

tremely valuable. A proposition was recently put up to the Minister and I will take the matter up with him shortly. I hope he will give every help to those women in their activities related to the Oslo lunch.

I realise that the greatest difficulty in carrying out these improvements is the manpower and material shortage, apart from the lack of teachers, about which the member for Nedlands complained. Hundreds of schoolteachers joined the Fighting Services and many of them attained high places and have been reluctant to come out of the Army, even when requests have been made for them to do so. Until demobilisation is finalised many teachers will not come back to the Education Department to work in the interests of the children of this State. Therefore, when we discuss this Vote 12 months hence, there should be apparent some alleviation of this difficulty for we can then expect many of the male teachers to be back in the department to carry on this very important work for the State.

Progress reported.

*House adjourned at 10.52 p.m.*

## Legislative Council.

*Thursday, 15th November, 1945.*

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

## QUESTION.

### SOLDIER SETTLEMENT.

#### *As to Responsibility for Delay.*

Hon. H. L. ROCHE asked the Chief Secretary:

1, Has the Government's attention been directed to the statement in "The West Australian" of the 24th October, 1945, by the Federal Minister for Post-War Reconstruction on soldier settlement?

2, Does not this statement suggest to the uninformed that the responsibility for delay rests with the State Governments?

3, As the contrary would appear to be the case in Western Australia, will the Minister respectfully suggest to the Premier that a full statement on the subject be made so that the people of this State may realise that the delay has not been occasioned by any failure of the Western Australian Government actively to promote settlement?

The CHIEF SECRETARY replied:

1, Yes.

2, Yes.

3, Yes.

### BILL—LEGISLATIVE COUNCIL (WAR TIME) ELECTORAL ACT AMENDMENT.

#### *Annulment of Proceedings and Standing Orders Suspension.*

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [4.35]: I move (without notice)—

That the provisions of Standing Order No. 243 having been overlooked in connection with the second reading of the "Legislative Council (War Time) Electoral Act Amendment Bill" the proceedings on the Bill, subsequent to the first reading, be annulled; and that so much of the Standing Orders be suspended as to enable the Bill to be read a third time at this sitting.

Hon. G. W. MILES: I second the motion.

The PRESIDENT: Is it the wish of the House that the Chief Secretary have leave to move, without notice, his motion? There being no dissentient voice, leave is granted.

Question put.

The PRESIDENT: There being more than an absolute majority of members present, I declare the motion carried.

Question thus passed; the motion agreed to.

*Second Reading.*

**THE CHIEF SECRETARY** (Hon. W. H. Kitson—West) [4.37]: I regret that the Standing Order which requires an absolute majority for the passing of the second reading of this Bill was overlooked. In view of the motion which has just been passed, I feel there is no necessity for me to repeat my remarks on the previous second reading of the Bill, which I have no doubt is well understood by every member present this afternoon. I move—

That the Bill be now read a second time.

The **PRESIDENT**: There must be a division on this Bill.

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

Ayes	.....	22
Noes	.....	0

Majority for ..... 22

**AYES.**

Hon. C. F. Baxter	Hon. W. J. Mann
Hon. L. B. Bolton	Hon. G. W. Miles
Hon. Sir Hal Colebatch	Hon. T. Moore
Hon. J. Cornell	Hon. H. S. W. Parker
Hon. C. R. Cornish	Hon. H. L. Roche
Hon. J. M. Drew	Hon. A. Thomson
Hon. G. Fraser	Hon. H. Tuckey
Hon. F. E. Gibson	Hon. F. R. Welsh
Hon. V. Hamersley	Hon. C. B. Williams
Hon. W. H. Kitson	Hon. G. B. Wood
Hon. A. L. Loton	Hon. W. R. Hall

(Teller.)

**NOES.**

*Nil.*

The **PRESIDENT**: I declare that the second reading has been passed by more than an absolute majority.

Question thus passed.

Bill read a second time.

*In Committee.*

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

*Third Reading.*

**THE CHIEF SECRETARY** (Hon. W. H. Kitson—West) [4.43]: I move—

That the Bill be now read a third time.

The **PRESIDENT**: It will be necessary to divide the House on the third reading.

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

Ayes	.....	21
Noes	.....	0

Majority for ..... 21

**AYES.**

Hon. C. F. Baxter	Hon. A. L. Loton
Hon. L. B. Bolton	Hon. W. J. Mann
Hon. Sir Hal Colebatch	Hon. G. W. Miles
Hon. J. Cornell	Hon. T. Moore
Hon. C. R. Cornish	Hon. H. S. W. Parker
Hon. J. M. Drew	Hon. H. L. Roche
Hon. G. Fraser	Hon. A. Thomson
Hon. F. E. Gibson	Hon. H. Tuckey
Hon. W. R. Hall	Hon. F. R. Welsh
Hon. V. Hamersley	Hon. C. B. Williams
Hon. W. H. Kitson	(Teller.)

**NOES.**

*Nil.*

The **PRESIDENT**: I declare that the third reading has been passed by more than an absolute majority.

Question thus passed.

Bill read a third time and transmitted to the Assembly.

**BILL—MEDICAL ACT AMENDMENT.**

Read a third time and returned to the Assembly with amendments.

**BILL—INCREASE OF RENT (WAR RESTRICTIONS) ACT AMENDMENT.***Second Reading.*

Debate resumed from the previous day.

**HON. H. S. W. PARKER** (Metropolitan Suburban) [4.49]: One cannot oppose this Bill, but it is to be hoped that the Government will amend the main measure because the conditions operating now are very different from what were anticipated when the original Bill was passed. They are also very different from the Commonwealth regulations, made under the National Security Act, dealing with landlord and tenant. The State Act at present deals only with the quantum of rent and has nothing to do with ejectments, which phase is brought under the Commonwealth regulations. As it is intended that those regulations will automatically cease in the near future, our Act will come into operation as regards the ejectment of tenants. One serious matter has arisen. The Commonwealth has excluded all licensed premises from the operations of the landlord and tenant regulations because it was found that it was not consistent with good government. Now when the regulations cease to have effect the State Act will come into force and will, as I think it does now, bring licensed premises within its jurisdiction with respect to rents.

The position today is extremely different from what it was when the Act was originally passed and tenants have been found

to be somewhat unreasonable. Many people think it is time landlords were protected. There are instances of people who have acquired their own homes and find it very difficult to secure repossession of them. The procedure is cumbersome and somewhat expensive, while the delay entailed is lengthy. The fact of men returning for demobilisation and requiring their homes back and the general shifting of population have altered conditions and emphasise the fact that the Increase of Rent (War Restrictions) Act should be seriously amended. The Title of the measure is very nice and happy sounding, but that legislation is not confined entirely to the matter of rent restrictions. It has very far-reaching effects.

The legislation is along hard and fast lines and applies to rents as they obtained at a certain date. The tremendous number of anomalies that exist under the present law cannot all be rectified. I would certainly like the Government to consider the question of making drastic amendments to the original Act. The gentlemen who were referred to in this Chamber by the Chief Secretary—I think they were Mr. Mather and Mr. Shean of the Crown Law Department—and who have done wonderful work enabling them to appreciate both sides of the question, could suggest and prepare amendments that would vastly improve the Act. I support the second reading of the Bill.

On motion by Hon. G. Fraser, debate adjourned.

### **BILL—CONSTITUTION ACTS AMENDMENT (NO. 2).**

#### *Second Reading.*

Debate resumed from the previous day.

**HON. C. F. BAXTER** (East) [4.55]: This Bill is not new to this House. We had a similar measure before us last session. Although that Bill was defeated at the second reading stage, the Government did not alter the provisions of this Bill when it was introduced in another place. Certain amendments in the Bill now before us were agreed to by the Assembly. The Government apparently accepted them seeing that it has a majority in that House and could have rejected them. Certainly the Bill under discussion is an improvement on the previous

measure considered by this House, but even so I should say it is not yet suitable. While it deals with other matters, the principal feature relates to money Bills.

In this Chamber we recognise that the other place has full control of money matters. In that respect the Legislative Council has done nothing in the past, and probably will not do anything in the future, that could be described as drastic and certainly not if any means can be provided to define the position regarding money Bills more clearly. The Bill as it stands does not do so. I do not like any Bills that tinker with the Constitution, more especially when there is so much of greater importance that could be dealt with than a Bill such as that now before this House. For instance, I would mention the position regarding the electoral districts, a situation that was created by the unfortunate amendments agreed to by Parliament, and by this House in particular, in 1928. In that year it altered the quota of electors.

The 1923 Act assessed the value of electors so that three enrolled in the metropolitan area counted as one for its quota. In the farming districts one vote had one value but on the goldfields, where the position was declining badly in 1928, one voter counted as two. The effect of that was that when the goldfields boomed the electoral situation was unbalanced and has been so ever since; it is becoming worse. The Government has taken no cognisance of that fact, which means that the fields play an important part in controlling this State and its Government. I compared the Bill placed before the House with the measure submitted to us in 1944, and I could not see much difference. I knew that the Bill had been amended, but not to the extent that it should have been. After taking a cursory glance through the Bill in its original form, I stated outside most definitely that I would vote against the second reading. Since then I have analysed the measure in its amended form and I find that my greatest objections to the earlier measure have been waived aside by the amendments agreed to in another place. The main danger in the earlier proposals had the effect of giving the Government power to deal with constitutional matters, which affected the life of Parliament. Had that Bill been agreed to, the Government could have destroyed Parlia-

ment. In proposed new Section 2A, subparagraph (iii), the following appears:

If any Bill other than a money Bill or a Bill containing any provision to extend the maximum duration of Parliament beyond three years . . .

Then follows the amendment that alters the position considerably:—

. . . or to reduce such maximum duration below three years or a Bill to amend the Constitution Act, 1889, or the Constitution Act Amendment Act, 1899, or this Act or a Bill by which any change in the constitution of the Legislative Assembly or of the Legislative Council should be affected.

Under this Bill the Government expects to embark upon a system whereby a measure is to become law if it has been passed three times by another place, irrespective of what happens to it here. It would simply be necessary for the Government in one session to pass a Bill three times. That would constitute a grave danger. With that in the Bill I could not possibly vote for it.

Hon. J. Cornell: But the Standing Orders would not allow that to be done.

Hon. C. F. BAXTER: If the Constitution were amended it could be done.

Hon. J. Cornell: I mean the same Bill could not be passed three times in one session.

Hon. C. F. BAXTER: Inadvertently I was wrong there. I should have said "during the one Parliament," that is a period of three years. There may be something said in favour of Bills not passed being considered to be passed after a general election. That is what I would like to see. We could then come to some decision. It is admitted that whilst conferences between the two Houses do clear the air, they are not always satisfactory. It is however the best way to deal with Bills when the two Houses cannot agree. The managers do not always come to a favourable decision, and in some instances it is just as well that they do not, owing to the nature of some of the Bills they are called upon to deal with. With measures of that kind the best thing to do would be to lay them aside. That would be better for the community in general. If the Bill before us is passed it will mean that in the life of one Parliament a measure can be put through another place three times and become law, irrespective of what this House may do. I cannot imagine the Legislative Council agreeing to such a provision.

Whilst the amendments that have already been made to this Bill are important they do not make the measure itself satisfactory. The same might be said of the amendments on our notice paper, if they are agreed to. They will improve the Bill. Other amendments may be moved and, unless they are very far-reaching, it is doubtful whether they could make this a workable measure. If it is not a workable measure it will not be of any use. The Bill should be amended so that a measure can only pass if it has been agreed to twice in the life of Parliament. That proposal presupposes the holding of a general election before the Bill is passed the third time. The measure in question can then be placed before the electors. The conditions would have to be that the full case is stated to the electors. That is one of the reasons why I have such lengthy amendments on the notice paper; they are a direction. We do not want any more fooling of the people of the State such as we had in connection with the last referendum. That was one of the most disgraceful episodes I have seen. The truth was never adhered to and the case was never clearly put. Everything was on the one side, notwithstanding that the costs were borne by the people. That referendum cost an enormous sum. I have no very great faith in referendums. We do not get a thinking vote. A lot of people do not think when they vote on anything. When it comes to a referendum we do not get the same application of thought by the voter as we get when candidates are standing for election. My experience of referendums is that there is a large number of people who simply record their votes, but are not sure what they are voting about.

In another important clause of the Bill we are asked to agree that the Standing Orders Committee of another place is to define what is a money Bill. Even were the composition of the Standing Orders Committee of another place different from what it is today, there would be no justification for that provision. It is unreasonable and unthinkable. When we see that three representatives of the Government out of five are members of the committee, we know what the definition will be, judging by what has happened in the past. Bills have been sent down from this House and declared to be money Bills in another place when not by the wildest stretch of the imagination could they have properly been so declared. We

are now asked to submit all Bills that are money Bills to the Standing Orders Committee of another place. If the combined Standing Orders Committee of both Houses were to consider the matter we would be getting somewhere nearer the mark as to what should constitute a money Bill. It would be a simple matter to arrange that. Any Bill that dealt with the attachment of money could be submitted to the joint Standing Orders Committee. If that committee then declared a Bill to be a money Bill we would not be running the same risk as if the matter were left to the committee of another place.

Hon. G. W. Miles: You only need an independent chairman.

Hon. C. F. BAXTER: We need more than that. If that proposal is agreed to, we would be sure that the combined efforts of the two Standing Orders Committees could be relied upon as to what was a money Bill. I think the position would then be more satisfactory than it is today when the Speaker simply rules a Bill out as being a money Bill. We have had experience of Bills emanating from this Chamber being ruled out when not by the greatest stretch of imagination could they be determined to be money Bills. I do not see how I could have made the amendments I have on the notice paper any shorter because they deal with an important factor, namely, what the electors are to be told. We want some safeguard against the experiences of the past when electors have been misled, misled in some directions by not being told enough and in others by being told too much of what is neither right nor true. It is difficult to get a thinking vote on a referendum. We want those who will think to know what the true position is concerning the matter, especially when it comes to a question of dealing with a Bill which will become law as a result of their expressions of opinion. I take it that a Bill of that nature would be the main topic of the elections. The Government of the day would see that that was so. If that Government were returned to power the Bill would then become law. Of course, it would only be returned to power if the people were satisfied with it in other directions. The Bill would be the main topic on which the election was fought. If, however, the other party were returned to power, it would be for its Government to arrange that the

measure became law through the procedure set out in this Bill. I do not know whether the new Government would do that seeing that when in Opposition it would have voted against it.

The Government has been very insistent on Bills of this nature. There is another measure associated with this one, dealing with adult franchise. I should like to have seen the franchise Bill brought down first, but it is still in another place. There is some justification for the Bill now before us seeing that the Government likes to feel that it is secure in all money matters. The direction in which this House is likely to be obstructive in any way can be said to be in connection with taxation, but that is now out of our hands. There was trouble on that score some years ago. Taxation comes within the ambit of money Bills, and this House took up a strong stand on many occasions and was fully justified in doing so. If the Government is spendthrift and the people return it to power, then the people are to blame. It was never intended that the Legislative Council should control money matters. That has always been left entirely to what is called the popular House, though I do not think it comes within that category in these days. At any rate, the popular House entirely controls finance.

I can see no harm in the Bill provided the amendments I have referred to are included, or other amendments of a like nature. They will make the position clear that there can be no tinkering with the Constitution so far as Parliament itself is concerned and no interference with it by the means that are contained in the Bill. Many of the provisions of that measure are dangerous, and we should find ourselves in an invidious position if it were passed without amendment. Even now, so far as this House is concerned, the Bill can be looked upon as dangerous, not from the point of view of the life of this House, but from the point of view of the people of the State. Everything will be thrown into one House. It will be given entire control over the Constitution, and what would the outcome be in such a situation? All that we do must be done for the good of the country. The bi-cameral system of Government is a success in every country where it is established. On the other hand, some extra-

ordinary measures have been brought down which have set up an extraordinary set of conditions.

This State is one of primary production, and great trouble has been experienced in securing progress with secondary industries. Every possible care has been taken to maintain interest in Western Australia, and to instil in the minds of investors confidence that they can invest their money in this State. Much money will be wanted here in the near future. We should encourage people to invest money, more particularly in secondary industries where they can be carried on. It does not seem to me that we are going to benefit much at all from the different factories that were established here during the war. I cannot see that anything will be done with those factories to expand our secondary industries. We have not met with any success outside of those war factories. The position does not look very bright, and I say advisedly that this is not the time for the Government to tinker with constitutional Bills. It has quite enough to do to meet the State's difficult situation. Perhaps it desires to find some excuse to appeal to the people later on and say, "Look what the Legislative Council has done," using that to cover up trouble in other directions, such as the awful position of housing, a position under which a file was tabled which was misleading to people because it contained papers only to the 21st May.

Hon. J. Cornell: Have you compared the proposal with regard to money Bills with Section 46 of the Constitution Act?

Hon. C. F. BAXTER: Yes.

Hon. J. Cornell: It does not fit in.

Hon. C. F. BAXTER: That is the Government's funeral; I do not like it myself. If the Bill can be knocked into shape, it will be all right. Failing that, the only thing to do is to let it follow the ones that preceded it. I thought at first of voting against the second reading; but I saw that the amendment moved by the Opposition in another place and agreed to by the Government would overcome the main difficulty I had in mind, and that we might find some way of knocking the Bill into shape so that an end would be put to all the talk of trouble—I say "talk" advisedly—which comes from another place alleging that the Legislative Council is holding up money

Bills. If we can put the matter on a proper footing, we will stop that cry for all time and within reason give to the Chamber which is expected to control money matters, the power it wants. I shall vote for the second reading and see what happens in Committee.

On motion by the Chief Secretary, debate adjourned.

## **BILLS (2)—FIRST READING.**

1, Railways Classification Board Act Amendment.

2, Air Navigation Act Amendment.  
Received from the Assembly.

## **BILL—STATE GOVERNMENT INSURANCE OFFICE ACT AMENDMENT.**

### *Assembly's Message.*

Message from the Assembly received and read notifying that it had disagreed to amendments Nos. 1 to 6 made by the Council.

## **BILL—STATE ELECTRICITY COMMISSION.**

### *Second Reading.*

Debate resumed from the 13th November.

**HON. W. J. MANN** (South-West [5.21]: It is not my intention to take up the time of the House very long on this Bill. I would that I had the flow of oratory that the Chief Secretary displayed the other night when he introduced the measure! I feel that he almost exhausted all the bright things one would have liked to say. I fully agree with him that this is a most important Bill and one that will probably have a greater effect on the destinies of this State than many measures that have preceded it. It is quite unnecessary to enlarge upon the advantages of an adequate and cheap electricity supply to any country. The countries which have made the greatest progress have been those that were fortunate in having at their disposal sources of power that were flexible, cheap and all-sufficient; and I feel that in this Bill, Western Australia is making a forward move in that direction.

I have read the Bill fairly carefully, and I feel that one can congratulate the Government on the very comprehensive measure that has been presented. The proposed commission is splendidly balanced. It is one of the best-balanced commissions I can recollect, and I see no reason why, if the right

type of men can be secured to represent the various interests, the commission's operations should not go along smoothly and efficiently. If there is one fault I have to find with the Bill it is in regard to the disposal of profits. Clause 49 provides:

Any profit from the business carried on by the commission under this Act at the end of any financial year which is available in cash after making full allowance for interest and sinking fund contributions, and depreciation, obsolescence and maintenance of plant, and which, in the opinion of the commission, is not required by the commission for its purposes under this Act shall, subject to the approval of the Governor, be paid to the credit of the Consolidated Revenue Fund.

I recognise that the profit will only be paid to Consolidated Revenue if it is not required by the commission; but I think we should lay down definitely that any profit from this undertaking should be placed in a fund in order that the commission may extend its activities if necessary. If we turn to Clause 9 we find that—

The Commission shall be a body corporate by the name of "The State Electricity Commission of Western Australia" with perpetual succession and a common seal; and shall by that name be capable in law of suing and being sued, and, subject to and for the purposes of this Act, of purchasing, taking, holding, selling, leasing, taking on lease, exchanging or disposing of real and personal property and of doing or suffering all such other acts and things as bodies corporate may by law do and suffer.

It is laid down there that the commission may at its discretion, purchase, lease or acquire any undertaking it may feel disposed to. If Clause 49 is taken out of the Bill, or amended in order to provide that any profit shall be paid into a fund for the purpose of acquisition of any of the things I have just mentioned, it will be of extreme advantage. Had the course been followed in the early days, in connection with the railways, when they did make profits, of placing those profits into a fund to reduce the capital account of the railways, we would be in a much better position today than we are. I think the same about land that was sold because the railways were to pass through it. Portion of the proceeds from that land should also have been applied to the reduction of the railway capital account. That is a sound way of finance. It is better than allowing the Government of the day, which may be extremely hungry for any source of revenue it may be able

to get its hand on, to embark upon an undertaking of this description and utilise the surplus profits.

The Chief Secretary: There will be a considerable loss for years.

Hon. W. J. MANN: I am not arguing that for a moment; but there may come a time when there will be a considerable profit, and that is why I think we should make provision for that. If that method had been applied to the Fremantle Harbour Works there would probably have been an enormous amount of money placed at the disposal of the harbour authorities for extension and other works and the State would not have been called upon to provide additional loan money for such activities when required. That constitutes my main objection to the Bill.

Hon. G. W. Miles: Do you approve of seven commissioners as against four in Victoria?

Hon. W. J. MANN: Yes. I am not concerned about Victoria. I like the composition of the commission, and I do not know that seven commissioners in a case of this description is too many.

Hon. L. B. Bolton: Do you like the method of appointment?

Hon. W. J. MANN: I do not know that it is open to very much objection. It may be possible to make some slight adjustment, but I am not prepared to say that the method suggested is altogether wrong. I propose to support the second reading and, when we reach the Committee stage, to see if we can amend Clause 49 in the direction I have indicated.

On motion by Hon. F. E. Gibson, debate adjourned.

## BILL—COMMONWEALTH POWERS.

### *Second Reading.*

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [5.31] in moving the second reading said: This small but important Bill is designed to transfer the control of prices to the Commonwealth Government for a period of three years, with the exception of those prices or rates charged by State or semi-governmental or local governing bodies for goods or services. It will be observed that every effort has been made in the Bill to ensure that this transfer is of a temporary nature only. A doubt has arisen as to whether these temporary refer-

ences of powers are legal, and whether once they have been given to the Commonwealth they are permanently lost to the State. Constitutional lawyers are unable to agree upon this point, and in order that the rights of the State shall be protected a clause has been inserted in the Bill to invalidate the Act should the temporary transference of powers prove to be illegal.

It may be asked why should these powers be transferred, even temporarily, to the Commonwealth and no attempt made by the State to administer them. This matter has received serious consideration. Prior to the Premiers' Conference in August last, thorough investigations were carried out and reports were obtained from the Crown Solicitor and the Deputy Commissioner of Prices. The Crown Solicitor advised that some time ago the High Court had decided that no State could legislate to fix maximum prices for articles sold in another State for use in the legislating State. In other words, the price of articles produced in Melbourne could not be fixed in Western Australia under State legislation. This would be a fatal weakness in any system of State controlled prices.

It has been clearly demonstrated that any attempt to operate price control as a State function would be fraught with insurmountable difficulties that would seriously embarrass interstate trade. I shall quote a few instances of many which would arise if price fixing became a State obligation. For example, to fix specific prices for sale in this State of goods imported from other States at the same price as Western Australian manufactured goods, would most likely result in a considerable increase in prices of many imported lines. Also, if prices fixed for goods produced in Western Australia were applied to articles imported from the Eastern States, and these prices were lower than those requested by the importer, the result might easily be the curtailment of the importation of essential goods which could only be produced in limited quantities in this State.

Thirdly, if it were declared unconstitutional to fix prices of goods imported from other States, traders in Western Australia could purchase goods from the Eastern States and sell to the best advantage here regardless of price. These are but a few of the difficulties that would develop if the control of prices was a State responsibility. It

is apparent that unless prices are fixed by central authority, the cost of goods will be governed to a large extent by the prices prevailing in States with the highest prices. It cannot be gainsaid that the fact of the States thinking and acting differently would seriously hamper the efficient administration of any form of price control provided for by State legislation.

The Deputy Commissioner of Prices reported that, in his opinion, the control of prices in the post-war period, both constitutionally and practically, could not be effectively handled by the States. His statement and that of the Crown Solicitor, were carefully reviewed, and the Government concluded that for the effective control of prices no alternative remained but that it should be vested temporarily in the Commonwealth Government. The Premier therefore advised the Prime Minister that legislation would be introduced in this State to give effect to the transference of the powers to the Commonwealth for three years, as provided for in this Bill.

The States of New South Wales, Queensland and South Australia have referred control over their prices to the Commonwealth under their Commonwealth Powers Acts which were passed as a result of the Constitutional Convention held in 1942. The Premier of Tasmania gave an undertaking similar to ours to the Premiers' Conference while the Premier of Victoria promised to have the matter examined by his Government. There can be no doubt in anybody's mind that the removal of price control would be the forerunner of economic chaos throughout the Commonwealth.

Hon. J. Cornell: The only doubt is, can any temporary arrangement be made?

The CHIEF SECRETARY: I have already explained that there is a difference of opinion on that particular point, and we have made provision in the Bill that if it is declared illegal—if it is not possible for the powers to be transferred temporarily—then, of course, this Act will be null and void. New pressures on the price level during the post-war period will undoubtedly be greater than at any time during the war, and the future stability of the country will largely depend on the capacity of the Governments concerned to hold prices at a pre-determined and stable level. The conditions prevailing after the 1914-18 war are a cogent example. During



that post-war period inflationary tendencies were rife and prices rose to such an extent that in some cases essential commodities became 50 to 100 per cent. dearer than during the war. There can be no doubt that without price control an even more serious position would arise now.

A greater disturbance has resulted to the national economy through the present war than through the first world war. The public generally possesses a larger excess of spending power and there is in existence a greater demand for all classes of capital and consumer goods. This reserve of ready money would in many cases be utilised for the purchase at almost any price of commodities that were in short supply during the war or which are required to establish or re-equip numerous homes in this State. This state of affairs, if unchecked, could result in serious repercussions. The position can be imagined if, for instance, the prices in respect of the building industry were allowed to be determined by the free play on the open market of supply and demand. There will be a heavy demand for such basic materials as timber, bricks, cement, steel, rubber, oil and coal, and for durable consumer goods such as refrigerators, radiators, wireless and electrical equipment.

If price control were lacking, an inevitable rise in the general level of retail prices would occur. The increased capital costs of construction would result in a general increase of production costs. Many materials such as textiles and some foodstuffs would be in short supply, and their prices in an open market would incline sharply. The vicious circle would be completed by a resultant automatic adjustment of the basic wage to meet the increased price level which, in turn, would play its part in increasing the costs of production. The effect of general increases in costs that would be associated with a rise in prices would be damaging to Australia's export industries, as well as to her capacity to increase home production in competition with imports.

Australia's exports would have to compete in the world markets, but in the event of rising prices in Australia these exports would be produced under conditions of rising costs regardless of the movement in world prices. This would obviously have serious repercussions on rural development, but it would also detrimentally affect the

capacity of Australia to make the fullest use of the new industrial experience gained during the war. This would retard the rate of absorption of ex-servicemen and women and war workers in profitable employment after the war.

A most serious aspect of an inflationary movement after the war would be the over-capitalisation incurred by all people setting up in business or embarking upon a career on the land. A sudden rise in prices would lift the price level to a position where it could not be sustained when the inflationary boom had spent itself. Meanwhile, heavy debts would have been incurred at the higher values, and when the level of prices and money incomes fell, people would find themselves in a similar position to that which occurred a few years after the 1914-18 war. With that experience in mind, the Governments of Australia should be in a position to protect the interests of people who will have spent six or seven years in the Armed Forces or in war work. For this reason, if for no other, price control must be continued during the immediate post-war years. The effect of uncontrolled prices on the finances of the State, as distinct from the effect upon individuals, can well be imagined.

The State expects in the near future to undertake a very large loan programme including the construction of public works. If these works are to be provided at a cost artificially built up by high prices, the burden of debt on the State for many years to come will be colossal. The National Security Regulations vest the control of prices in the Commonwealth, but owing to a doubt as to the date of the official ending of the war, it is uncertain when these regulations will lapse. This Bill will ensure that the control of prices will not be lost should the regulations become ineffective with little warning or while the State Parliament is in recess. There is also the possibility that the validity of the regulations may be challenged at any time before the High Court. It is apparent, therefore, that the continuance of price control is essential during the immediate period of danger which lies ahead, and I trust that my brief explanation will have convinced members of its necessity. I move—

That the Bill be now read a second time.

On motion by Hon. L. B. Bolton, debate adjourned.

## BILL—SUPREME COURT ACT AMENDMENT (No. 2).

### *Assembly's Amendments.*

Schedule of two amendments made by the Assembly now considered.

### *In Committee.*

Hon. J. Cornell in the Chair; Hon. H. S. W. Parker in charge of the Bill.

No. 1. Clause 2.—Add to the end of the clause the following words:—"Provided further that if the petitioner at the time of the presentation of the petition is in default in respect of maintenance payable under any antecedent court order or under any agreement for the payment of maintenance to the respondent for herself or any child of the marriage, a decree for dissolution of the marriage shall not be granted."

Hon. H. S. W. PARKER: I see no objection to the amendment, and move—

That the amendment be agreed to.

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

No. 2. Insert a new clause to stand as Clause 3 as follows:—"3. A new section is inserted in the principal Act after Section sixty-nine, as follows:—

69A. If upon any petition for dissolution of marriage on the ground set out in Subsection (6) of the last preceding section it shall appear to the court that the petitioner has at any time during the period of five years immediately preceding the presentation of the petition been guilty of such conduct as would have enabled the respondent, had he or she so desired, to present a petition for dissolution of marriage on any ground other than the ground set out in Subsection (6) of the last preceding section the court shall dismiss the petition, excepting that in every case where the ground on which the respondent might have presented a petition is one of those specified in paragraph (a) of Subsection (3) or Subsection (4) of Section sixty-nine of this Act, and the petitioner has proved his or her case, the court shall have a discretion as to whether or not a decree shall be made."

Hon. H. S. W. PARKER: I move—  
That the amendment be not agreed to.

This amendment is quite complicated, and candidly I cannot grasp its full effect. When it became law, I certainly think it would prove of great benefit to lawyers. My chief objection is that it cuts right across the general principle of the Bill that separation for 10 years shall be a ground for divorce.

Question put and passed; the Assembly's amendment not agreed to.

Resolutions reported and the report adopted.

A committee consisting of Hon. H. S. W. Parker, Hon. G. Fraser and Hon. J. A. Dimmitt was appointed to draw up reasons for disagreeing to one of the Assembly's amendments.

On motion by the Chief Secretary, resolved: That the committee appointed to draw up reasons, report at the next sitting of the House.

## BILL—LEGAL PRACTITIONERS ACT AMENDMENT.

### *Second Reading.*

Debate resumed from the previous day.

**THE CHIEF SECRETARY** (Hon. W. E. Kitson—West) [5.54]: I moved the adjournment of the debate in order that I might seek advice on the provisions of the Bill. Having been assured that this is something that is favoured by the legal profession generally and something that is really desirable, I raise no objection to the measure.

Question put and passed.

Bill read a second time.

### *In Committee.*

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

*House adjourned at 5.57 p.m.*