may be renewed by post, thereby causing little delay to the licensee.

The hon. member also criticised the width of the Perth-Bunbury Highway and the Fremantle-Mandurah road. I am informed that, generally the width of main roads is 16 feet, but for the Perth-Bunbury and the Perth-Northam roads the width is 18 feet. These are considered to be reasonably satisfactory for general requirements, and the question of widening roads is not likely to be given special attention for some time owing to the need for the construction and bituminising of other main roads throughout the State. The hon. member will appreciate that the cost of widening roads would be high, and that another important aspect is the lack of materials, particularly bitumen. Legislation along the lines proposed in the Bill is very much overdue and I feel confident members will appreciate the need for these amendments.

Question put and passed.

Bill read a second time.

#### *In Committee.*

Hon. H. Seddon in the Chair, the Honorary Minister in charge of the Bill.

Clauses 1 to 3—agreed to.

Clause 4—Amendment of Section 8:

The HONORARY MINISTER: I move an amendment—

That in line 2 of the proviso, the words "a vehicle licensed as" be struck out.

Mr. Parker pointed out the weakness of this reference to a taxi-car and the amendment will clarify the proviso.

Amendment put and passed; the clause, as amended, agreed to.

Clause 5—Amendment of Section 9:

Hon. E. H. H. HALL: Notwithstanding the remarks of the Honorary Minister, I intend to move the amendment of which I have given notice. This request was made by the Murchison Road Board Association in a letter as follows:—

I am directed by the above association to respectfully request your opposition to the

proposed staggering of license fees, as it is understood that this matter is once again going to be raised.

As you are aware, local authorities, like other governing bodies, have to budget and prepare estimates, and their programmes of works have to be based upon same. At the present time all license fees must expire at the 30th June of each year, which enables a definite financial period being fixed. The same remark also applies to business concerns.

At the present time a person procuring a new vehicle can procure a license to cover the actual period for which he is owner of such vehicle, up to the end of the licensing period.

At the present time, with four quarterly licensing periods, local authorities have to contend with an enormous number of registration discs. If this licensing period is to be staggered, it will only mean an increase in the number of the various types of discs which will have to be used, unless this system of registration discs is considerably amended.

We are given to understand, that the reason for the metropolitan agitation for the staggering of license fees is mainly due to the great inconvenience and loss of time which vehicle owners have to contend with when securing their license renewals from the Police Traffic offices.

There are numerous local Government offices situated throughout the metropolitan area, in addition to the numerous police stations also so situated, and surely a matter of this annual congestion at the Traffic Office could be overcome quite easily by utilising the services of the various local authorities to whom the majority of the money collected per medium of traffic fees is eventually distributed.

Not only has the Murchison Road Board Association requested me to move this amendment, but from inquiry I find that other road boards are in agreement with it. I have discussed the matter with members representing country provinces, and they support the suggestion. I move an amendment—

That in line 1 after the word "Act" the words "shall from and after the passing of this Act apply and have effect only outside the metropolitan area. Within the metropolitan area the following provisions shall apply" be inserted.

The HONORARY MINISTER: I think the local authorities referred to by the hon. member have misinterpreted the meaning of the amendment, and the hon. member will receive no thanks from the majority of the local authorities if he persists with his proposal. There are certain advantages to motor owners under the proposed new system. Suppose a man buys a new car in April. Under the old system he would have to license it for two months and pay a

three months' license fee. But under this system he would take out a license fee for 12 months. The provision is not mandatory but it will be to the advantage of local authorities and of car and truck owners if they make use of it. There should be no difficulty about road board secretaries being able to estimate their revenue under this system any more than exists under the present one. If a man is a competent secretary, he can come somewhere near the mark as he is able to now. To have two systems operating is impracticable; it is better to have one in operation throughout the State. The considered opinion of everyone with whom I have discussed the matter is that it will be of advantage to people both in the metropolitan area and in the country.

Hon. H. TUCKEY: Would there be any identification discs?

The HONORARY MINISTER: I take it the procedure in that regard will be the same as before.

Hon. H. TUCKEY: I support the amendment. I have been asked to do so by a number of local authorities and I take a different view from that held by the Honorary Minister. Local authorities prefer to do their licensing at the beginning of the financial year. That has been the practice in the past and no difficulty has been experienced. Under that system there are proper identification discs which indicate whether a car is licensed or not. I do not see why, if the central Traffic Office desires to stagger licensing, it should be imperative to impose the same system in country districts. There are different systems of collecting traffic fees. There is one collecting authority in the metropolitan area, but in the country there is an officer in each district. Local authorities themselves have asked that there should be no alteration and it is on that ground rather than on account of my own personal ideas, that I support the amendment.

Hon. G. BENNETTS: I oppose the amendment. I am a member of one of the big outside municipalities. It is, however, not from there that I bring my opposition but from many of the motor drivers of Kalgoorlie and Boulder. They consider it is a great thing to be able to buy a car and license it for 12 months instead of having to do so at different periods. It has been

pointed out by them that if a man bought a car and the new licensing period began two months later, he would have to pay for the short period intervening. Motorists consider that licensing a vehicle from the time it is purchased is the more suitable system. I think that would save congestion both here and at Kalgoorlie.

Hon. H. L. ROCHE: I hope the Committee will carry the amendment. Country road boards definitely do not want this provision in the Bill to apply to them. I have had letters from several of them and it would seem that the provision will serve no worthwhile purpose. There have been no complaints from individual vehicle owners and this provision will be extremely difficult for many local authorities to police. I do not know whether the department contemplates still providing discs for placing on windscreens. If so, the system will require all the colours of the rainbow and then some!

Hon. A. THOMSON: I also hope the Committee will support the amendment. The Honorary Minister said it was not practicable to have two systems. But we already have two systems of collection of traffic fees working quite satisfactorily. Local authorities outside the metropolitan area collect the whole of the fees and retain them. The central Traffic Office does the collecting for the metropolitan area and the funds so raised, less a percentage retained for construction and maintenance of roads, is distributed amongst the local authorities in the metropolitan area. Mr. Tuckey is chairman of the Road Board Association of Western Australia and his views must carry considerable weight. I have received communications from road boards in my province, which do not like the idea of staggering licenses in their particular districts. The proposal would be very difficult to police in the country. In the metropolitan area there are police sub-stations as well as the employees of the various local authorities, so that in the event of congestion the difficulty can readily be overcome. The new system would be suitable for the metropolitan area but would lead to greatly increased work for road board officers who, in the country, already have great difficulty in keeping a check on all vehicles that have to be licensed. I have no desire to inconvenience the metropolitan area, but I do

think that the proposed amendment of the Act will throw a great deal of additional work upon men who already have sufficient to do.

Hon. C. H. SIMPSON: I received the same letter as did Mr. E. H. H. Hall, and would have tabled an amendment if he had not done so. Road board officers in the country prefer to collect vehicle licenses at the beginning of each financial year. The work often devolves upon one man, and when he has discharged that duty he has the rest of the year for his other work. In the case of one road board, some members travel up to 150 miles to attend the meeting at which the budget is prepared for the ensuing year. On that occasion the revenue that comes in from motor license fees is naturally taken into account. At other times of the year, the members of the board do not always find it convenient to travel so far to attend meetings. Country road boards are entitled to consideration in this matter. All the members of local authorities with whom I have discussed this question are of opinion that the present system should be allowed to continue, and that the amendment to the Act has been brought down solely for the benefit of the authorities in the metropolitan area.

The HONORARY MINISTER: Country road boards as well as members of the Committee who are supporting the amendment have, I think, misread the Bill. This new legislation will make very little difference to the Murehison Road Board. A man could still take out a vehicle license for three months, six months or 12 months if he wished. That applies to anyone in the country districts.

Hon. H. L. Roche: But the licenses will all be for different dates.

The HONORARY MINISTER: There would not be so many applicants for new licenses in the country as to inconvenience any secretary of a road board. A person who takes over a truck or a car will be able to have it registered at once for any number of the quarters making up the year. That will be a great advantage to numbers of people who live in the country. It is not feasible to have two different methods of registering motor vehicles. The same conditions should apply all over the State. If road boards adhere to the present system, they are likely to lose a little money. The proposal will ob-

viate much waste of time on the part of country dwellers. I do not think there will be any trouble about policing the licensing of vehicles, and I am surprised that members representing country areas should support the amendment.

Hon. L. CRAIG: The Bill will impose conditions that country road boards will not welcome. They will make for extra work for the secretary of the road board, for he would be obliged constantly to send out messages to various people that their licenses were about to fall due. There would be a tremendous spread of dates all through the year.

The Chief Secretary: The onus is on the owner of the motor vehicle to keep his license up to date.

Hon. L. CRAIG: He does not do it, and the road board secretary has to remind him. The present system does not make for hardship upon country people because they know when their licenses are falling due. I do not think this proposal has been asked for by any road board or by any license-holder. No-one wants it, but it can be applied to the metropolitan area if the Government so desires.

Hon. W. R. HALL: I support the clause. I cannot see what hardship is likely to be inflicted on the licensing authorities in cases where there are more employees than the secretary.

Hon. L. Craig: Some have no other employee.

Hon. W. R. HALL: That is so. Western Australia has too many road boards, with too little revenue. Many of them should be grouped together as one. I can see the point of view of some of the road boards, which do not want to depart from the existing system. In the case of the largest road board in my province, it has a revenue of about £40,000 a year, and the proposal presents no difficulty to it. The secretary of the Kalgoorlie Road Board does not write out licenses. That work would be beneath his dignity. The board has a staff of four and two clerks deal with license fees, which amount to between £8,000 and £10,000 a year. The present system at Kalgoorlie means that motorists have, practically speaking, to queue up for long periods in order to obtain their licenses when they are due.

Hon. L. Craig: You are speaking of city conditions.

Hon. W. R. HALL: I am dealing with the position as it affects Kalgoorlie. I do not see why motorists should have to waste such a lot of time before being able to secure their licenses. A better method of rendering service to the motoring public should be devised, and I think there should be more licensing authorities. Why should one small office attempt to carry out the huge task of issuing thousands of licenses within a very short period? Present day conditions are scandalous. I admit that the Bill has its faults from that standpoint. As it is, at present those who own motorcars are paying the heaviest tax imposed in the Commonwealth and get the least consideration in many directions. In fact, as soon as a man signs his name on the dotted line and becomes the owner of a motorcar he is in trouble until he gets rid of it. I support the Bill because of the chaotic position that exists on the Goldfields in connection with the licensing of vehicles. I agree that in some of the outback towns people are likely to forget the licensing date but when they do take out their licenses they should be able to get one for 12 months if they so desire.

The HONORARY MINISTER: The method proposed has been tried out in South Australia where it proved successful. If any argument could be raised against the suggestion outlined in the Bill, I should think that the R.A.C. would take a hand in the matter, but that body supports this move. It should be easy for any road board secretary to tabulate the licensing dates and send out notices just as he does now. The proposed alteration will be of great assistance to owners in the country districts.

Hon. E. H. H. HALL: The Honorary Minister said that the action to be taken would be at the option of owners of vehicles, but that is the trouble. Some come in from long distances and they find that their licenses have to be renewed within a short period. They may have just sufficient money to enable them to renew their licenses for three or six months, and then they have to repeat the procedure. It should be remembered that in some areas part-time secretaries are employed and the system proposed would be too burdensome for them.

If anything were needed to convince members on the point, it was surely the speech delivered by Mr. W. R. Hall, who is associated with a large road board enjoying, to all intents and purposes, city conditions. Despite what the Honorary Minister has said, the proposal will greatly increase the work of road board secretaries. As for the suggestion by Mr. W. R. Hall that there are too many road boards, I would remind him that some of us stand for decentralisation, not centralisation.

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

Ayes .. .. .	16
Noes .. .. .	8
Majority for .. ..	8

## AYES.

Hon. C. F. Baxter	Hon. W. J. Mann
Hon. L. B. Bolton	Hon. G. W. Miles
Hon. Sir Hal Colebatch	Hon. H. S. W. Parker
Hon. L. Craig	Hon. C. H. Simpson
Hon. J. A. Dimmitt	Hon. A. Thomson
Hon. R. M. Forrest	Hon. H. Tuckey
Hon. E. H. H. Hall	Hon. F. R. Welsh
Hon. J. G. Hislop	Hon. H. L. Roche
	(Teller.)

## NOES.

Hon. G. Bennetts	Hon. E. H. Gray
Hon. J. M. Drew	Hon. W. R. Hall
Hon. G. Fraser	Hon. W. H. Kitson
Hon. F. E. Gibson	Hon. E. M. Heenan
	(Teller.)

Amendment thus passed.

Hon. E. H. H. HALL: I move an amendment—

That in lines 1 and 2 the words "is repealed and a section is inserted in lieu thereof as follows" be struck out.

Amendment put and passed; the clause, as amended, agreed to.

Clauses 6 to 13—agreed to.

New clause:

The HONORARY MINISTER: I move—

That a new clause be inserted as follows:—

(4) "Section six of the principal Act is amended by the insertion after Subsection (6) thereof of new subsections as follows:—

(7) No person other than the person to whom a passenger-vehicle or carrier's license is issued under this Part, or his employee, shall drive the vehicle whilst it is being used for hire or reward.

(8) The person to whom a passenger-vehicle or carrier's license is issued under this Part shall, within fourteen days of such issue, cause the vehicle to be plainly, conspicuously and

permanently marked with the name and address of such person, and shall keep the vehicle so marked during the currency of the license." Proposed new Subsection (7) deals with fake partnerships and unfair competition, about which some complaints have been made. If the provision is agreed to, the difficulty will be overcome and one partner in a fake partnership could not underpay his partner or alleged employee. The Bread Act contains a provision similar to proposed new Subsection (8), which requires that the name of the proprietor of a vehicle shall be plainly displayed on the vehicle.

Hon. A. THOMSON: The proposed Subsection (7) is rather drastic and I would like some further explanation of it.

The Honorary Minister: It is quite reasonable.

Hon. A. THOMSON: It may or may not be.

The Chief Secretary: What is your opinion of it?

Hon. A. THOMSON: In country districts a common practice is to hire school buses to convey cricketers, bowlers or tennis players from one district to another in order to take part in matches. It has not always been convenient for the driver of the vehicle to go, and it has then been driven by another person who is a licensed driver. This provision would render such a procedure criminal. I suggest that the Minister postpone the clause for further consideration. I cannot see any necessity for it at all and I must vote against it.

Hon. E. H. H. HALL: I support Mr. Thomson's view and am glad he drew my attention to the matter. Under this provision, the son of a master carrier would be unable to drive his father's truck.

Hon. H. TUCKEY: I hope the Minister will not press the new clause. I know a taxi driver who also has a bus service. If this provision becomes law, his taxi will have to remain idle while he is driving the bus. I oppose the new clause.

The HONORARY MINISTER: I think the proposed new clause is reasonable, as it will stop abuses. Mr. Thomson's argument does not apply, nor does Mr. Hall's. As I said, the proposed new Subsection (7) would do away with fake partnerships and unfair competition.

New clause put and a division taken with the following result:—

Ayes .. .. .	11
Noes .. .. .	13
Majority against .. ..	2

**AYES.**

Hon. G. Bannett.	Hon. W. R. Hall
Hon. Sir Hal Colebatch.	Hon. E. M. Heenan
Hon. J. M. Draw	Hon. W. H. Kitson.
Hon. G. Fraser	Hon. H. S. W. Parker
Hon. F. E. Gibson	Hon. G. W. Miles
Hon. E. H. Gray	(Teller.)

**NOES.**

Hon. C. F. Baxter	Hon. W. J. Mann
Hon. L. B. Bolton.	Hon. H. L. Roche
Hon. L. Craig	Hon. C. H. Simpson.
Hon. J. A. Dimmitt	Hon. H. Tuckey
Hon. R. M. Forrest.	Hon. F. R. Welsh
Hon. E. H. H. Hall	Hon. A. Thomson
Hon. J. G. Hislop.	(Teller.)

New clause thus negatived.

Title—agreed to.

Bill reported with amendments.

**BILLS (2)—FIRST READING.**

1, State Housing.

2, Vermin Act Amendment.

Received from the Assembly.

**BILL—TRANSFER OF LAND ACT  
AMENDMENT (No. 2).**

*Second Reading.*

**HON. H. S. W. PARKER** (Metropolitan-Suburban) [5.48] in moving the second reading said: This is a short Bill to deal with an anomaly that has arisen over the years. Under the Transfer of Land Act certain persons are appointed valuers and are known as sworn valuers. Every member, no doubt, knows of them. To be appointed a sworn valuator it is necessary for the person concerned to go through certain formalities, among which is one to take an oath within fourteen days before a judge of the Supreme Court. That provision is found to create hardship when a man is a sworn valuator for a district some distance from Perth. It means that he has to come into the city within 14 days of his appointment in order to take the oath before one of the judges. The Bill provides that such a person shall have 28 days within which to take

the oath and, in addition, that the oath may be taken before a magistrate instead of a judge. The object, in other words, is to avoid the necessity of a newly appointed sworn valuator having to come to Perth to take the formal oath. I commend the Bill to members and move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

*In Committee.*

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

**BILL—PLANT DISEASES ACT  
AMENDMENT.**

*Second Reading.*

**THE HONORARY MINISTER** (Hon. E. H. Gray—West) [5.51] in moving the second reading said: This Bill, which seeks to amend the Plant Diseases Act 1914-1939, is introduced with the object of minimising fruit fly infestation in Western Australia. At present all steps taken to combat fruit fly are of a voluntary nature and they are not considered adequate to satisfactorily check the pest. The Bill proposes that if a poll of growers in any particular district agrees, a compulsory baiting programme shall be introduced in that district. Members are aware that the fruit fly pest has, at times, assumed serious proportions in this State and has caused great damage to crops. There are few types of fruit that are immune as the fly impartially attacks the citrus, stone and pome varieties, as well as grapes, figs and ornamental fruits.

An undesirable aspect of the pest is its possible effect on the State's export trade. A serious situation arose some years prior to the war, when two of this State's important customers in Ceylon and Java refused to continue importing fruit from countries where fruit fly existed. This meant the cessation of our fruit trade with Ceylon and Java, and the gravity of this can be gauged when it is realised that in 1938-39 Western Australia exported 36,000 cases of fruit to Ceylon. If other countries had followed the lead of the two I have mentioned, the State's export of fruit, which



in 1938-39 amounted to 1,500,000 cases, would have been seriously threatened. The embargo imposed by Ceylon and Java was overcome so far as Western Australia was concerned, but to do so necessitated the present Premier, who was then Minister for Agriculture, travelling to those countries. Although his efforts met with success, stringent conditions have since had to be complied with by this State.

In view of this members will agree that every effort should be made to prevent a repetition of such an occurrence and to build up a fruit-fly-free reputation for the Western Australian product. A considerable area of this State is affected by fruit fly, but strenuous efforts by departmental officers and growers have been instrumental in preventing its establishment in several important fruit growing centres. Although conscientious application of control measures will keep the pest within bounds in infested areas, serious epidemics have occurred and these are usually caused by growers failing to bait their trees regularly and to carry out adequate orchard hygiene. This is an argument in favour of a compulsory community scheme.

The proposals in the Bill are the result of recommendations made by the Fruit Fly Advisory Board. This board comprises representatives of growers from all the fruit fly infested areas of the State, together with two Department of Agriculture officers, the chairman being Mr. T. Barrett-Lennard, a prominent grape grower. The recommendations which were strongly supported by the W.A. Fruitgrowers' Association are designed to overcome the chance of losing overseas markets and the apathy of some growers in regard to control measures.

The Bill proposes that any incorporated fruitgrowers' association, road board or municipality, may request the Minister to submit to a poll of growers a proposal that a compulsory fruit fly foliage baiting scheme shall be introduced within the district of the applicant body. If 60 per cent. of those voting at the poll are in favour of the scheme, a committee of five will be appointed, four of whom will be persons entitled to vote at the poll and who are to be nominated by the association, road board or municipality that requested the poll. The fifth member will be an inspector of the

Department of Agriculture, who will be chairman of the committee which will be responsible for administering the compulsory baiting scheme within the district for a period of three years. The committee will be required to establish and administer a fund which will consist of any advances made by the Fruit Growing Industry Trust Fund Committee, fees charged by the committee for baiting orchards, contributions to the fund, and penalties imposed on persons convicted of offences against the scheme.

The Bill proposes to fix a maximum scale of fees to be paid by orchardists to the committee for baiting their trees. In order to establish this scale it was necessary to determine the cost to fruitgrowers of voluntary baiting. To ascertain this, visits were paid by a departmental officer to representative orchards and vineyards in the Armadale-Kelmscott, Kalamunda and Swan districts. As a result of this survey it was decided to create a maximum charge of 3s. per acre for each baiting on orchards of one acre or more, and  $\frac{3}{4}$ d. per tree or vine for orchards of less than one acre, with a minimum charge of 6d. per baiting in orchards of less than one acre.

Hon. L. Craig: That is too small!

The HONORARY MINISTER: Authority is given the committee to take proceedings against any orchardist who fails to pay baiting charges. Some time ago voluntary baiting schemes were commenced with remarkable success in the Spearwood, Kalamunda, Gosnells and Armadale districts, but those schemes eventually failed through inability to collect outstanding fees and lack of interest as the pest decreased in intensity. It is evident that such schemes are doomed to failure unless the apathetic minority is compelled to take control measures, and provision is made to ensure the collection of all fees.

That constitutes a brief summary of the Bill, which as I have said was recommended by the Fruit Fly Advisory Committee and is strongly supported by the Western Australian Fruitgrowers' Association, the joint honorary secretary of which stated in a letter dated the 9th September last that his executive was very pleased to note the Government's proposal in regard to compulsory community baiting. The Bill will not only apply to commercial fruitgrowing districts but also to backyard growers in urban areas.

It seems most probable that the appointment of local committees will be of great advantage towards making growers fruit fly conscious and improving the sanitation of orchards. I am sure the Bill will receive the approval of the House. I move—

That the Bill be now read a second time.

**HON. L. CRAIG** (South-West) [5.58]: The House can, without any fear whatever, accept this Bill. It has been asked for by the commercial growers. Voluntary schemes having failed, the commercial growers asked that they be allowed to bring in a compulsory scheme of baiting for fruit fly, subject to the growers in any particular area asking for it. Under the Bill a poll is to be taken and if 60 per cent. of those who vote agree to the compulsory scheme it shall be put into effect. A charge of  $\frac{3}{4}$ d. per tree is to be made for spraying which will be done by a board, and that is a very low charge for people who have four or five trees in their backyard. It will probably cost 3s. or 4s. to do the job in those cases, but the charge will be only  $\frac{3}{4}$ d. per tree.

The charge on a commercial orchard of one or more acres is 3s. per acre. That does not sound much, but on 20 acres it would cost £3 per spraying. When it is considered that the spraying should be done every six days, it will be seen that it would cost the commercial grower a lot of money. It is anticipated that ten sprayings per annum will be required in commercial orchards, which, at 3s. per acre, would amount to 30s. per acre in the aggregate. So great is the menace, however, that the commercial growers are asking for this provision. The people from Donnybrook southwards today have no fruit fly, but are scared stiff that it may be introduced into those districts. It has been known there but is believed to have been eliminated. One could speak at length on this greatest menace to the fruit industry, the Mediterranean fruit fly. I am sure the House will accept this measure without hesitation, as it has been asked for by the growers, who are willing to pay all the costs incurred. I support the second reading.

On motion by Hon. H. Tuckey, debate adjourned.

## BILL—MILK.

### *In Committee.*

Hon. H. Seddon in the Chair; the Chief Secretary in charge of the Bill.

Clauses 1 to 5—agreed to.

Clause 6—Interpretation:

Hon. H. TUCKEY: I move an amendment—

That the definition of "surplus milk" be struck out.

The producers protest against any milk being classed as surplus milk. They desire that any milk over and above quota and accommodation milk be deemed to be accommodation milk, and paid for as such. I believe that some time ago a lot of surplus milk was sent to the Goldfields, but that is not so today. I understand that Peters originally paid the price fixed by the board, and there was no complaint about that at the time, but it is said that that firm now frequently gets milk at cheap rates, to the disadvantage of producers. The producers want any milk that cannot be declared to be either quota or accommodation milk to be used for butterfat purposes.

The CHIEF SECRETARY: I cannot agree to the amendment or to the statement that surplus milk is disposed of at the expense of the producers. If we do not have a provision dealing with surplus milk, the majority of the producers, who may have a small quantity of surplus milk from time to time, will certainly be the losers. At various times, and especially in the flush season, there must of necessity be varying quantities of milk over and above what the producer is able to dispose of under his quota, or the additional amount that he supplies to the vendor. It may be only four or five gallons, but, unless it can be disposed of as it is today, it will not be disposed of at all. I do not think any producer would be anxious to waste milk for which he had no use. He would naturally try to find an outlet for it, and there may be a kind of black market unless he has opportunity to dispose of it in the way provided in the Bill.

Hon. H. Tuckey: It is strange that the producers should ask for this definition to be eliminated from the Bill.

The CHIEF SECRETARY: I do not know that the producers as a whole are asking for it.

Hon. H. Tuckey: They had a meeting about it.

The CHIEF SECRETARY: Whether they had a meeting or not, I think that as a whole they desire to dispose of surplus milk under the conditions set out, and if they are unable to do so except under the provisions suggested by Mr. Tuckey, there will be trouble. The milk industry is an unusual one, and if we are to continue the system of quotas of supplies from the producer to the depots, vendors and so on, we must provide means whereby the surplus can be disposed of to those who are prepared to buy it. I understand that in most cases surplus milk reaches manufacturers, and particularly ice-cream manufacturers, who can take it at any time because they make the ice-cream during the flush period and store it until it is required.

Hon. H. Tuckey: What rate are they paying for it?

The CHIEF SECRETARY: I do not know, except that it is a lower rate than is received for quota milk. I understand the producers are prepared to dispose of the surplus under these conditions, at the price they secure from the manufacturers. I oppose the amendment.

Hon. L. CRAIG: I think the Minister is right in this case, and that it would be a mistake to press for the amendment to be passed. If all surplus milk had to be turned into butterfat it would be awkward for the producer who had only a small quantity.

Amendment put and negatived.

Clause put and passed.

Clause 7—Administration of this Act:

Hon. J. G. HISLOP: I move an amendment—

That in line 1 the words "subject to the Minister" be struck out.

The purpose of the amendment is to give the board full authority over its actions and to establish responsibility to Parliament rather than to the Minister. I was interested yesterday to hear the Chief Secretary say that ministerial control was essential under this Bill, because the Gov-

ernment's policy must hold sway. Surely there can be no government political policy regarding control of a substance so vital to the health of the people. Surely the only viewpoint is that the people are entitled to receive the best and purest milk supply possible. My view is that if the board was strengthened, we, as a Parliament, could rely on it to carry out its duties without fear or favour, being responsible to Parliament.

Hon. G. Fraser: What would happen during the six months when the House was not sitting?

Hon. J. G. HISLOP: Just what happens in the case of many other matters that come before Parliament. I cannot see that the Minister will be more infallible than the board, and if something were to go wrong the Minister might not be able to right it immediately. Recently there has been a tendency to take out of the hands of Parliament affairs that rightly belong to it, and I think this Bill tends to give the Minister too much authority. Another reason given by the Chief Secretary for ministerial control was that the Government was involved to the extent of a large sum of money. Much of the Bill does not involve the Government in any expenditure, as the expenses of the board will come out of amounts received in license fees. I would raise no objection to ministerial control over the portion of the Bill relating to compensation, but when it is asked that ministerial control be given over the whole Bill, with the power of veto placed in the hands of the Minister over the board, I think we should review it, and should say "No." The authority should be in the hands of Parliament. We should charge this board to carry out its duties and then review the position if and when necessary. So much power should not be given to the Minister, no matter who he is. When the health of the community is at stake, we should not allow any one individual to have power of almost absolute veto over the actions of the board that Parliament appoints. The board should be given authority, with Parliament holding authority over the board.

*Sitting suspended from 6.15 to 7.30 p.m.*

The CHIEF SECRETARY: This is one of several similar amendments of which Dr. Hislop has given notice, and the vote

on this question will determine whether the board shall be subject to any control at all. Any board appointed by the Government must be subject to some control, and the usual method is for it to act under the authority of the Minister. There are things to be done that only the Minister can do. If regulations have to be made and passed by Executive Council, this would be done through the Minister. Unless we have an authority of the kind, to whom will the board be responsible? Dr. Hislop says it will be responsible to Parliament. Just how would that happen? To make such a statement is useless unless he can show it is a practical proposition, and if it is practical, then we have to consider the implications.

The Milk Board will be clothed with wide powers and its activities will affect practically every part of the State. The question of compensation is very important, but apparently Dr. Hislop has no objection to the Minister's exercising authority in that direction. There are several reasons why it is necessary to have an intermediary between the board and the Government. Dr. Hislop wants to get away from ministerial control, but if anything went wrong, it would be the Government and not the board that would be in trouble, and no Government would place itself in that position. If the Government appoints such a board, one of its Ministers must have control. Quite a number of Acts of Parliament governing different types of boards contain the same phraseology. Dr. Hislop considers that the board should have a policy of its own and should be able to dictate to the Government what that policy shall be. I think the hon. member would find little support for that suggestion.

Hon. W. J. Mann: Would not the board be in possession of all the facts, much more so than the Government?

The CHIEF SECRETARY: The board should be in possession of all the facts, but if the Government is to accept responsibility, it must have authority to say "yes" or "no," more particularly on financial matters. No Government could accept the conditions desired by Dr. Hislop under his amendments.

Hon. H. S. W. PARKER: This is not a board in any true sense of the word. It is really a Government department con-

trolled by the Minister, though the servants of the board would come, not under the Public Service Commissioner, but under the Minister direct. I cannot find any other board such as this, because it will be a board in name only and will really be the Minister acting through persons whom the measure describes as a board. The board will have no power of any sort so long as the Minister likes to take a hand. I favour the appointment of a board, but it should have complete and absolute control and be apart altogether from party politics. To ask the Minister to be responsible for the board's actions would not be fair. He in his wisdom would select certain individuals to form a board, but if the board let him down, he to an extent would be responsible.

Hon. G. Fraser: Would not anyone except the Minister select members of the board?

Hon. H. S. W. PARKER: Generally speaking the Minister would do so and would exercise control over the board's actions. If the board declined to issue a license to a dairyman, the Minister could over-ride the board. The Minister would have full and complete control and the board could do nothing if the Minister chose to step in. If the Minister is to assume the responsibility, why not have an ordinary Government department? Members of other boards are selected in various ways. Most boards are appointed by the Government and take full responsibility. The Fremantle Harbour Trust is only a board under another name. The Albany Harbour Board may make regulations for many purposes; it has almost unlimited power. Parliament created that board, and if the board cannot perform its duties satisfactorily, our duty is to alter the law. The Minister has no power over the Wagin Water Board. He cannot direct that board to do this or that.

Hon. G. Fraser: Has the Government any financial interest in the Wagin Water Board?

Hon. H. S. W. PARKER: That does not matter two straws; it is a question of management. The Milk Board should be free to do its work, and if the legislation under which it is operating will not permit of this being done, the law should be altered. I

will not support a milk board if it is to be merely a nominal board without power of any sort, simply to act under the guidance of the Minister. I am not referring to any individual Minister. This board would be merely the Minister under another name. If a dairyman were delicensed owing to convictions for supplying bad milk, the Minister could direct that a license be issued to him. Let the board be free and untrammelled! It would be of no use having a board if it could do nothing but what the Minister directed it to do. Give the board the requisite legislation with power to make regulations and, if necessary, Parliament can disallow the regulations. Then if the board proved unsatisfactory, another board could be appointed, or if the fault was attributable to the Act, let the Act be amended. I would not favour the appointment of a body that is to be a board in name but not in fact.

The CHIEF SECRETARY: I cannot let the hon. member's remarks pass without some comment. First of all, this is not a question of politics at all.

Hon. H. S. W. Parker: I am not saying that this is.

The CHIEF SECRETARY: It is a question of the usual procedure adopted with regard to boards appointed by a Government, and there must be some connecting link between such boards and the Government. The hon. member quoted the Fremantle Harbour Trust and the Albany Harbour Board. I do not think the Albany Harbour Board has ever functioned, so there is not much in that argument. The Fremantle Harbour Trust functions under the Fremantle Harbour Trust Act, of which I am the Minister in charge. As far as the trust is concerned, whether it be in regard to regulations or anything else, I have just the same power as is contained in this Bill.

Hon. H. S. W. Parker: You cannot throw out whatever they pass. You cannot nullify their resolutions.

The CHIEF SECRETARY: Not resolutions in regard to the ordinary working of the waterfront. The same applies in this case. This provision is the same as that under which the present board has operated for 12 years, and I do not think anyone will say that the Minister has been at all

capricious in this matter, or that he has interfered with the operations of the board. It is necessary to obtain his approval from time to time and it is necessary for the Minister, if he thinks fit, to indicate to the board what his desires are in a particular direction. But to say that the Minister is the only man that counts and that the members of the board are purely servants of the Minister—in other words that they are just a department of the Government although they do not come under the Public Service Act—is so much humbug.

Hon. H. S. W. Parker: It is correct.

The CHIEF SECRETARY: It is getting away from the procedure which is adopted in practically every case of which I know. No Government is going to appoint a board with the powers given under this Bill, to cover the whole State if necessary and to include financial obligations and so on, unless the board is subject to ministerial control in some way or another.

Hon. Sir HAL COLEBATCH: I think that if we look back into the origin of the idea of ministerial control in milk matters we shall find what Mr. Parker has said is correct and that what is contemplated now is not a board but a Government department. The first Act relating to this matter is the Dairy Cattle Compensation Act in which we have this section—

Subject to the Minister, this Act shall be administered by the Department of Agriculture.

It was intended as purely a departmental affair which was properly under the control of the Minister. When, in 1932, it came to the appointment of a board, those words were copied, with the difference that the words "by the board" were substituted for the words "by the Department of Agriculture," clearly contemplating that the board should be a Government department. What we have to decide is whether we consider that was a wise move and should be adhered to now—it is not something that the present Government has invented or brought into practice—or whether we think, as I am inclined to believe, that we should have a stronger board than is contemplated in this Bill, and give it greater powers. That seems to be the thing to do. It would be quite unfair to suggest that the present Government has started on this scheme with the

idea of getting greater powers, but I think we should appoint a stronger board and give to that board greater authority.

Hon. L. CRAIG: I am sorry to have to differ from Dr. Hislop, but I feel that the Minister is right. I do not know how this board can function without Government control of some sort. Its very power comes from the Government. On page 4 of the Bill it is stated that "department" means "the Department of Agriculture." Many of the functions of the board will be carried out through the Department of Agriculture, a Government department administered by a Minister. The power of the board will come from Government departments which are under the control of a Minister. I do not know how a board of this kind could really function without that. If I were the Minister responsible for a clean milk supply, I would want some power and control. The powers under this Bill are no different from those set out with regard to all boards of this nature.

Hon. H. S. W. Parker: Find one of them.

Hon. L. CRAIG: Without the Minister's approval or the approval of a Government department this board could not carry out its difficult job.

Hon. H. S. W. Parker: What does the Fremantle Harbour Trust do?

The Chief Secretary: The same thing.

Hon. L. CRAIG: The Chief Secretary has replied to that. He knows more about the subject than I do.

Hon. H. S. W. Parker: Read the Act.

Hon. L. CRAIG: I think we would stultify ourselves by eliminating Government departments from this measure. All the people in the Government service connected with cattle, dairying, cream and butter will be made use of by this board and I cannot imagine any department allowing its officers to be so used without the consent of the Minister. It is not as if the Minister is going to say, "You shall be subject entirely to my control." The board has not functioned in that way in the past. It has been operating for 12 years and there has not been the slightest complaint about interference by the Minister.

Hon. H. S. W. PARKER: I was somewhat surprised to hear what the Minister and Mr. Craig said. I have the Fremantle

Harbour Trust Act in front of me and I find that the Minister has no power of any description. The Governor—I admit that is the Minister—may suspend a commissioner. But if he does so, he must lay before Parliament a full statement of the grounds for suspension and then the matter has to be dealt with by Parliament. What power has the Minister over the Health Board? That board works under an Act. I am not suggesting that the Minister is going to do anything wrong, but I do suggest that if a Minister wished to do so he could; and Ministers come and go. I am not prepared to give carte blanche to a Minister who could do everything that the board could do.

Hon. L. Craig: He would have to do it through the board.

Hon. H. S. W. PARKER: Would he? He could compel the board to do it.

Hon. L. Craig: The board could resign.

Hon. H. S. W. PARKER: It is much easier and less expensive to do this work through an ordinary Government department. Why not have the chairman of the Milk Board as Under Secretary for Milk and have the ordinary form of control? Why clothe the business with this false atmosphere of a board? It is suggested that we must have ministerial control because the board will want to use officers of another department. Surely one Government department or a board can obtain the use of officers from another Government department to assist it. If there were a Minister for Agriculture who refused to allow his Chief Inspector of Stock and other officers to assist the Milk Board in the proper control of diseases of dairy cattle, I venture to suggest that that Minister and his Government would not last very long. So we do not want ministerial control in order to ensure that officers of a department will help to carry out the duties that have to be performed in connection with the board. There is no board as far as I can see that has ever been permitted by Parliament to be so absolutely and completely controlled by a Minister as is suggested should be done in this instance.

Hon. E. M. HEENAN: The powers vested in the board are very comprehensive. Clause 15 provides for the election of members and Clause 16 for their remunera-

tion. Later on property is to be vested in the board. Surely there must be some person representing the Government to whom the board is responsible; some person representing this Parliament, for that is what the Minister does! The Bill provides that the Act shall be administered by the board but subject to the Minister. We cannot possibly pass over responsibilities to this board. The members of the board must be responsible to Parliament or to the Minister and, through him, to Parliament. I cannot see any justification for opposition to that proposal.

Hon. J. G. HISLOP: I would like Mr. Heenan and Mr. Craig to look at Clause 27.

Hon. E. M. Heenan: That is all right.

Hon. J. G. HISLOP: What an extraordinary statement for a member of this Committee to make—it is all right!

Hon. E. M. Heenan: I think it is more extraordinary to say that there is anything wrong with it.

The CHAIRMAN: I would remind the Committee that Clause 7 is under discussion.

Hon. J. G. HISLOP: The clause must be read in conjunction with other clauses in the Bill and it simply amounts to this: that the board can do nothing unless the Minister approves. If that is not taking control out of the board's hands, I do not know what it means.

The CHIEF SECRETARY: Now we know where we stand. Both Dr. Hislop and Mr. Parker want to get away from ministerial control and that is the issue to be decided.

Hon. H. S. W. Parker: Yes.

The CHIEF SECRETARY: I do not propose to spend any time in arguing the point on that principle. If the Committee desires to get away from governmental or ministerial responsibility, it is for members to determine. I stand by ministerial responsibility, particularly in matters of this description.

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

Ayes	..	..	..	9
Noes	..	..	..	10
				—
Majority against	..	..		1
				—

AYES	
Hon. L. B. Bolton	Hon. W. J. Mann
Hon. Sir Hal Colebatch	Hon. H. S. W. Parker
Hon. J. A. Dimmitt	Hon. F. R. Welsh
Hon. E. H. Hall	Hon. H. Tuckey
Hon. J. G. Hislop	(Teller.)
NOES.	
Hon. G. Bennetts	Hon. E. H. Gray
Hon. L. Craig	Hon. E. M. Heenan
Hon. J. M. Drew	Hon. W. H. Kitson
Hon. G. Fraser	Hon. G. W. Miles
Hon. F. E. Gibson	Hon. W. R. Hall
	(Teller.)

Amendment thus negatived.

Clause put and passed.

Clause 8—Dairy areas:

Hon. J. G. HISLOP: I move an amendment—

That in line 1 the word "Governor" be struck out and the word "board" inserted in lieu.

I intend to propose all the amendments I have placed on the notice paper because I still believe in the principle of giving the board authority. I trust that when we reach the clause dealing with the constitution of the board, the one to be set up will be very different from that which is contemplated in the Bill. I refuse to give into the hands of the Minister the power to say which will be dairy areas, when we have asked the board to take over that particular job. I believe it is actually the work of the board to decide where the different areas shall be, not the work of the Minister. Nowhere in the clause does it appear that the board is to receive any authority. All that is to happen is that the Governor will decide on the recommendation of the Minister. I take it that the board will make recommendations to the Minister, which he may or may not accept. Possibly the board would advise the Minister and in the majority of cases it would be the recommendation of the board to the Minister that the Minister would recommend to the Governor. Why not say so in the legislation, and give the board the requisite authority?

The CHIEF SECRETARY: The same principle is involved in this amendment. If the Governor is to declare dairy areas by Order-in-Council, it can be done only through the Minister. Dr. Hislop is right in saying that the recommendation of the Minister will be the recommendation that reached him from the board in the majority of instances. I should say that that would apply probably in 999 out of 1,000 instances. Dr. His-

lop has a distorted idea of how these things work. For 12 years we have had a board dealing with milk under these very conditions, and I venture to assert that the board hardly knew that the Minister existed.

Hon. H. S. W. Parker: There might be a change of Government.

The CHIEF SECRETARY: Then we might possibly get a state of affairs that Dr. Hislop seems to be afraid of, but that will not happen while the present Government is in office and the present Minister is in charge of the board. The Government cannot accept the amendment. It wants the Bill but it has to accept a lot of responsibility regarding it. The Government is not prepared to do as Dr. Hislop suggests it should and divest itself of responsibility, vesting it in the board. If the Government is to accept responsibility, it must be accepted through the Minister, which is all that the clause means.

Hon. H. L. ROCHE: I am in somewhat of a quandary. While I have been active in connection with producers' organisations, I have subscribed to the principle of majority producer representation on boards dealing with producers' products. At the same time, in this instance I think we must concede that the board cannot be an entirely free agent but must be subject to the approval of the Minister. What I do not like about it is that the Minister has the power to make recommendations, which means that his is the initiative. I think the board should have the initiative and the Minister the right to approve or disapprove. If we were to remove ministerial control altogether, an invidious position could arise. For instance, the two consumer representatives and the chairman might adopt an extreme view on certain matters, and the Government would be responsible for the activities of the board, but the board would not be subject to any ministerial restraint. On the other hand, if we are to have a board constituted to deal with the producers' products and the Minister is to have all the say, there is not much sense in pressing for producer representation because the members of the board would be mere factotums, doing as they were told. I want the Minister to have the power to approve or disapprove of the activities of the board,

and I am doubtful of removing the board absolutely from ministerial control.

Hon. L. CRAIG: I am rather with Dr. Hislop in regard to this matter. The board's power in this respect seems to be confined to milk produced for sale in the metropolitan area or elsewhere. Had Dr. Hislop moved to strike out the word "Governor" and insert in lieu "Minister," I would have supported him. The board should make the recommendations, as it is responsible for the quality of the milk from the cow to the consumer.

Hon. G. Fraser: Could a Minister make an Order-in-Council?

Hon. L. CRAIG: The Governor makes the order on the recommendation of the Minister.

The Chief Secretary: That is just what the Bill says.

Hon. L. CRAIG: But the board should have a say. It will not be easy to define an area, because there is overlapping of butterfat and wholemilk areas.

Hon. W. J. Mann: It is practically impossible.

The Chief Secretary: The board will have all the say.

Hon. L. CRAIG: But that should be included in the Bill.

Hon. H. S. W. PARKER: I am pleased that Mr. Craig is beginning to realise what we were driving at a little while ago. The Interpretation Act provides that the Governor may make regulations; and, of course, that is done by the Minister, the Governor being only a figurehead. If the board makes the regulations, they will be laid on the Table of the House. That procedure is provided for in the Interpretation Act. When the regulations are laid on the Table of the House, they can be disallowed if the Minister does not favour them. The whole matter goes by the board unless we strike out Clause 27, which I am anticipating will be done.

The CHIEF SECRETARY: I have been a member of this House for a long time.

Hon. H. S. W. Parker: You learn every day.

The CHIEF SECRETARY: Assuming Mr. Parker's interpretation of this matter



to be absolutely correct, the Minister is not going to do the work of the board.

Hon. H. S. W. Parker: I quite agree.

The CHIEF SECRETARY: For a period of 12 years the board hardly knew there was a Minister in control, except when it dealt with important matters. This matter is important. The objection arises from the fact that one or two members have a definite set against ministerial control. They do not want the Minister to have anything to do with matters of this kind.

Hon. H. S. W. Parker: I agree. Parliament should do it, not the Minister.

The CHIEF SECRETARY: I do not know how dairymen would get on if Parliament had to deal with all the matters the Minister has to handle. This is a matter of principle and I cannot depart from it in any shape or form. The Government is not prepared to allow this board, or any other board, to have what might be called over-all control. If the Committee declares that the Minister is to have no authority or control in this matter, the Government simply says, "There is no Bill." That is the position.

Hon. H. S. W. Parker: That is where the Government takes the responsibility.

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

Ayes .. .. .	9
Noes .. .. .	11
Majority against ..	2

#### AVES.

Hon. L. B. Bolton	Hon. H. S. W. Parker
Hon. Sir Hal Colebatch	Hon. H. Tuckey
Hon. J. A. Dimmitt	Hon. F. R. Welsh
Hon. J. G. Hislop	Hon. E. H. Hall
Hon. W. J. Mann	(Teller.)

#### NOES.

Hon. G. Bennetts	Hon. W. R. Hall
Hon. L. Craig	Hon. E. M. Heenan
Hon. J. M. Drew	Hon. W. H. Kitson
Hon. G. Fraser	Hon. G. W. Miles
Hon. F. E. Gibson	Hon. H. L. Rocho
Hon. E. H. Gray	(Teller.)

Amendment thus negatived.

Hon. J. G. HISLOP: I move an amendment—

That at the end of Subclause (2) the following proviso be added:—"Provided that on and after the 1st January, 1952, the metropolitan area shall cease to be a dairy area."

I have in past years given this Chamber sufficient evidence of the conditions existing in

some of the dairies in the metropolitan area. The evidence should be sufficient to make members realise that the board will be compelled to take drastic action. I do not say that every dairy in the metropolitan area should be condemned out of hand; but I am prepared to say that those who are engaged in the industry realise that the metropolitan area is not the place where milk can be produced under satisfactory conditions.

The Chief Secretary: Would you qualify that by saying it all depends upon the boundaries of the metropolitan area?

Hon. J. G. HISLOP: Quite likely. But even in the Kelmescott-Armadale district there is an extremely dry season for eight months of the year, and that would make it unsuitable for milk production. Personally, I think we would be better advised to look elsewhere for a dairy area. Even the producers in the Byford district must be finding it extremely difficult to produce milk under the conditions existing there, with the extra cost of hand-feeding and adding concentrates to the feed. If some other definition of the metropolitan area is included, well and good, but I feel the onus should be placed on the dairyman to show that he can maintain a supply of milk of the proper standard. If the board is to condemn dairies, it must wait until a dairy has, so to speak, committed a sin before it can revoke the license. I have shown members dairies in the metropolitan area which they agree with me should not be allowed to exist. Nevertheless, the proprietors carried on their business in those dairies throughout the war years. I have also shown some of these dairies to men who have been in the industry for years, and they stood appalled at the conditions. The Committee should take courage and realise the time will come when these dairies must be put in proper condition. I think 1952 would be far enough ahead for us to say to the people, "It would be better for you to produce milk in some area other than this."

The CHIEF SECRETARY: I sympathise with the hon. member's desire which is to achieve a pure milk supply, or to improve it by removing certain dairies from certain parts of the metropolitan area. But he is trying to travel a little too fast. There are a number of dairies in the metropolitan area described to me by the authorities as being very good. If the amendment were

passed it would mean that in three or five years time they would go out of existence and their owners would be compelled to look elsewhere for a living. This matter is not confined to the environs of Perth. The doctor referred to Kelmseott and Armadale as being dry areas for about eight months of the year. I know of one or two dairies there that will compare with dairies elsewhere in regard to the quality and quantity of milk produced. Dr. Hislop referred to Byford. That district produces thousands of gallons of good quality milk per day.

I wonder just what would happen if the hon. member had his way in regard to this particular matter? Perhaps the more serious part of his amendment is that in which he desires that the metropolitan area shall not be gazetted a dairy area. I point out that the Bill deals not only with the production of milk but the distribution and treatment of it. If the amendment is agreed to there will, when the time comes, be no control over the production, treatment or distribution of milk. That is something that Dr. Hislop does not desire. He wants the control particularly over the distribution and treatment of milk, to be severely efficient. If he gets his way with this amendment he will have gone further than he intended. But in any case, I ask whether we have yet reached the stage when we can say that what we know as the metropolitan area should be excluded entirely from the production of milk? I do not think we have.

The board, when the Bill is passed, will have powers that it did not have previously and it will be able to deal adequately with the undesirable dairies. While I sympathise with the desire underlying the amendment, I cannot agree to it. Dr. Hislop has possibly achieved his point by drawing attention to the fact that the more populated centres, such as the metropolitan area, are unsuited for the production of milk. When speaking on the second reading of the Bill, I pointed out that the board had done good work in that direction and that for some time past it had been its policy to refuse to license dairies in the more thickly populated areas. That policy will be continued and enforced because the board will have the necessary powers to carry it out. We should give the Bill a

trial and, if in the course of two or three years it appears to be not working out as we anticipate, there will then be plenty of opportunities to prohibit the production of milk in the metropolitan area. I hope the amendment will not be agreed to.

Hon. H. TUCKEY: I would prefer to see each case dealt with on its merits. I agree with the Minister that there are some big dairies within the boundaries of the metropolitan area. The boundaries extend some 20 miles out. It would be drastic to tell the good dairymen to close up altogether. The board will have power to deal with any dairies that do not measure up to requirements. The amendment goes a bit too far. The metropolitan dairies are gradually moving out. When the board was originally created the numbers were about equal but today there are only, approximately, 93 dairies in the metropolitan area and 235 in the outer areas. That shows that in time most of the dairies will move out to the country. Because of that we should be more patient and give these people a chance to change from an unsuitable district to a better one. Possibly in 1952 there will be very few dairies in the metropolitan area. If the board does its job there should be no sub-standard dairies.

Hon. J. A. DIMMITT: We are not compelled to take Dr. Hislop's word as to the unsuitability of some of the dairies in the metropolitan area. I have seen milk produced under insanitary conditions, and the Minister agrees that many dairies are unsuitable although they are still licensed. If the amendment is agreed to, I am prepared to move an amendment to add the following words: "and after that date no milk shall be produced in the metropolitan area for human consumption as fluid milk without a permit from the board, such permit to be renewed triennially."

Hon. F. E. GIBSON: It is renewed annually today.

Hon. J. A. DIMMITT: I would like to see it clearly indicated that the dairies are not wanted in the closely populated metropolitan area. I am appalled at the conditions under which milk is produced in some places.

Hon. W. J. MANN: One should at this stage express one's opinion regarding the production of milk in the metropolitan

area. In all the large cities dairies are finally prohibited. I was in the vicinity of Perth recently and I saw some cattle tracks which I followed up. As a result I came upon an establishment that for filth was appalling. It was not a large place, but I shudder to think that milk of that description would be brought into my home or anyone else's. I believe there are a number of such dairies. Many people in the industry, not only in the metropolitan area but in the rural districts, too, should not be permitted to hold a license because they have no idea of cleanliness or hygiene. I think the amendment is a reasonable one. It allows a period of five years for the people who have dairies in the metropolitan area to make other arrangements, and I do not mean Kelmscott and Byford.

The Chief Secretary: Dr. Hislop does.

Hon. W. J. MANN: I would not agree with that. I mean within a radius of five or six miles—

The CHAIRMAN: I assume the hon. member means the metropolitan area as defined in the Bill?

Hon. W. J. MANN: Yes. Sooner or later these people will have to go further out. A dairy cannot be run on filthy black sand without a scrap of pasture. The amendment is open to further amendment, but the idea behind it is sound and should be accepted.

Hon. E. M. HEENAN: I see no virtue in the amendment. The question of dealing with dairies in the metropolitan area could well be left to the Milk Board. Dr. Hislop apparently appreciates that it is unwise to do anything within a period of five years. Surely we do not want to pass an amendment that will fix a arbitrary period. If at the end of five or six years the Milk Board has not moved in the matter, then it would be time to bring forward an amendment of this nature.

Hon. W. J. Mann: And give these people another five years.

Hon. E. M. HEENAN: I would not do anything because I am satisfied that the Milk Board will handle the situation. Why make it six years hence? Why not make the period three years or seven years hence?

Hon. G. BENNETTS: I think the Bill is a good one, because the persons elected to the board will be men of experience and if a dairy is not being properly conducted they will do something about it. Why should a dairy be allowed to carry on for five years if it is not suitable? In the area I represent there is no green feed. The cattle are being hand-fed and water is being carted to them. The milk there would fall far below the standard of that in the metropolitan area. I support the Bill.

Hon. G. FRASER: I would like Dr. Hislop to define what he means by "the metropolitan area."

Hon. J. G. Hislop: It is in the Bill.

Hon. G. FRASER: I am glad to know that. If that is the case it will not affect the dairies that he wishes to deal with. In the Bill "metropolitan area" means "that portion of the State including the City of Perth and the City of Fremantle which the Governor shall by Order-in-Council from time to time constitute and declare to be the metropolitan area for the purposes of this Act." That widens it a little, but I want Dr. Hislop to define exactly what he means. He is leaving it to the board or some other body to define.

Hon. J. G. Hislop: It is defined in the Bill.

Hon. G. FRASER: As the amendment stands at the moment, I do not think Dr. Hislop will achieve his objective, not that I wish to support it. It leaves us in the dark as to what districts he desires to cover, and before I vote on it I would like him to tell me to what districts he wants it to apply. Then I would be able to decide whether I should support or oppose the amendment.

The CHAIRMAN: Before we discuss this matter further, I think Mr. Dimmitt has an amendment. It will have to be moved as an amendment to this amendment.

Hon. J. A. DIMMITT: I move—

That the amendment be amended by inserting after the word "area" the words "and after that date no milk shall be produced in the metropolitan area for human consumption as fluid milk without a permit from the board, such permit to be renewable triennially."

Hon. H. L. ROCHE: Though Dr. Hislop's amendment may not be perfect, I think it expresses the views of many people, and I support it. It is possible that some of the sandy manure heaps that masquerade as dairies in the metropolitan area may be able, by artificial feeding, to produce milk that is up to standard but, assuming that the board has done its job in the past, dairies producing milk that is not up to standard should not be in existence. I think we should set a period to the continuance of that state of affairs in close proximity to the cities of Perth and Fremantle.

Hon. G. Fraser: Some of the dairies in those areas compare favourably with country areas.

Hon. H. L. ROCHE: That is possible, but the conditions under which they pasture their cattle and the general state of those so-called dairies are such that I think it is time we were prepared to accept responsibility for saying that, after a certain time, milk will not be accepted for human consumption from dairies located as they are. They could move to better conditions in country areas.

The CHIEF SECRETARY: I do not know whether Mr. Dimmitt realises that if his amendment is agreed to, in the event of Dr. Hislop's amendment being accepted, the position will be worse than it is today. The dairies we are referring to today must get annual permits or licenses, but Mr. Dimmitt wants to give them a three-year period. Listening to Dr. Hislop one would be inclined to think he would include Armadale, and perhaps go as far as Byford.

Hon. J. G. Hislop: I did not say that at all.

The CHIEF SECRETARY: No. Dr. Hislop suggested that those places were unsuitable for dairies as the dry period extended over about eight months. Whether we take a radius of five miles or 20 miles, we would include both good and bad dairies. The Governor's Cup at the Royal Agricultural Show was won by a resident of Cannington, which is not more than six or seven miles from the Town Hall. That is sufficient indication that we must be careful, in deciding a matter of this kind, not to do an injustice to people whom we would rather help, and who are apparently capable of

carrying on in a way that is an object lesson to people in the metropolitan area or further afield. I cannot accept Mr. Dimmitt's amendment on the amendment, because we are giving the board far greater power than it has had in the past. In my opinion we should let the matter rest where it is, as the position is, to some extent, rectifying itself.

Many dairies in the metropolitan area are moving further out, as opportunity offers. It must be recognised that they have a considerable amount of capital tied up in their businesses, and cannot move overnight. At Osborne Park there are some dairies that are hardly worthy of the name, but others that are very good. I do not think we can say at present that dairying should be prohibited within a certain radius of the Town Hall. The board should be given authority to deal with such places on their merits. If in two or three years' time there has not been the alteration that we would like to see, we can then consider an amendment such as that moved by Dr. Hislop.

Hon. J. G. HISLOP: The discussion has taken the line that I expected. I threw in the words, "Kelmescott," "Armadale" and "Byford" because they had been presented in a circular sent by the trade to members of this Chamber. Mr. Fraser asked me to define the metropolitan area, but it is up to the board to say that Scarborough, North Perth or any other district is within that area. Along the Swan, under winter conditions, the cattle travel through mud to the bails. Any such area could be declared an area not suitable for the production of milk for human consumption. I would be astounded if anybody told me that some dairies that exist on the Scarborough road should be allowed to continue. Does the Chief Secretary consider that the dairy in Cambridge-street should have been allowed to exist during the war? It is a shocking place.

This Committee must have the courage to say that the people of the community are to be supplied with pure milk, and we must lay down the conditions under which it is to be produced. I could show members dairies on the Scarborough-road that should never have been allowed to exist. I have seen a hessian room having a fireplace in one corner and a double and a single bed each with a hessian mattress that half-

castes were allowed to occupy, and that room opened on to the dairy. This state of affairs has existed for years. Does not the Minister think that something should be done to arrange transportation so that members may see those dairies? They are in an appalling condition. The board would need good reasons for revoking a license.

Hon. F. E. Gibson: Would not the conditions you have stated constitute good reasons?

Hon. J. G. HISLOP: I have reported the existence of those conditions in this Chamber and still they continue. I have been told that the board is hygiene-conscious. It has not been so during the years I have been dealing with the milk problem, or those dairies would not have been allowed to exist. However, I want somebody to be hygiene-conscious in regard to the real bacterial content of the milk and the conditions under which the milk is produced. I want to drive into the board and everybody else that this is no way to produce milk for human consumption if we really have the health of the people at heart. If the amendment does not meet requirements, it can be altered or supplemented to make it work. This problem will have to be faced sooner or later. I ask that dairies in the metropolitan area that are unfit to produce milk for human consumption should be told so.

Hon. G. Fraser: There may be some such dairies in the country districts also.

The Chief Secretary: To what area are you really referring?

Hon. J. G. HISLOP: I want to give the board power to declare what it considers is the metropolitan area and increase it as the needs of the community require. Fremantle may need to take in a radius of only a couple of miles from the post office and a ring could be drawn around Perth with a stipulation that milk for human consumption shall not be produced there. The trouble is that the board could by proclamation increase the area.

Hon. H. Tuckey: Your amendment does not state that.

Hon. J. G. HISLOP: I am bound by the definition of "metropolitan area" appearing in the Bill.

The CHIEF SECRETARY: All that Dr. Hislop has said is a justification for the

Bill. I have not visited the dairies to which he referred, but I think that in most instances they comply with the Health Act. The board has refused licenses to one or two such places, but they are still producing milk for sale outside the metropolitan area and outside the jurisdiction of the board. That is one of the reasons why we desire that appeals shall go to the Minister rather than to a magistrate. The board is keen to ensure that proper conditions prevail in dairies.

The districts referred to by Dr. Hislop will receive the special attention of the new board. The old board did not have the requisite authority. Given these additional powers, the board may be trusted to do what Dr. Hislop desires, and if any dairy is below standard, it will probably go out of existence before 1952. There are some good dairies within a few miles of the Perth Town Hall, and the board may recommend that certain areas be excluded or included, but it would be an injustice to describe a circle and declare that no dairy shall operate within the radius after a certain time. The matter should be left to the board. If the board does not act in accordance with the full authority given by the measure, Dr. Hislop has sufficient courage to bring the matter forward with a view to getting something done.

Hon. J. G. HISLOP: According to the Chief Secretary, everything in the garden is lovely and the board has everything in mind. Had I been of that opinion, I would not have moved my amendment. I have proved that that is not so. Recently a dairy in the metropolitan area was "chased" by the Health Department, and time after time the owners were fined until it became obvious to them that they could not produce milk in those surroundings in conformity with the Health Act. They left the dairy, but the board gave another person a license to reopen it, although it knew that the previous occupants had been unable to produce milk there under satisfactory conditions. Knowing that this sort of thing has happened within the last 12 months, I want something put in the Bill to show that we do not approve of dairies in the metropolitan area.

Hon. G. Fraser: Had the board power to refuse?

Hon. J. G. HISLOP: Yes. If I were convinced that what I have stated is wrong, I would withdraw and apologise; but the statement stands that the occupants of the dairy were repeatedly fined but the dairy has been relicensed by the board.

The CHIEF SECRETARY: I am sorry that Dr. Hislop should bring forward cases of that kind in the way he has. The instance he referred to is well known to the board, but unfortunately the doctor has not related all the facts. The man he referred to was fined frequently for having under-standard milk, not dirty milk. Eventually he got out, and a new man came along and applied for a license. This was not granted until he had made necessary alterations to the property, and today he is producing milk up to the required standard. Those are the facts of the case. I suppose one could quote other cases where different individuals obtained different results from the same property, and this is probably one of those cases. We must take into consideration not only the property but also the individuals using it.

Hon. W. J. Mann: We do not have to perpetuate the idea of keeping dairies where they should never have been in the first place.

The CHIEF SECRETARY: I agree they should not have been there in the first place, but would the hon. member say that the dairy at Cannington, which is only as far away as the one at Scarborough, should never have been there?

Hon. W. J. Mann: That is an unusually good one.

The CHIEF SECRETARY: That may be; but would the hon. member say that?

Hon. W. J. Mann: The cup was given for stock, not milk.

The CHIEF SECRETARY: Yes, and they have dairy cattle there, too. We could argue all night on this point, but I think we should be prepared to give the board a chance to operate under this new Bill under which it has authority to act in a way in which it has never been able to operate before.

Amendment on amendment put and negatived.

Hon. E. H. H. HALL: If the conditions are as described by Dr. Hislop, I do not

feel prepared, under any circumstances, to allow the period he proposes in his amendment. If the conditions are anything like approaching what he has told the Committee, it is time, in the interests of the milk-consuming public, that that dairy should be closed. I understand it has been or that the proprietors have been changed. But there may be others with somewhat similar insanitary and unhygienic conditions.

Amendment put and negatived.

Clause put and passed.

Clause 9—Amendment of Section 31:

Hon. H. L. ROCHE: On behalf of Mr. Loton, I move an amendment—

That a new subclause be added, as follows:—

“(3) Where the area under the control of any local health authority is not itself declared a dairy area and is not included in an area which has been so declared the Governor may for such period as he thinks fit confer by notice in the “Government Gazette” upon such a local health authority such of the powers as are by this Act given to the Milk Board as the Governor deems necessary to control efficiently in the area under the control of such local health authority the production and distribution of milk. By a subsequent notice in the “Government Gazette” the Governor may extend such period and if during any such period or extended period the area under the control of the local health authority as aforesaid is declared a dairy area or becomes included in an area which is so declared the powers conferred by the Governor as aforesaid upon such local health authority shall ipso facto be withdrawn.”

The amendment is designed to provide that those areas in the country that may not be brought under the conditions of the Bill may, with the approval of the Minister, be declared dairy areas. The provision is not mandatory, discretion being left entirely with the Minister. Some local authorities are quite entitled to feel that the people in their districts have just as much right to the protection of the provisions of this measure as have residents of the metropolitan area to whom the Act will apply. If the amendment is included in the Bill it will enable districts such as Albany, Northam or Bunbury, if they are not declared areas, to exercise their own control under their own local authorities with their own local health inspectors carrying out the work.

The CHIEF SECRETARY: There are several objections to this amendment. In

the first place, a local authority would have control only over the production of milk within its own boundaries and would have no control over milk produced outside and brought into its area. Again, we would create another type of dual control. Very wide powers are given under this Bill, including compensation for delicensed persons and also for diseased stock. Then there is the question of the distribution and proper supervision of the treatment of milk. I am told that the examination of herds takes some time. If the compulsory testing of herds is not done systematically in conjunction with the Government department there will not be uniformity, and the idea behind the Bill is that there shall be a system whereby gradually the herds in all these areas will be examined for disease. Just as soon as it is possible to do so, those areas will be brought within the purview of the measure.

Reference has been made to the health officers of the local authorities. We have heard Dr. Hislop say that many of those men are not competent to deal with these matters because they have not studied the question and do not understand it as they should in order to be given the authority granted under this Bill. Then the question of the fixation of the price of milk is involved. I cannot agree to give local authorities the same powers as are granted to the board, but I think I can give this assurance: The Government is anxious that the new board, when established, shall proceed as rapidly as possible to include all those areas referred to by the hon. member in regard to the jurisdiction of the board. I understand that the testing of cattle takes something like three days for each test, so some time must elapse before it will be possible for inspectors and authorities available to us to include all the areas referred to.

Hon. H. L. ROCHE: When I moved this amendment I stated that if the powers set out were given they would be at the discretion of the Minister or the Governor. We do want to see some powers—and I trust adequate powers—granted to local authorities that wish to control the milk being retailed in their centres, and to protect the health of their people to the same extent as it is sought to protect the health of the people in the metropolitan area.

The CHIEF SECRETARY: At present, the local authorities the hon. member refers to have a certain power under the Health Act.

Hon. H. L. Roche: That is all they have.

Hon. G. Bennetts: That is all they want.

The CHIEF SECRETARY: That power is one they have the right to exercise and, according to Dr. Hislop, it is a power which is worthwhile, but their power simply stops inside their own boundaries. We cannot get over the Municipal Corporations Act or the Road Districts Act by means of this Bill. We can only give local authorities power to act within their own boundaries, and they have that power at present under the Health Act with regard to most things. They cannot, however, deal, for instance, with compensation.

Hon. H. S. W. Parker: The Dairy Cattle Compensation Act deals with that.

The CHIEF SECRETARY: That is a measure being dealt with in another place, and I do not want to introduce it into the discussion on this Bill.

Hon. E. M. HEENAN: I can appreciate the desire of local governing bodies to secure some of the advantages indicated in the Bill, but even if the amendment were accepted, it would have no binding effect. It is simply permissive.

Hon. H. L. Roche: Then why object to it?

Hon. E. M. HEENAN: Because I think it is quite futile and impracticable of application. It would be better for the local authorities to wait until the board gets properly under way. We have the Minister's assurance that it will be the ambition of the board to extend its jurisdiction as quickly as possible. I regard the amendment as so much wishful thinking for it will achieve no purpose whatsoever.

Hon. H. L. ROCHE: I submit that the amendment will at least give the Minister power to do what we suggest and to exercise his discretion. The Minister objected that the local authority would have no control over milk produced outside its own district, but I submit that Subclause (2) of Clause 3 provides ample power for the authority to exercise control in the directions indicated. What is set out there covers about everything.

Hon. L. Craig: But those are powers for the board.

Hon. H. L. ROCHE: And I am asking that those powers be delegated to the local authority.

Hon. L. CRAIG: But it could not be done!

Hon. H. TUCKEY: I do not think the amendment would do the least harm because the Minister has just told the Committee that the Milk Board will have such a big job in dealing with the whole State and the amendment, if agreed to, might help the board to delegate some of its powers to local authorities. There is nothing mandatory about it.

Hon. J. G. HISLOP: I cannot understand Mr. Craig's reasoning when he says it is impossible for the board to delegate its powers to local authorities.

Hon. L. CRAIG: Outside the areas of the local authorities.

Hon. J. G. HISLOP: I am wondering how the board will exercise its powers throughout the State and whether it will not in due course have to delegate some of them to local authorities. I do not propose to mince words. I say that this legislation is designed as it is purely because the Minister wants centralised control. What is being sought in the amendment has been asked for by the larger centres, and I cannot see that any harm could result from the Milk Board allowing local authorities to deputise for it when advisable. The provision in the Bill has been included because the Minister refused requests from local authorities to buy all the milk produced within their areas, pasteurise it and allow it to be distributed by retailers. The Minister would not listen to the proposal. Probably he thought that the local authorities would do something of which he would not approve.

That is why I say the board should be in a position to determine what is best to be done in the interests of all concerned. Yet the Bill contains nothing that would permit the board to delegate some of its powers to local authorities. For instance, surely if an agreement were reached with the Milk Board, the local authorities at Bunbury would be in a better position to deal effectively with the milk supply at that centre than would be possible through a board acting from Perth. In my opinion, even if the amendment is not agreed to, it will not be long before amending legislation will be introduced for the purpose of enabling the board to delegate its powers to local authorities.

Hon. L. CRAIG: When Mr. Roche was speaking, I interjected that power could not be delegated by the board to local authorities except within the local authorities' territory. The Bill cannot override the Road Districts Act. Quite possibly a local authority could have some say as to the quality of milk sold within its particular boundary, but it could have no power over its production outside its area.

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

Ayes	..	..	..	..	12
Noes	..	..	..	..	6
Majority for					6

AYES.	
Hon. Sir Hal Colebatch	Hon. W. J. Mann
Hon. L. Craig	Hon. H. S. W. Parker
Hon. J. A. Dimmitt	Hon. H. L. Roche
Hon. F. E. Gibson	Hon. H. Tuckey
Hon. E. H. H. Hall	Hon. F. R. Welsh
Hon. J. G. Hislop	Hon. L. B. Bolton (Teller.)
NOES.	
Hon. G. Bennetts	Hon. E. M. Heenan
Hon. E. H. Gray	Hon. W. H. Kitson
Hon. W. R. Hall.	Hon. G. Fraser (Teller.)

PAIR.	
AYE.	No.
Hon. G. W. Miles.	Hon. J. M. Drew

Amendment thus passed; the clause, as amended, agreed to.

Clause 10—agreed to.

Clause 11—Constitution of board:

Hon. J. G. HISLOP: I move an amendment—

That a further proviso be added to paragraph (a) as follows:—"Provided that one of these persons appointed under this section shall be a legally qualified medical practitioner holding a diploma of public health or a person possessing the degree of bachelor of agricultural science or of bachelor of veterinary science."

The public will, in my opinion, be much better protected in relation to its milk supply if a person with technical skill and training were appointed to the board. I am not concerned whether he be a medical officer, but if he be a medical officer he should be one who has given close attention to the study of public health; or whether he be a person who has made himself au fait with the health side of the subject by achieving the distinction of obtain-



ing the degree of bachelor of agricultural science or bachelor of veterinary science. If I were a layman and asked that my milk supply be protected by a person nominated to protect my interests, I would rather have one person qualified from the economic and financial standpoint and another skilled in the control of milk from a hygienic standpoint. I cannot see that any great objection can be taken to the amendment.

The CHIEF SECRETARY: I do not think the Committee should accept the amendment. Why does Dr. Hislop limit the choice to the three classes of persons mentioned?

Hon. W. J. Mann: You would not want a blacksmith or a bricklayer.

The CHIEF SECRETARY: I was not referring to that type of man, but to men such as chemists. We should not tie the Minister down to the three types of persons mentioned in the amendment. Unlike Dr. Hislop, I have faith in the present Minister, who is keenly alive to the necessity of getting the best possible board. The choice should be left to the Minister.

Hon. J. G. HISLOP: I regard this amendment as of profound importance. If it be not agreed to, I am afraid I shall lose a considerable amount of interest in the measure. We have had threats made here to-night—more or less veiled, so perhaps the word "threat," is not the right one to use in the circumstances—that the Bill could not be accepted under certain conditions. I have not limited the Minister's choice by naming the three particular types of people in the community whom I and many others regard as being essential to the maintenance of the right standard of milk to be consumed in this State. I have said that if a member of the medical profession is chosen, he should be a man who has given considerable thought to public health matters. The ordinary general medical practitioner has had but little training in such matters. I provide that the medical practitioner shall hold a diploma of public health. As alternatives, I suggest a person holding the degree of bachelor of agricultural science or of bachelor of veterinary science.

Hon. E. M. Heenan: How many of such persons are there in the State?

Hon. J. G. HISLOP: About 12 or 15.

Hon. L. Craig: The man possessing the degree of bachelor of science might have no knowledge whatever of dairying; he might be a wheat or a forestry expert.

Hon. J. G. HISLOP: I do not want the Minister to be limited in his choice. My desire is that men should be chosen because of their special qualifications for the post. I hope the Committee will accept the amendment.

Hon. H. S. W. PARKER: Time and time again in this Chamber we have been told of the importance of our University and the importance of training scientific persons to look after the future welfare of the State. I agree. Here is a board where such people could be of use. If we could secure men with the qualifications suggested in the amendment, they would surely prove to be of great assistance to the board and to the Minister, as well as a protection to the public. I support the amendment.

Hon. E. M. HEENAN: Surely we can assume that the Minister who is to appoint men to this board will make the best possible choice. Why restrict his selection to the three classes mentioned in the amendment?

Hon. H. S. W. Parker: Only as regards one of them.

Hon. E. M. HEENAN: Why not include a chemist like Mr. Gibson?

Hon. H. S. W. Parker: He could be the other representative.

Hon. E. M. HEENAN: Mr. Gibson has had years of experience and I mention him, because he has been a chemist all his life. Why should he be excluded?

Hon. H. S. W. Parker: He is not.

Hon. E. M. HEENAN: Dr. Hislop, in answer to an interjection, said there were 12 or 15 persons in the State holding the diploma of public health. Where are these persons? Are they in the metropolitan area and have they had experience in the milk industry? It is possible that the Minister may choose a person holding that diploma. How often do we find men with university degrees who are utterly incapable of dealing with practical matters? I admire the motive behind the amendment, which obviously is to secure the best men available. The amendment might defeat its own ends if the Minister were restricted in his choice.

Hon. W. J. MANN: I am astonished that this amendment is necessary. I would have thought that the Government would have provided that one of the representatives would be a person such as is envisaged here, because it would be to the board's advantage to have a person of that description on it.

Hon. F. E. GIBSON: I do not think what is suggested will achieve the result of getting the best brains on the board. It is, of course, very desirable to have at the disposal of the board the best brains available, but it would be wrong to put a highly technical man on the board to control men of equally high technical attainments. The result would probably be divergence of opinion. It would be better to allow the board to get advice from anyone it thinks proper.

Hon. W. J. Mann: The Bill does not provide for that.

Hon. F. E. GIBSON: Yes, it does. There is nothing in it to prohibit such a course. While I was associated with the board the entire technical intelligence of the Agricultural Department was available to it, and it was actually availed of on several occasions. I see no reason why that state of affairs should not continue.

The CHIEF SECRETARY: I hope members did not think that I was depreciating the value of the services of men with the qualifications mentioned by Dr. Hislop, but I do say that we should not restrict the Minister to men in those categories. Mr. Gibson was, for five or six years, a member of this board and the late Mr. John Curtin was a member representing the consumers for some time. I would place him alongside almost any man with the qualifications referred to by Dr. Hislop, and I do not think that he would disagree with me either.

Hon. J. G. Hislop: He could easily be the other representative.

The CHIEF SECRETARY: The number of men available in this category is limited. I doubt whether there would be one man holding the degree of bachelor of veterinary science who would be available.

Hon. H. S. W. Parker: There are several such men in the Agricultural Department.

The CHIEF SECRETARY: Yes, but they are so fully occupied that they would not be available to be appointed to this

board. It is also doubtful whether there are more than two or three men holding the degree of bachelor of agricultural science who would be available. There may be some medical practitioners, but not many. So the amendment would mean that the selection would have to come from a mere handful of men. There may be other men with professional qualifications, who would be available and who would be quite satisfactory to Dr. Hislop, but because they must come within the particular categories mentioned in the amendment their services would not be available. I oppose the amendment.

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

Ayes	..	..	..	..	10
Noes	..	..	..	..	8

Majority for	..	..	2
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#### AYES.

Hon. L. B. Bolton	Hon. H. S. W. Parker
Hon. Sir Hal Colebatch	Hon. H. L. Roche
Hon. J. A. Dimmitt	Hon. H. Tuckey
Hon. J. G. Hislop	Hon. F. R. Welsh
Hon. W. J. Mann	Hon. E. H. H. Hall
	(Teller.)

#### NOES.

Hon. G. Bennetts	Hon. E. H. Gray
Hon. L. Craig	Hon. E. M. Heenan
Hon. G. Fraser	Hon. W. H. Kilson
Hon. F. E. Gibson	Hon. W. R. Hall
	(Teller.)

#### PAIR.

AYE.	No.
Hon. G. W. Miles	Hon. J. M. Drew

Amendment thus passed.

Progress reported.

## BILL—ROAD DISTRICTS ACT AMENDMENT.

### *Assembly's Message.*

Message from the Assembly received and read notifying that it had disagreed to the amendment made by the Council.

*House adjourned at 10.12 p.m.*