Mr. Brady: Could you travel over it at 50 miles an hour?

Mr. OLDFIELD: If one hit a bump at that speed, one would finish up in the Bassendean railway station.

Mr. May: You should know.

Mr. OLDFIELD: The section known as the mad mile was sealed about two years ago—that is the section from the Belmont crossing down past Cresco's and finishing about the Mt. Lyell superphosphate works. The road has been sealed and drained, but from my observations it will not last much longer unless the work is completed. I understand that one of the delays in working on the section from the Mt. Lawley subway to Ninth Avenue is occasioned by one or two major drainage problems and the Water Supply Department has mains running under the road. That department wants to replace the pipes and the desire is to carry out that work at the same time.

If that is the excuse for delaying the work at that end, I cannot see any reason for delaying it at the Bassendean end. Although that section is not in my electorate, we are all concerned about the road and I well remember the agreement made between the three local authorities, the Main Roads Department and the Local Government Department some three years ago. That agreement stated that the department was to spend some £10,000 per annum on the road and since then the total expenditure has been in the vicinity of £10,000 or £12,000. Although the agreement has become null and void because of the amendment to the Traffic Act last year, the expenditure on the road is some £20,000 behind schedule, and possibly by the end of the next financial year it will still be behind by the same sum. I know thousands of people will join with me in showing their appreciation if the road is put in order as quickly as possible.

Vote put and passed.

This concluded the general debate.

Progress reported.

House adjourned at 11.9 p.m.

Legislative Council

Thursday, 11th November, 1954.

CONTENTS.

The PRESIDENT took the Chair at 2.15 p.m., and read prayers.

QUESTIONS.

HOUSING.

As to Applications and Programme, Geraldton.

Hon. L. A. LOGAN asked the Chief Secretary:

In view of the large number of applicants for Commonwealth-State rental homes and State workers' homes in Geraldton, which total approximately 150, and as contracts have been let for only 10 Commonwealth-State rental homes and 13 Simms Cooke prefab type will he give immediate consideration to a programme for the erection of at least another 25 houses in this town?

The CHIEF SECRETARY replied:

Ten conventional type homes and 13 imported Simms Cooke homes are programmed to be built in Geraldton under the Commonwealth-State housing scheme this financial year. In addition, five conventional type homes will be built under the provisions of the State Housing Act and four under the provisions of the War Service Homes Act.

The commission's building programme covering the whole of the State is governed by the funds position and as no further

loan moneys are expected to be made available, it is not possible to comply with the hon. member's request.

However, the needs of the town have been noted and consideration will be given to a further building programme during the early part of the next financial year.

INDICTABLE CHILDBIRTH CASES.

As to Summary Trial.

Hon. C. W. D. BARKER (for Hon. R. F. Hutchison) asked the Chief Secretary:

Can he advise the House whether the Minister for Justice will take steps to have indictable childbirth cases concerning unmarried mothers, tried summarily instead of by the Criminal Court?

The CHIEF SECRETARY replied:

The Minister for Justice has stated that he will give consideration to this request.

FIREWOOD LICENCES.

As to Kalgoorlie Bush Lands.

Hon. J. D. TEAHAN asked the Chief Secretary:

Can he inform the House whether persons holding domestic firewood licences issued by the Forests Department, can be prevented from obtaining firewood within the large areas of bush lands adjacent to Kalgoorlie that have, in recent years, been fenced off for grazing purposes?

The CHIEF SECRETARY replied:

No, provided licensees operate in accordance with the provisions of the Forests Act and regulations and the conditions of the licence. Pastoral leases are Crown land within the meaning of the Forests Act.

Licences do not authorise holders to use pastoralists' private roads or to interfere with improvements on pastoral properties.

TRAINEE NURSES' EXAMINATION.

As to Tutor Sisters' Letter.

Hon. J. G. HISLOP asked the Chief Secretary:

(1) Has a meeting of the Nurses Registration Board been held since the receipt of the letter from the meeting of the tutor sisters concerning the first year professional examination for nurses?

(2) If so, will the Minister make the letter from the tutor sisters available to the House?

(3) What action did the board take or what reply did it send to the tutor sisters?

The CHIEF SECRETARY replied:

(1) Yes.

(2) Yes, a copy has been laid on the Table of the House.

(3) A copy of the reply sent to the tutor sisters has been laid on the Table of the House.

STANDING ORDERS COMMITTEE.

Presentation of Report.

Hon. W. R. HALL: I desire to present a report from the Standing Orders Committee. The committee has met and has given consideration to various Standing Orders. As a result, certain amendments are being recommended to the House, and these, together with the reasons for the recommendations, are shown in a schedule attached to the report. It will be the province of members of this Chamber to accept, reject or amend any portion of the report. Today it is proposed to deal with it in two motions, the first of which will be that the report be received, and the second will provide that the report shall be printed and distributed, and a day set aside for its consideration.

Report received and ordered to be printed and distributed, and consideration made an Order of the Day for Wednesday, the 17th November.

BILLS (2)—THIRD READING.

1, Dog Act Amendment.
Transmitted to the Assembly.

2, City of Perth Scheme for Superannuation (Amendments Authorisation).

Passed.

BILL—VERMIN ACT AMENDMENT.

Second Reading.

THE MINISTER FOR THE NORTH-WEST (Hon. H. C. Strickland—North) [2.26] in moving the second reading said: The main purpose of this Bill is to change the method of assessing the unimproved capital value of pastoral holdings for the purpose of levying vermin rates by adopting the procedure contained in the Road Districts Act. Some of the other proposals in this measure are the result of amendments made to the parent Act during the last session of Parliament. Unforeseen difficulties have arisen and the Bill proposes to right the position.

Last year the basis of rating on pastoral holdings was altered from area to unimproved capital value. However, the Taxation Department has received so many requests from vermin boards in the pastoral areas for valuations of properties that it cannot cope with the work. In order to assist the vermin boards in their administration, it is proposed to define unimproved capital value on the lines adopted in the Road Districts Act. The Bill provides for this to be a sum equal to twenty times the annual rent. In the case of land other than pastoral leases, such as forestry leases, licences and concessions, which are rateable and in which case there is difficulty in determining the valuations, it is

proposed to specify the unimproved capital value as 5s. for very acre of land. This principle is also contained in the Road Districts Act.

Before recommending a change, the Agriculture Protection Board submitted the matter to the Pastoralists Association which approved of the alteration. Since the Act was amended last year, the Crown Law Department has raised doubts as to whether the continuing penalty applies in a case where the period, or periods, when vermin destruction is to be carried out has been specified in the "Government Gazette" or a newspaper in accordance with the Act. It is considered by legal officers that if a drive period is specified in such a notice, no offence can legally continue after the final date given as it is thought that the offence is complete and does not continue. This was not the intention when the provision was insterted in the Act last year.

It is obvious that a person who does not comply with the notice published in the "Gazette" should be punishable and in the case of continued neglect it should be an offence until the specified work has been carried out. The Bill will make the particular section sufficiently elastic to permit the application of a continuing offence until the notice has been complied with. This will also allow the continuing offence to be applied in cases where the vermin boards desire to have a set drive period.

It was originally intended that the continuing penalty of £1 per day should be irreducible and that a continuing offence would apply in the case of both first and second offence. As the Act stands however, this is not the case, due to an error of punctuation. The Bill seeks to correct this and also remove any doubt as to whether the penalty of £1 per day is reducible.

At present the Act provides for land as specified in Subsection (1) of Section 10 of the Land and Income Tax Assessment Act, 1907-1948, to be exempted from the payment of vermin rates. In order to clarify this section, the Bill proposes to name the actual exemption and delete the reference to another Act. Actually there is no change in the exemption. Recently the Act was reprinted in accordance with the Amendments Incorporation Act, 1938 and a few minor errors were noticed. As the officer preparing the reprint has no power to correct the mistakes, this Bill will effect the necessary amendments. I move—

> That the Bill be now read a second time.

On motion by Hon. L. A. Logan debate adjourned.

BILL—MILK ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. C. H. HENNING (South-West) [2.30]: When the Minister was introducing this Bill, I thought he showed a complete lack of enthusiasm. I can assure him that those who are principally interested in the measure—namely, the dairy farmers—have not only a lack of enthusiasm, but a definite hostility to the Bill as it stands. However, I believe the measure can be amended; and if the amendments are put into force, we will have an Act that will be suitable to all concerned.

It was stated by the Minister that the Bill was the result of a request made by the Farmers' Union, which had asked for majority producer representation on the Milk Board; and that, partly to meet the wishes of the union, as well as to conform to Government policy, it had been decided to provide for one producer representative to be selected by the Minister from a panel submitted by the union. The method of appointment is provided in the Bill. However, the Minister made no comment on the other provision in the measure, which provides for the appointment of a consumers' representative, who shall be a woman.

The Milk Board, the composition of which this Bill seeks to amend, is an extremely important body. Its principal task is to maintain a supply of fresh and wholesome milk to the metropolitan area, and nobody can deny that it has done so. In its report, which was tabled on Tuesday last, appears the following:—

> At all times during the year there was more milk available than was needed for all requirements.

During the year, 10,500,000 gallons of fresh milk were supplied to the metropolitan area—the highest quantity on record, and double that which was supplied in 1941.

In dealing with the proposed amendment to the composition of the board, I do not wish to recapitulate the events that led to the amendment of the Act in 1948. It must be remembered that at that time the board had a different composition from the present one. There was a chairman, two members representing producers in the metropolitan area, and two representing the country areas. But there were also at that time two organisations representing the milk producers, and the trouble experienced then was not so much with the producers as with certain other people in the metropolitan area. Today we have an entirely different set-up. There is one organisation representing the milk producers, and that organisation is a branch of the Farmers' Union. I hope members will bear that in mind. There are producer-retailers, or dairymen-vendors,

whichever one likes to call them; but they represent only 2 per cent. of the total milk sold.

When the board was reconstituted in 1948, members undoubtedly had to forgo certain principles as regards producer representation; but at least 80 per cent. of the producers concerned favoured an alteration, which they considered was in the best interests of the industry and would best serve the needs of the people. If the Bill is amended in the way I propose, I am certain that there will be no recurrence of the events of six years ago. I know a great number of those engaged in the industry, and I know the type of men they are. I am sure that under no circumstances would they be willing to revert to the conditions that existed at that time.

The Milk Board functions differently from other boards. Produce is sent to the other boards and is sold according to its grade; but as regards milk, the board starts to function even before the milk is produced from the cow. In the first place, cows must be healthy; and I believe that today all the cows in the herds supplying wholemilk are healthy. In the report from which I quoted a few moments ago, it is stated that, during the last eight years, 135,350 cows were tested for tuberculosis. There were 7,859 reactors, which were completely tossed out of the herds; and £143,000 has been paid in compensation from a fund contributed to by the producers and the Treasury on a £ for £ basis. So financial aspects are not involved in a consideration of this Bill; because even at the 30th June last year, the compensation fund had a credit of approximately £40,000.

Certain hygienic standards have to be observed in the yards and in the sheds before milk is produced. The yards have to be kept clean. Many of them are of concrete; others have been gravelled. Regulations are laid down as to the type of shed to be used for milking purposes; and no man can obtain a licence unless he carries out necessary improvements and observes the regulations. The old days when a dairy farmer was knee deep in mud, and milked cows on floors of grass trees, in dirty ramshackle sheds, have gone forever. Premises are inspected frequently, and tests are taken to ensure that milk is up to standard. Bacteria tests are made; and it will be found that today Perth has a milk supply which is probably equal, from all points of view, to any obtainable elsewhere in the world.

A problem that faces the dairy farmer is the need for producing milk at a time when production is normally at its lowest, and when consumption is at its highest. It means that he has to calve down a great number of his cows during the summer months, because his quota is based on his average supply during March, April and May. By his calving down out of season, I do not think I would be far wrong in saying that he reduces the annual production of his cows by 25 per cent. Another problem is calving down at the right time. It is easy in theory to assume that a cow will calve at that time; but, in practice, it does not always work out, and he is lucky if 60 or 70 per cent. of his cows conceive at the time required.

The administration costs of the board are dealt with in certain sections of the Act. Those that are licensed pay the cost of administration, and there is a big credit—about £20,000 at present. So financial considerations do not come into the picture. The dairyman has more problems and more regulations to comply with than any other producer. For that reason I believe he is entitled to representation on the board.

I am not saying for a moment that Mr. Stannard and his fellow-members on the board have not done exceptionally good work. As is the case with members of other boards, they are frequently criticised; but I do not think one man could be found in the dairying areas who would say that Mr. Stannard has not done an exceptionally fine job. He gets around and sees things for himself, and he knows the great majority of producers.

However, I still believe he could be helped considerably if there were a producer representative on the board. Many problems still confront the industry. For instance, there is the question of payment for milk according to quality. It may be some time before that is brought about, but it will surely come. In that respect, Mr. Stannard could be helped considerably by a man with practical experience of the industry. I think the number of members should remain at three. I do not want to see the board become cumbersome.

As members know it is provided that the two members and the chairman shall not be connected with the industry. If, as a result of this amendment, one of those members is connected with the industry, the other two will still not be connected with it. Some may say that we should have a consumer representative on the board; but whom do those who remain on the board, and who are not interfered with by the Bill, represent, but consumers? It does not matter whether they are men or women; they are appointed by the Minister. I feel certain that in any appointment he makes, other than that of the proposed licensed dairyman, he will give full consideration to the representations that can be made by that member on behalf of the consumers. I have certain amendments on the notice paper; and I sincerely hope that when the Bill goes into Committee, members will accept them. I support the second reading.

HON. L. A. LOGAN (Midland) [2.47]: As one who was in the House in 1948, when the debate on the proposed change in the set-up of the board took place; and as one who at that time was asked to forgo a principle, in connection with which I had just recently been elected, I am happy to say that I have come to the conclusion that the attitude I adopted at that time was the right one. The board we have set up could be called an extraordinary type of board; because, when it was established, it was unconventional compared with the other boards that we had in Western Australia. On many occasions it has been called a dictatorial board, and possibly it has at times adopted such an attitude; but it has done so for the betterment of the whole of the industry. Had the board not taken such firm action, but shown signs of weakness, it would not be the success it is.

Having come to the conclusion that the board is an extraordinarily good one, I fail to find a reason for altering its composition. I know it has been stated that the producers have asked for a representative on it, but I do not know that they are particularly anxious to get rid of the present board. The opportune time to put a representative of the producers on the board might be when a vacancy occurs. Not only has the board assisted the producer by education and instruction, but also by being hard on him at times. In that way, it has made the producer realise his position in regard to supplying good, wholesome milk to the community. The board has had to use some pretty hard measures on occasions to induce producers to do that, but I think we will all agree that what it has done has been for the benefit of the producers.

The wholesaler, too, has had a much better spin, and is doing a much better job than in the past, as a result of the influence of the board. The retailer has also benefited by the operations of the board. There was a time when retailers were going bankrupt, but not many of them do that today, and they can thank the board for the fact that their businesses are being built up on sound lines. The consumers, who create the business for these people, are in turn receiving quality milk which, a few years ago, was thought impossible. I admit that occasionally people are fined for supplying milk below the necessary standard of solids-not-fat.

I was pleased to see in the report of the Milk Board that the board was not going to tolerate the carrying of cows which were producing low-quality milk. It would have made a mistake had it acceded to the request to permit these cows to be retained. Surely, the percentage in our herds of cows that are producing low-quality milk must be so small that it would be to the benefit of the industry if they were destroyed or sold as butcher's meat.

Hon. L. C. Diver: What is the percentage of low-producers?

Hon. L. A. LOGAN: I do not know; but it appears there are a few cows producing this low-quality milk. The board is right in insisting on quality. Mr. Henning has given a good resume of the set-up and of the ramifications of the board. I have studied his amendments on the notice paper; and, while I would rather have the board remain as it is, because I can see no reason for sacking a good employee, I shall support the Bill. Everyone I know has been particularly satisfied with the board. We never get rid of a good employee if we can help it. It would be an opportune time, when the present members resign, to put a representative of the producers on the board. I can find no reason why that should not eventuate; and I cannot see how it would affect the operations of the board. All the producers' representative will do will be to ensure that the producers receive a fair crack of the whip. In my opinion, that would be his duty and function on the board. Failing the amendments which have been suggested, I will be inclined to vote against the Bill; because, even if it is defeated, we will still have the present set-up which, in my opinion, is an excellent one. I support the second reading.

HON. J. G. HISLOP (Metropolitan) [2.53]: My views coincide largely with those of Mr. Logan. The board is doing an exceedingly good job. As one of the chief nuisances in the House in 1948 in speaking at great length at various times on the need for altering the standards and the system of collection of milk in this State, and having watched what has happened since, I can do nothing but applaud the board. The vested interests of both sides having been removed from the board, it has been much easier for the milk position to be improved. I would hesitate before doing anything to disturb the existing set-up.

Hon. C. H. Henning: Would you like to see the Medical Board without a doctor on it?

Hon. J. G. HISLOP: I would not mind if it did its work in the same way as the Milk Board does its work.

Hon. C. H. Henning: Why not try it?

Hon. J. G. HISLOP: When I suggested the appointment of a hospitals commission, I did not ask for a doctor to be on it, but proposed that members of the commission should be drawn from people who were in business and who would know how to deal with the matter from other angles. My feeling is that it is probably much easier, in circumstances such as this, for a person who has no interest whatever in the milk industry to lay down standards and regulations for the conduct of the industry. I sometimes doubt whether even in medical affairs the individuals who have an interest in the profession are always able to take a completely dispassionate view

of the advice that may be given them or which they give others. I intend to vote against the second reading of the Bill; but if it is carried, I shall support the amendments that Mr. Henning has put on the notice paper. However, I entertain the hope that the Bill will not alter the existing position.

I was interested only a day or two ago in the statement that Mr. Henning made in regard to the examination by the Milk Board in connection with solids-not-fat, and the reply given by the Minister. To my mind, that is the only alteration that is needed in the Act. That alteration is required to get rid of the principle of the purchase of milk on a gallonage basis. This seems to be a crying essential, because the purchase on a gallonage basis is only tempting the producer to introduce into his herds more and more Friesians which give what has been termed by so many people, "blue milk," in respect of which we were given the figures only the other day. It seems all wrong that an individual who sells milk containing high butterfat content should receive only the same amount per gallon as the person who sells milk with a lower percentage of solids-not-fat.

I can recall that in the State there are herds of the Jersey and Guernsey type—the Channel Islands group—which produce a butterfat content of 6.6, and until recently the producers were receiving only the same amount per gallon as the individual who sold milk that conformed with the standard of 3.5. The fat in the milk is not the essential factor, but the solids-not-fat; and, in particular, the calcium, which is probably the most effective and useful ingredient in it. It is for the calcium content that milk is given to young children.

I would much prefer to see milk bought on a butterfat basis—as that is the easiest on which to establish the purchase price—and then allow the depots to remove from the milk the excessive fat content above the fixed amount. I would not hesitate to bring the amount down to 3.2. We would then be able, as so many other countries do, to provide a cream of a generally accepted quality—about 14 per cent. butterfat. It could be widely distributed for use as an addition to drinks such as coffee, etc. This is done, particularly, in the United States. To do this would not alter the quality of the milk, but it would give the producer a far greater return for a high quality product.

I would like to go even further and see that all depots were established for the collection of wholemilk, and that the sale and distribution of the milk was on a priority basis. I am certain that would get over some of the difficulties which Mr. Henning has just referred to, because of the calving in the dry months, and the reduction brought about by the fall in public demand. I feel there are many industries that will in the future require milk; and if the whole milk were graded on a priority basis, such as I mentioned in this House only two years ago, the industry would benefit.

Having these thoughts in mind, I am not at all certain that a person inside the industry, whether he be a consumer, depot-owner or producer, is fully qualified to deal with all sides of the question as is demanded in this growing industry, which is increasing in importance. Not only is it an industry that produces food for the public, but I am sure that it will also produce casein for the manufacture of plastics. Further, the product can be dehydrated; and, by different methods, used to produce food for distant parts of the State, or even for export. There is no doubt that the number of avenues for the use of milk will increase rapidly as the years go by. I am so firmly convinced in my ideas on this subject that I would welcome, in the interim, an inquiry into the use of milk generally, with a view to increasing the production and the standard, possibly by an improvement in the type of herd. A tremendous amount of thought could be given to the advancement of the milk industry of this State.

With all those goals in sight I cannot see any need to alter the constitution of the board which, in the past six years, has performed such yeoman service. If the Bill reaches the Committee stage, which I sincerely hope it will not do, I will carefully listen to the arguments advanced for the appointment of a producer as a member of a board of three. However, I certainly would not vote in favour of the appointment of any more than three members. Nevertheless I will give my support to the appointment of a producer on the board if I am convinced that that would be an advantageous step. At the moment I am really in favour of leaving the composition of the board as it is.

On motion by the Minister for the North-West, debate adjourned.

BILL—CORNEAL AND TISSUE GRAFTING.

Received from the Assembly and read a first time.

BILL—ARGENTINE ANT.

Report of Committee adopted.

BILL—MARKETING OF EGGS ACT AMENDMENT.

Second Reading.

THE MINISTER FOR THE NORTH-WEST (Hon. H. C. Strickland—North) [3.5] in moving the second reading said: This is a small Bill that provides for the disposal of the assets of the Egg Marketing Board should it be wound up at any time. For many years, the Poultry Farmers' Association has requested action

on the lines proposed in this Bill; and although previous Ministers have agreed to the request in principle, no action has been taken to amend the Act.

The question has now become more urgent. The present Act remains in force for a period of five years, having been continued once; and unless Parliament passes a further continuing measure next session, it will expire on the 22nd March, 1956. Should this happen there is no provision for disposing of the board's assets; and, as the Act stands, these would automatically revert to the Crown. Considerable assets have been acquired; and as these have been paid for by the producers, it is acknowledged by the present Minister as well as by previous Ministers, that the request of the Poultry Farmers Association is reasonable.

The assets accumulated by the board during its operations were valued at £290,348 on the 3rd July last. This includes land and buildings at Fremantle, Welshpool, Bunbury, Narrogin and Geraldton, as well as plant and machinery, etc. It will be seen therefore, that the amount involved is considerable. The Bill provides that in the event of the board being wound up, the proceeds of the assets shall be applied for the benefit of the egg industry in such manner as the Governor directs. This complies with the wishes of the Poultry Farmers Association, and has also been endorsed by the board itself. Briefly, the main purpose is to grant to the Government power, should the Egg Marketing Board be wound up, to dispose of its fixed assets, and distribute among the producers in the egg industry the funds received. I move—

That the Bill be now read a second time.

On motion by Hon. L. A. Logan, debate adjourned.

BILL—NATIVE WELFARE.

Second Reading.

Debate resumed from the previous day.

HON. C. W. D. BARKER (North) [3.9]: I have been pleased at the favourable reception accorded this measure, compared with that given to a similar Bill last year. I believe there is a genuine desire on the part of members, on both sides of the House, to take action along practical lines to assist in fitting the natives of this country to carry greater responsibility with a view, eventually, to granting them equal rights and citizenship. During my term as a member of Parliament, much has been said about the natives by several people who assert that they are acquainted with their mode of life. I can claim to be one of those persons. I was a member of the staff of the Native Affairs Department, and I think I understand this problem as well as anyone. In my opinion we must approach it in a sane and cautious manner. I am certain that this measure will eventually lead to all natives being granted citizenship rights.

Hon. L. C. Diver: Including tthe right to enter a hotel?

Hon. C. W. D. BARKER: When I reach that point I will give the hon. member my opinion on it, and I think he will be satisfied with it. Great care should be shown by everyone as we travel along the road towards solving this problem; but eventually we should be successful in granting equal rights to natives and assimilating them with the white people so that they will conform to our way of life. Mr. Simpson stated that natives held the wrong attitude towards the granting of citizenship rights.

I agree with him that that is so in many instances. When introducing the Bill the Minister said that many natives held the view that it was a hurt to their pride to apply for citizenship rights in the country in which they were born, and that they considered it to be their birthright to be granted those rights without application. There is a great deal to be said for that argument. However, many natives are adopting the wrong attitude. Their best course would be to apply for citizenship rights and hold themselves up as examples to the rest of their fellows. If they lived up to their obligations, it would tend to encourage other natives to apply for similar rights. Citizenship is not a thing to be taken lightly. It is something of which we should all be proud, and that is the principle we should instil into natives.

Everyone will agree that this is a difficult problem to handle. If we had been placed in the same position as the Australian aboriginal perhaps we, too, would have found it difficult to travel the road that he has traversed and put up with the drastic conditions he has encountered. We would have found it just as difficult to adjust ourselves to a new way of life. Therefore, all of us should be sympathetic and helpful by assisting him along the road to citizenship.

When the whites first came to Australia they found that the aborigines were a happy and lovable people. They lived in communities, and had a strict moral code. They were steeped in superstition, and had their own tribal laws and legends. Further, they had their own cultural standards, and they practised the arts. Many examples of their craftsmanship can be found in cave and rock drawings. They also expressed themselves in folk songs and dances. If they had been an agricultural people, they would have progressed long before the white man discovered Australia. But they have always been a carefree nomadic race and lived chiefly by hunting.

Hon. H. Hearn: Now you propose to take their dogs away from them!

Hon. C. W. D. BARKER: I expected something like that from the hon. member. He can see no further than his nose at any time, so I am not surprised at what he says. Suddenly along came the white man and took away the native's country, his hunting ground, and his religious or totem grounds. The white man has destroyed his whole way of life, and has placed before him a new set of laws and a code of living which he does not understand. Would we have made any rapid progress if we had been placed in such a confusion of ideas? It is not long since Australia was first discovered by the white man. This matter can only be approached cautiously, and success can only be attained slowly. In this Bill a step in the right direction is taken, and gradually we hope to attain our objective; that is, the complete assimilation of the natives and the extension of citizenship rights to them. Not only this Government, but others in the past, have done good work in this regard.

The proposal to place greater responsibility on the missions is a good one. I believe that spiritual education is a valuable method of converting the natives to our way of life. We ought to recognise that we owe a great debt to the missionaries who have given their lives for the betterment of natives. We should have nothing but admiration for men and women who have devoted their lives to the welfare of these people. Now that the Government has increased to 30s. a week, the allowance for native children cared for by institutions, we can look forward to the future with great confidence, and with the assurance that the younger generation will reap the benefit.

There is a genuine desire throughout Australia to improve the lot of the natives. That is being done gradually. The station-owners realise the value of native employees. As the prosperity of the stations has increased, so the treatment of natives has improved. I think that trend will continue. In the Kimberleys there is one type of native for whom nothing can be done. He is still steeped in superstition and in his old way of life. It is very difficult to change the habits of that type. But the younger generation who are receiving education, are beginning to understand, and they will advance greatly in the future.

In the towns of the North there are many coloured people who have received citizenship rights, and are taking their rightful place in the community. Natives living in Shark Bay and Derby can be held up as examples. There the white population have accepted the coloured people, who are living side by side with them and sharing the community life. They are treated as equals. I believe that in Derby and Shark Bay there is real democracy. I say, as I have said in this House many times, that it does not matter what we do for these people if the rest of the white population is not prepared to accept them.

I know it is difficult for us to abandon our colour prejudice, which is ingrained in all of us. We have to defeat that prejudice. We must realise that the problem of the coloured population is with us, and we should try to help the natives. The approach in this Bill is the right one. We cannot hope to take natives out of the stone age and expect them to live in the present age. The transformation will take generations to accomplish; but I think we are well on the road to achieving it. What has been done by this Government and other Governments is already showing results. Unfortunately, in the past, efforts to improve the conditions of the natives were restricted by the money at the disposal of the Government. With the money available today, the Government is able to take more rapid strides than in the past. I was pleased to learn that a technical school would be established in Derby for native children. That will help to fit them for the future, and will improve their standard of living.

We were told by the Minister that the Bill contains nothing which will alter the definition of "native;" and if a native desires to obtain citizenship rights, he will have to earn them. I believe in this policy, and we should work earnestly to enable natives to reach their objective. We should instil into them that they must first earn their rights to citizenship, and then they will be accepted by the community. After a native has proved that he is worthy of citizenship rights we must be careful to accept him; but at present, in many cases, that is not done. Many natives, after receiving citizenship rights, find that they are shunned or ignored by the white community. They have done their part to earn citizenship rights, and we should do our part in accepting them.

Hon. L. C. Diver: Do you not think that it is psychological on their part, and that they imagine that the white community shuns them?

Hon. C. W. D. BARKER: In some cases it is psychological. We have to appreciate the difficulties and problems these natives are facing. We should understand their handicap. We should remember that in most cases white men were responsible for the half-castes. Natives who have achieved citizenship rights were, in the majority of cases, born of white fathers and native mothers.

The Bill does not attempt to amend the liquor laws, and the native will still be debarred from receiving intoxicating drink. I have seen natives in a drunken state, and it was not very pleasant. Members must agree that citizenship rights and liquor were the two contentious matters in the Bill of last year; but they have been omitted from the measure before us, so I cannot see any real objection to it. In my opinion the Bill makes a genuine attempt to go at least one step forward by removing the out-moded provisions in the Act; and, in odd cases, giving the natives some advantage to help them along the road towards the goal.

Clause 11 contains a proviso that the commissioner may exempt native children from his guardianship. No one can object to that. If the commissioner can hand the guardianship of native children to other parties—such as institutions, where the children can get a proper home —it is advisable to permit that.

Clause 13 contains a proviso to enable the commissioners to issue a permit to a native to travel below the 20th parallel for the purposes of education, employment or welfare, subject to certain conditions. The 20th parallel is north of Pardoo, where the No. 1 rabbit-proof fence used to be. The country north of that is considered leper country, but it is not really so. Certainly lepers have been found north of the 20th parallel; but there are as many lepers around Port Hedland, Onslow and Carnarvon as there are in the North, so I cannot see why this restriction should be held so rigidly.

I would point out that the Bill does not throw the restriction wide open to enable natives to travel across the parallel freely. The clause merely provides that, in exceptional cases, a permit may be granted, such as when a drover wants to take four or five natives to Meekatharra. If, after examination, they are proved clean, they can be issued with a permit. Natives serving on luggers and desiring to go as far south as Port Hedland may be issued with a permit. If a native is ill and requires specialist treatment which is not available in the bush, a permit may be issued. As a matter of fact, the department has broken the law several times every year by bringing native girls to Perth to receive education. This clause seeks to give the commissioner power to issue permits in special cases. If this is the correct interpretation, then no one can quarrel with the clause.

Hon. L. A. Logan: Except that it will enable natives south of the 20th parallel to cross to the north.

Hon. C. W. D. BARKER: Just as many lepers are going to the Derby leprosarium from the south as are coming from the north.

Hon. L. A. Logan: Now the clause throws it wide open.

Hon. C. W. D. BARKER: No. The clause will allow a permit to be issued. Natives south of the parallel have always been free to travel, even to Perth.

Hon. L. A. Logan: But not lepers.

Hon. C. W. D. BARKER: There are no restrictions on lepers south of the 20th parallel. If a native were known to be a leper, of course he would be quarantined, and sent to the leprosarium for treatment; but it must first be proved that he is a leper. If it had been intended to throw the parallel wide open and allow natives to travel across freely, then there would be cause for alarm; but that is not the intention. Today, with the advance in medical science, few lepers are admitted to the leprosarium.

I believe that in the last two or three years over 200 patients have been discharged after having received the new treatment, which is really wonderful. After their discharge, the flying doctor keeps a check on them for a period, and it has not been necessary for one of them to return to the leprosarium. Consequently there is nothing to fear from that provision; I am satisfied that it has been inserted for a special reason only, as I have explained. Therefore, members should be able to accept it without any misgiving.

Clauses 15 and 16 propose to repeal Sections 13 and 14 of the Act, which deal with the removal of natives from reserves and institutions to hospitals. Those provisions, also, are punitive. Arrangements could be made by the Medical Department for the removal of a native to a hospital. This is a native welfare measure, one designed to assist the native; and when it comes to his needing medical attention, the Health Department is the one to look after him. If it be necessary to move a native into hospital, the doctors will be the ones who will give the orders. We do not have a special provision to authorise the removal of whites to hospital, and I cannot see why we should encumber the department with these restrictions when ample power exists under the Health Act.

Clauses 18 and 19 deal with Sections 16 and 17, which provide for compulsory examination for t.b. This also would be covered by the Health Act. Anyone who is suffering from a contagious disease can be compelled to undergo medical examination, and that applies to natives as well as to whites. Consequently that provision should not be retained in the Act. One of the objects of the Bill is to remove redundant provisions and clean up the Act generally. Clause 20 proposes to repeal Section 18.. This is a punitive clause dealing with apprentices. It was inserted in the statute as far back as 1886:

and I think every member will agree that, as it is out of date and unnecessary, it should be deleted. That point is not worth further discussion.

Sitting suspended from 3.34 to 3.50 p.m.

Hon. C. W. D. BARKER: Clauses 21 and 22 seek to repeal Sections 19 and 20 which deal with the issuing of permits to employ natives. I do not think it is any longer necessary to have such permits, as the average native is now far enough advanced to look after himself in that respect. This provision has always been a bone of contention to both employers and natives, and it could be repealed without harm to anyone, the only result being an easing of much of the tension that now exists between the employer and the native.

Clause 23 deals with the employment of natives on ships, and particularly those under the age of 16. At present a native under 16 years of age cannot be signed on a ship, but this provision would empower the commissioner to give written consent for a native of 16 years to be employed on a ship if it were to the advantage of the native. That is desirable, as a native, perhaps at Broome, might have a leaning towards the sea and wish to sign on with a lugger, schooner or tender. The right time to do that, of course, is when he is young and can learn his trade and become a useful citizen; so there is nothing wrong with that clause.

Clauses 24 and 25 seek to repeal Sections 22 and 23, thus lifting restrictions on natives going out of the State on ships, or with drovers or contractors. Drovers sometimes take natives over the border to the Northern Territory or into Queensland, and other natives go on luggers to Darwin waters. I do not think we should prevent that, as it widens the outlook of the native and assists his further advancement.

Hon. N. E. Baxter: The Act deals with taking them out of certain areas within the State.

Hon. C. W. D. BARKER: Yes; but as I read the clause, it would allow a native on a ship working out of Darwin to cross the line, or a native working with a drover to cross the border—with special permission—into the Northern Territory or Queensland. The Act provides for a native to be brought back to the place where he was engaged, just as a mariner, signing on a ship, must be returned to his home port. There must be a safeguard to ensure that natives are not taken away and left stranded far from home. In the past, side-shows used to pick up natives—perhaps boxers—and eventually dump them many miles away, stranded in country that they did not know. It is only right that anyone thus engaging a native should return him to his home country. If a native signs on a boat in Broome and is taken to the Northern Territory, those who engage him should return him to Broome.

Some speakers have objected to the clause dealing with the lifting of restrictions on people entering native camps or reserves. I think the provision was originally included with the intention of preventing bad elements entering native camps, while allowing a prospective employer to go into a reserve or camp and interview a native for employment. As the Minister said, the idea of the clause is to give a native with citizenship rights the privilege of visiting his relatives; but I do not think it should be called a privilege, as he should have that right, although he is precluded by the Act at present from visiting a camp or a reserve. Last night Mr. Jones said that perhaps the clause would encourage bad elements, and give them an open slather to enter native camps and reserves for unlawful purposes; and that perhaps we should include a safeguard in that direction. That is probably necessary. I am sure the clause was never meant to throw the position wide open for sordid matters to come into the picture, and therefore further examination of the provision might be a good idea. Mr. Jones has indicated that he intends to move an amendment for that purpose.

Clause 43 seeks to repeal Section 42; and, as the Minister said, natives today are decently clothed. Many years ago, natives possibly turned up in towns naked, or wearing only a loin-cloth; but today there are extremely few bush natives who go around practically unclothed. Many of the natives in the North are as well dressed as we are; and, as the Minister remarked, some of the native stockmen in the North are flashly dressed, with their red 10-gallon hats, their fancy shirts, trousers and so on. We have nothing to be afraid of in this respect; and I think members will agree that that provision can be taken out of the Act.

Clauses 45 and 46 seek to repeal Sections 44 and 45, which deal with female natives approaching within two miles of a creek frequented by pearling ships, and so on, after dark. That law is broken every day because, after sunset, every female in the town of Broome would be within two miles of a creek. I heard of one case where a native woman was picked up on the wharf at Fremantle. She could not be charged with anything else, so they charged her with being within two miles of a creek. I say that with all due respect to the member for Fremantle; the Fremantle harbour was termed a creek! I think that is stretching the Act a little too far, and in my opinion that provision should be repealed. All these restrictions were necessary years ago, but in these days many of them should be repealed.

Clause 47 repeals Section 46 of the Act, which deals with the granting of permission by the commissioner for a marriage.

Our natives have reached the stage today where they should be able to marry whoever they like. They should not have to run to the commissioner for permission to marry, and I think that provision can be wiped out. We have no right to interfere and to say whom they shall marry.

Now I believe I can wake Mr. Diver up. I wish to refer to Clause 50 which seems to have aroused great indignation. I have received letters, pamphlets, and goodness knows what, all preaching against this clause. I may have the wrong idea about this, but when it was put into the Bill, I do not think the Government intended to throw the position wide open so that every bung-eyed and woolly blackfellow in the country could present himself for board and lodging at a hotel.

Hon. N. E. Baxter: Are you sure of that?

Hon. C. W. D. BARKER: The Government's intention was to try to provide for certain cases. I know, as well as anyone else, that it is difficult to legislate for a few; but there comes a time when we must do something for them. I know of a soldier who returned from Korea. He went to his home town in the bush and stayed at a hotel. He was there for about ten days when the local policeman called on the hotel-keeper and said, "You cannot keep this man on your premises, because he has not citizenship rights." The hotel-keeper explained to the constable that the man had been to the war; that he was a decent fellow, accepted by everyone; and that he was quite prepared to let him stay there. The policeman explained that no matter how much he would like to let him remain there, it was against the law.

As the Minister said when he introduced the Bill, there have been instances of native workmen going to the bush. This case actually happened: A party of five or six bricklayers and two apprentices went to the bush. The two apprentices were coloured, but the rest of the party were white. The whites stayed at the hotel; but the coloured lads, because they did not have citizenship rights—and could not get them because they were under 21 years and were orphans—had nowhere to stay, and had to go back to Perth. We must try to do something to help these people. In many cases these decent types want only board and lodging; and if an undesirable white man presents himself to a hotel-keeper and asks for the same thing, the proprietor uses his discretion. If he knows the man will disturb the rest of the people in the hotel, he does not give him a room. The same will apply if this becomes law. It was not meant that every blackfellow should be allowed to stay at a hotel, because no one would want that, and the blackfellow would be scared to ask for it.

Hon. J. McI. Thomson: From what I see of it, you could not prevent him from getting it

Hon. C. W. D. BARKER: Many of these people have not citizenship rights. As Mr. Strickland said, there are many who will not apply for citizenship rights. I am not holding out any olive branch to them because, in my opinion, they should set an example to the rest of their fellows. But unfortunately there are those, many of them decent types, who have not citizenship rights and who, on occasions, want to stay at a hotel. They might want lunch before they go back to the bush, and I do not think it is asking too much to give them that privilege. There is nothing dreadful about it. I do not think for one moment that every blackfellow in the country would ask for the privilege.

Hon. J. McI. Thomson: How do you know?

Hon. C. W. D. BARKER: I know it is difficult to legislate for the few; but in this case we must do something about it. This is the sort of thing that makes these people feel their position; it makes them rebel against applying for citizenship rights. It gets their backs up and makes them think we are all against them. We should try to appreciate their feelings and realise the disadvantages and hardships they are suffering because they are coloured. What would any member think—supposing he were clean and decent, and thought himself as good as anyone else—if, when he asked for board and lodging at a hotel, he was turned away? We should have some human feelings about this. Would not a hotel-keeper use his discretion? Would not he say, if he did not want a certain person, that he had no room?

Hon. N. E. Baxter: Under the Licensing Act, he cannot do that.

Hon. C. W. D. BARKER: He could say that he was full up, and no one would run to the police and say, "That man will not give me board and lodging." We must be realistic about this, and have sympathy for these people. We should try to understand them and endeavour to bring them up to our standards. We should not tread them down and give them an inferiority complex. It is our duty to help them, and we have a big responsibility in this matter. If something is not done now, it will become a real problem in the future.

Hon. J. McI. Thomson: It is a problem now.

Hon. C. W. D. BARKER: I am glad the hon. member admits it is. As he has admitted it, he ought to throw all his weight behind doing something for the natives, and not just sit back and oppose the provision.

Hon. J. McI. Thomson: How do you know I am opposing it ?

Hon. L. C. Diver: What are you going to do about it?

Hon. C. W. D. BARKER: I will vote for the clause as it stands. Mr Craig knows that a lot of these people, who are not up to our standard of living, would not take advantage of this, and would rather go to the back door. Yet that is the type of people members are afraid of. That is the type that needs help, and it is up to us to give it. Many hotel-keepers are not averse to this proposition.

A party of 16 or 17 girls from the Coolbaroo League went to a dance in the country. They stayed at a hotel for the night and paid their way, the same as everyone else. They were decent and well behaved, and no one objected to them. It is no use standing pat and saying we can do nothing about this problem. We must look facts in the face, and do something to help them. As a rule, I do not plead and ask for anything unless I really believe in what I say. I feel deeply about this problem, and I think something can be done for these people. So I appeal to members not to oppose this clause.

The PRESIDENT: Order! I draw the hon. member's attention to Standing Order 397, which states that a member shall not make needless repetition. In his second reading speech, the hon. member is dealing with the Bill clause by clause. The hon. member may proceed.

Hon. C. W. D. BARKER: I bow to your decision, Mr. President. I thought I was permitted to go through the Bill and give my interpretation of it. However, I have said all I wanted to say in that respect, and I thank you for your tolerance.

We have advanced far; and, as Mr. Simpson said, we owe a lot to our native administrators. In particular, he mentioned the late Mr. Neville. I knew him and had a great respect for him. He did a lot of useful work and helped in many ways to bring our natives up to a decent standard. I also heard the hon. member criticise Mr. Middleton, the present Commissioner of Native Affairs.

I think we owe everything to Mr. Middleton. He may be outspoken and pushing, but he is 100 per cent. interested in his job. That man has brought more changes and more advances since he has been in Western Australia than has any other commissioner. He does not mind if he treads on anyone's toes; and perhaps it is just as well we have someone who is conscious of the fact that there are times when we need to be wakened up, and have our attention drawn to certain things we are apt to neglect.

I think Mr. Middleton has done a splendid job. The natives know it, and I think we should recognise it. He has brought great changes into the department, and the natives have benefited from them. We are now on the way to achieving the goal at which we are all aiming; and in saying that, I do not for one moment belittle the work done by previous commissioners. But I do not like to hear people criticising a man whose heart and soul is in his work. As time goes by, this problem will resolve itself, and we are now well on the way to success. Within the next two or three generations, there will be no problem with full-blooded natives. Those who know natives realise that there are few full-blooded children these days, but the half-castes—

Hon. J. McI. Thomson: I do not think the full-bloods are the problem today; it is the castes.

Hon. C. W. D. BARKER: That is so. I think this problem will resolve itself; but we should realise that we owe a duty to these people, and should let them know that once they attain citizenship we will accept them as our social equals, and make them welcome in our community. They should be told that they have an opportunity to progress; and that once they attain citizenship, it is something of which they should be proud. I support the Bill.

HON. N. E. BAXTER (Central) [4.15]: When introducing the Bill, the Minister said it was high time restrictive provisions were removed from the Native Administration Act, and it was proposed to remove them by means of this Bill, which is to be known as the Native Welfare Act, 1954. That might sound very high-faluting if it were not for the way the Bill is framed. There are quite a number of provisions which do not remove restrictions from natives but which take away protective provisions.

When the Minister said it was high time some of these provisions were removed he went a bit too far. A lot of these so-called restrictive provisions are very much in the best interests of the natives. Every native up to a certain degree has the right, if he tries, to obtain citizenship rights. If these people are prepared to try to act and live as whites there will be very few of them who will not be granted citizenship rights. In that case they would have the same privileges as any of us. So it depends upon the native whether he becomes one of us or not.

Hon. F. R. H. Lavery: He would still want the assistance of the white man.

Hon. N. E. BAXTER: That is so; but I think the majority of us realise that a large number of the natives and the caste natives of Australia are children when judged by our standard. They do not seem to take the same interest in life as we do, or have the ambition to do very much for themselves. They are quite content to go along as they have been doing, and live in their old squalid ways as their forebears did for generations.

That is one of the biggest problems which has to be overcome. We must try to persuade these people that they should uplift themselves. No matter how many Bills we bring down, and no matter how

good the legislation is, we can go on trying for years without any success if the native will not attempt to improve himself. The Native Affairs Department is doing some good work; but when we size up the situation, we find it is actually taking no real major action in regard to the native problem. That problem begins at school age when the native child is being educated. Very little is done for the child after he leaves school.

Hon. F. R. H. Lavery: You mean between 15 and 18?

Hon. N. E. BAXTER: Even up to 21 years of age. The native goes back to the humpy or the mia-mia where his parents live, and reverts to the old primitive way of life. His place of abode consists of a few pieces of stick and old tin, and he does his cooking on a fire outside. There is no attempt to enlighten these people or to do anything to help them in their native camps; and they have no thought of trying to improve themselves.

There are quite a number of provisions that this measure proposes to delete from the Native Administration Act. There are some amending clauses in the Bill which, in my opinion, contain superfluous words. There is Clause 8 which seeks to amend Section 6 of the principal Act. In this clause it is proposed to delete certain words and to insert others. Those to be inserted are quite superfluous. In this provision power is given to the Minister to do everything possible for the native, and it is intended to take out the words "and to protect them against injustice, imposition and fraud" and to insert the words "as the Minister in his discretion considers most fit to assist in their economic and social assimilation by the community of the State." That is already in the principal Act and it gives the Minister power to carry out this provision.

In the Committee stage I propose to move for the deletion of those words which are to be added, and I shall try to persuade the House to retain the words of the principal Act. Natives should be protected from injustice, imposition and fraud; those words are imperative for the protection of the native, and should be retained. The words which it is proposed to add in lieu are quite superfluous.

One of the clauses I particularly like in the Bill is Clause 9 which proposes to add a new Section 6A. This gives the Minister power to acquire land by purchase, exchange, lease or otherwise. Apparently the department is prepared to make a real start to provide some industry for the natives.

Hon. L. A. Logan: Is this by resumption?

Hon. N. E. BAXTER: No; I do not think it is by resumption. It could be released from the forest land if it were desired for this purpose. I take it that improved or semi-improved land will be bought. There is the possibility, of course, that land may be obtained by resumption; but the sanction of Parliament will be necessary. I feel that the scheme can be enlarged by what I envisage for the future welfare of the natives of this State. I would suggest that we take the children at school age and put them in a community centre where they can be educated and looked after properly; where they can be given social life. That is one of the big setbacks in trying to assimilate natives into our community. I would like to emphasise the fact that their lack of social life is one of the greatest setbacks, for no matter what may be done for a native child while he is at school, once he leaves and returns to his parents, and lives in a community with all his aunts, uncles, cousins and so on, his outlook deteriorates, because he is away from social contact with white children and whites generally. White children will not associate with these natives, because they live in humpies and mix with the more degenerate types. It will be a very good thing to obtain land either by purchase or lease in order to provide a settlement where these natives can be given some sort of social life.

Hon. F. R. H. Lavery: The lack of it is probably responsible for their drinking so much plonk.

Hon. N. E. BAXTER: That is so. These young natives may be quite nice while they are at school; but once they return to their humpies, and are away from decent citizens, they revert to their parents' standard of living. We should take these children after school age and endeavour to teach them our way of life, and our standards; otherwise the position will remain hopeless for generations to come. Under this clause, which provides for land to be purchased or leased, I think a great deal can be done for the natives.

I would like to refer now to Clause 10, which seeks to delete certain words. The deletion of these words will take away from the Governor the power to appoint a Deputy Commissioner of Native Affairs, and pass it to the commissioner himself. For such an important appointment I think the power should rest with the Governor or Executive Council, and should not be delegated to the commissioner. It is a responsible position, and the responsibility of appointment should rest with the Government. If it were some lesser position in the Department of Native Affairs, it would be all right; but to give the Commissioner of Native Affairs power to nominate who his deputy should be is wrong. In the Committee stage I intend to oppose the deletion of these words. We had similar words in the legislation before us last year. The words to which I refer are to be found on page 6 of the Bill and are as follows:—

> The effective operation of a provision of this Act is dependent upon the Commissioner being of a certain state

of mind, whether it be that he thinks certain matters fit or is of a certain opinion, or is satisfied as to certain matters, or otherwise.

That could mean anything and I think it is entirely wrong to state "if a person is of a certain state of mind." A person must have a mind at all times. To say that he must exercise certain powers in a certain state of mind is nonsense. He may be in a certain state of mind today, and in another state of mind tomorrow. The words are ridiculous and should not be in the Bill. They were argued fully last year.

Clause 15 proposes to delete Section 13 of the principal Act. I consider that is a protective section that should be retained. It gives the Minister power to have any native removed to or kept within the boundaries of a reserve, institution or hospital. I feel that the Minister should have the right to confine a native to certain boundaries; he would not do it without having very grave reasons. The Minister might consider it necessary, for special reasons, to keep a native within certain boundaries. It might be essential to keep track of that native; and if the Minister did not have the power conferred by this section, the man could go anywhere in a big State like ours, and it might be many years before he could be picked up again. A very bad native could cause disruption amongst other natives in the northern part of the State if the department could not keep track of him and keep him in order. I shall oppose this clause at the Committee stage.

Clause 16 is, to a certain extent, consequential on Clause 15. It proposes to repeal Section 14 which I consider should be retained. It deals with persons who, without lawful authority or excuse, enter the confines or boundaries of a native reserve or remove a native therefrom. Sections like this exist to safeguard the natives themselves. It is the natives with whom we are concerned and not with anybody who interferes with them.

The Minister for the North-West: There will not be much left in the Bill!

Hon. N. E. BAXTER: There is no need for much to be left except a few reasonable clauses, because the position is very well covered in the Native Administration Act. Some of the sections in the principal Act have been very well thought out, which is more than can be said for some of the clauses in the Bill.

Hon. F. R. H. Lavery: That is your opinion, of course.

Hon. N. E. BAXTER: Yes.

The Minister for the North-West: You do not think there has been any advancement?

Hon. N. E. BAXTER: Let it not be forgotten that the original Act was compiled by men who knew the natives very well and had to deal with them much more closely than a lot of us have had to.

The Minister for the North-West: Many years have passed since then.

Hon. N. E. BAXTER: Men who went out amongst the natives in the pioneering days helped to frame the legislation governing them. Yet it is proposed to remove from the Act certain sections which those men considered to be very necessary, and which I maintain are very necessary today, for the care and protection of the natives.

Hon. F. R. H. Lavery: It will make it easier for the whites to dodge the native problem. Is that what you mean?

Hon. N. E. BAXTER: There is little in the principal Act which makes it easy for a white man to dodge any responsibility for what he does to the detriment of the natives. But if the sections it is proposed to repeal are taken from the Act, it will be very easy for offences to be committed and for the offenders to get away with it. That will be much easier than it is under the original Act; and that is what I am concerned about. I am entirely concerned about the future welfare of the natives and want to see them protected.

Clause 43 provides for the repeal of Section 42 of the principal Act. That section gives power to a police officer to make a native leave a town in which he is loitering or in which he is improperly clothed. Experience has taught us that a loitering native is no asset to any town; and I feel that a police officer should make such a native leave the town if it is felt he is not there in the best interests of the comunity.

The Minister for the North-West: That can be done with any person.

Hon. N. E. BAXTER: That may be so to a certain degree. But the Minister forgets that these natives are in the charge of the Department of Native Affairs; and if the commissioner felt that a police officer was pushing his nose into what the commissioner considered his particular business, and this section were not in the Act, then the policeman concerned would be rapped over the knuckles for doing what he believed to be his duty. If the section is removed, police officers will feel very reluctant to order natives to leave town. The repeal of the section will mean that a native will be given as much right to be in a town as a white person has.

The Minister for the North-West: Why should he not have that right?

Hon. N. E. BAXTER: There are certain reasons.

The Minister for the North-West: If he is not breaking the law, why should he not have that right?

Hon. N. E. BAXTER: A native may not be breaking the law, but he may be known to a police officer as an undesirable person, and the police officer may feel that he would be better out of the town than in it. Policemen do not run with whips chasing natives out of town willy-nilly, but use judgment and act upon their knowledge. If they feel that it is better that certain natives should not be in town, they should have the right to see that those natives quit the town.

The Minister for the North-West: That could be done under the ordinary law, even if this section were removed.

Hon. N. E. BAXTER: I am doubtful whether that is so. If this were done under the ordinary law, some of the more cheeky natives would ask for protection from the Commissioner of Native Affairs, and that could prove awkward. There can be no harm in retaining the section and permitting the police to have power to remove natives if they wish to do so. I cannot understand the anxiety to repeal the section. Have our police officers such a set against natives that they want to make examples of some of them by forcing them to leave town? No harm can come from retaining the section, but a lot of harm could be done by repealing it.

I come to Clause 50, with which I am very much concerned. This is the clause that provides that it shall not be unlawful for the licensee of a hotel to give an exempted native accommodation or permit him to enter and remain on licensed premises for the purpose of having food or lodging. That sounds all very well; and, with other members, I agree there are occasions when a decent native might be in an awkward position through being unable to obtain accommodation. On the other hand, there could be serious results for a licensee if he were forced to take in an exempted native who applied for board and lodging.

The Minister for the North-West: Could he be forced to do so?

Hon. N. E. BAXTER: Yes. I will tell the Minister why. Section 118 of the Licensing Act provides that—

> Any holder of a publican's general license, a hotel licence, or a wayside-house licence, or an Australian wine and beer licence who without reasonable cause, refuses to receive any person as a guest into his house, or to supply any person with food, liquor, refreshment or lodging.....whether the person lodges in his house or not, commits an offence against this Act. Penalty: Fifty pounds.

The Minister for the North-West: Reasonable cause.

Hon. N. E. BAXTER: Further on the section reads—

> Provided that the burden of proof that there was reasonable cause for not complying with this section shall lie upon the licensee.

So under the Licensing Act it is mandatory that the licensee should receive a person into his house as a guest and give him board and lodging and refreshment.

The Minister for the North-West: Have you ever told a person that the house was full?

Hon. N. E. BAXTER: Only when it has been full. Under the clause no licensee will have the right to refuse admission to anybody unless he can provide proof that he has reasonable cause for so doing. A dirty, disreputable native could not be refused admission.

The Minister for the North-West: That would be a reasonable cause.

Hon. N. E. BAXTER: Action could be taken in the matter, but the case might not be heard until the following day. However, the burden of proof would still be on the licensee. In the meantime the native could be cleaned up. That could happen. I will agree to this clause only if it is amended to give a licensee discretion in regard to the admission of a native to his premises.

There is another angle to the matter. Whatever may be said, it is a fact that in a community there is always a certain aversion to natives on the part of a great number of people against associating with natives. Certain people are demanding that the natives should be made our equals. But do such people take them into their homes?

Hon. F. R. H. Lavery: I did.

Hon. N. E. BAXTER: These people ask us to do so, but do they do it themselves? Not on your life!

The Minister for the North-West: That is what a hotel is for.

Hon. F. R. H. Lavery. We had one in our home for 14 years.

The Minister for the North-West: That is the reason you are given your licence.

Hon. N. E. BAXTER: It is our job to serve the public. A hotel is also a business.

The Minister for the North-West: Yes; it is not a home.

Hon. N. E. BAXTER: If one takes somebody into his hotel against whom the public has an aversion, how will one's business fare? People will say, "He takes in natives."

The Minister for the North-West: People do not have an aversion to all natives.

Hon. N. E. BAXTER: Not to every one. But there would be an aversion to some natives; and if they were admitted, the

business would be affected. For that reason I feel it should be left to the discretion of the publican as to whether he admits an exempted native or not. The majority of publicans will admit natives if they are in a decent, clean condition. Unless that discretion is given, I cannot support this clause.

Hon. E. M. Heenan: It is rare for a prosecution to be made under this section of the Act.

Hon. N. E. BAXTER: On occasions, licensees have refused accommodation on the ground that it was not available; and it was subsequently shown that it was available, and action was taken against them. If the native goes to the police officer and he inspects the publican's books or his rooms and says, "You have a spare room; you must accommodate this person," he has no option.

Hon. E. M. Heenan: I have not heard of any prosecutions.

Hon. N. E. BAXTER: There have been a few, but not many. We were told of a native who was working for a builder. If the licensee refused that native accommodation, his boss would probably take action, and that would put the licensee in a serious position. Much as we want to do everything possible to give the decent native accommodation, we have to protect the people who run the business concerned. After all it is their money and not public money that is providing the accommodation. We have been told that hotels are run for the convenience of the public. It might be said that every business is established for the convenience of the public; but they do not all operate under such direction as is contained in the Licensing Act. The Minister in another House implied that the hotel-keepers welcomed this provision.

The PRESIDENT: The hon. member must not refer to a debate in another place during the current session.

Hon. N. E. BAXTER: Although the majority of hotel-keepers would be prepared to do what they could for a decent, clean native, they are not in favour of the present amendment. I have here a telegram from the Northam U.L.V.A. saying that the whole of the hotel-keepers in that organisation are in disagreement with the proposed amendment. The Northam U.L.V.A. represents an area in which there are a number of natives and castes amongst whom there are, unfortunately, not many that could be classed as decent natives. They are the mia mia and humpy type and have no ambition or anything else. Some of them have received exemptions and it is surprising how they will walk into a hotel and try to get a drink. Yet Mr. Barker said they had an inferiority complex.

It is well known that amongst the natives south of the 26th parallel, there are not many with an inferiority complex. If they want something they will ask for it, and be pretty demanding about it, too. The natives up North may have an inferiority complex, but I do not know much about them. Those in the south do not suffer that way. They will bounce up for their rights straightaway. If some of the natives with exemptions were permitted to enter hotels for board and lodging, we can be sure they would worry the licensee for liquor.

The Minister for the North-West: A native can get liquor if he is exempt.

Hon. N. E. BAXTER: No, not unless he has citizenship rights.

The Minister for the North-West: I think you might be wrong.

Hon. N. E. BAXTER: I am not wrong. An exemption under the Native Administration Act is different from citizenship rights.

The Minister for the North-West: When was that changed?

Hon. N. E. BAXTER: It has been in existence for a long time. It has not been changed. A publican is not allowed to supply liquor to a native who has received exemption, but only one with citizenship rights.

The Minister for the North-West: The matter of citizenship rights is only about 10 years old.

Hon. N. E. BAXTER: That is so. I leave it to the Minister to make inquiries and see who is right.

The Minister for the North-West: I think I am.

Hon. N. E. BAXTER: I know I am right.

The Minister for the North-West: You should know.

The PRESIDENT: Order!

Hon. N. E. BAXTER: That is where another awkward position will arise. These people are pretty cheeky. If they are given certain rights, they will try to enlarge on them. I have had them ask for drinks. When asked whether they had citizenship rights they produced their exemption certificates. They know their position better than some of us know it. The Minister does not seem to know their rights in this respect. It can be another worry to the licensee if he is forced to permit such natives to be on his premises. I cannot support a clause like this unless it is amended to give the licensee discretion. I feel that is only fair.

Further protective provisions are dealt with in Clause 58, which seeks to amend Section 51 by deleting Subsections (2), (3) and (4). These subsections should remain in the Act. I cannot see why there should be any particular urge to take them out. They deal with judicial matters in respect to natives, and provide that a native shall

not enter a plea of guilty. Natives—not so much those in the south, but those in the north—do not understand the laws of the State. These are protective provisions, under which a plea of guilty may not be accepted unless it is entered in special circumstances by the commissioner or a protector of natives. If a native is brought before the court, it is for his own protection. If this provision made a native an outcast, or something like that, it would be a different story. We should not remove something that is designed to protect the native when he is brought before a court.

The Minister for the North-West: Is that protection proposed to be removed?

Hon. N. E. BAXTER: According to this, it is.

The Minister for the North-West: No.

Hon. N. E. BAXTER: This repeals Subsections (2), (3) and (4) of Section 61.

The Minister for the North-West: What about Subsection (1)?

Hon. N. E. BAXTER: That is not dealt with.

The Minister for the North-West: That is the one you are talking about.

Hon. N. E. BAXTER: No; the subsections are entirely separate. Section 61 (1) states—

> No admission of guilt or confession before trial shall be sought or obtained from any native.

The Minister for the North-West: That is right.

Hon. N. E. BAXTER: Subclause (2) deals with the making of a voluntary plea of guilty or not guilty. They are separate matters. It is essential that the provision dealing with the voluntary plea and the power of the protector to make a plea of guilty should be retained for the protection of the native. I cannot understand why Subsection (1) has been left in and Subsections (2), (3) and (4) are to be taken out.

I pass on now to Clause 60. This seeks to repeal Section 63 which provides that every person who is charged with assaulting a native shall be summarily tried by a stipendiary, police or resident magistrate. I cannot see any reason for removing this provision from the Act. Whether it is desired to have a person who assaults a native tried by someone other than a stipendiary, police or resident magistrate, or whether it is felt that such a person can be tried without this provision, I do not know. It is doubtful whether a charge could be made if there were no provision for a native's being tried summarily. The position is well worth an inquiry by the Minister. The section was not put into the Act without good reason. Unless the Minister gives a good explanation in respect to the proposal in the Bill, I shall vote against Clause 60.

The Minister for the North-West: Have you found one you have agreed with yet?

Hon. N. E. BAXTER: Clause 66 seeks to repeal Section 70, which is another protective provision for the native. It seems that throughout the Bill the aim is to delete many of the protective sections.

Hon. L. Craig: There would still be the common law.

Hon. N. E. BAXTER: Yes; but we are all subject to common law. The position with regard to our native population is very different. These protective clauses should be left in the Bill in the best interests of the natives. I trust that when we get into Committee, these matters will be ironed out; and that anything that is a safeguard for the native, no matter how trivial a safeguard it may be, will be retained. I support the second reading.

HON. L. C. DIVER (Central) [4.58]: I think we all want to see the coloured people of Australia improve their lot. We would like them to take their place with the whites; but we have to be realists, and appreciate that it will be many years before such a state of affairs, no matter how desirable it may be, will come about.

When dealing with the welfare of natives it would be as well for us to consider what the reaction of the members of the Police Force would be towards this legislation. From time to time disturbances occur in the country districts, or even closer, in suburbs such as Bassendean. On such occasions, natives who are charged with liquor become extremely violent.

Hon. C. W. D. Barker: There is no reference to liquor in this Bill.

Hon. L. C. DIVER: Is there not? There are none so blind as those who will not see. I will deal with that aspect later. Are we to pass legislation that will place our police in the position that they will be unable to carry out their duties? Let any member who wishes to interject consult any member of the Police Force in a country district who has had to contend with drunk and violent natives. The situation is becoming intolerable for those officers. As much as I would like to see the lot of the natives improved, I would not care to have the State lose the type of policeman we have at the moment. I am anxious to foster the welfare of natives as much as any member; but let us look at the problem from a balanced point of view.

Hon. C. W. D. Barker: Well, what do you suggest?

Hon. L. C. DIVER: I do not altogether agree with Mr. Baxter's remarks. I would be quite prepared to allow natives to have

citizenship rights and accept responsibility in the same way as whites and, should they offend in any way, to be dealt with under common law. But what is the price the whole of the community has to pay to grant the natives such freedom?

I do not suppose there is any other man who can speak with such authority on this question as Mr. B. W. Leake of Cardonia, Kellerberrin. Recently, he sent to the Press a letter in which he set out his views. His father before him looked after natives and treated them equally as well as white men. Mr. B. W. Leake followed in his father's footsteps, and endeavoured to do his best for the natives by providing work and good living conditions for them. However, with succeeding generations, over a period of 80 years, the position has deteriorated considerably. In his experience, he considers that natives today are not as reliable as those of many years ago.

The Minister for the North-West: They are not so dependent.

Hon. L. C. DIVER: The whole of life is based on dependence. If one cannot depend on an individual he is immediately written down in one's estimation.

The Minister for the North-West: The native is not so dependent these days as was the case in the early days.

Hon. L. C. DIVER: I cannot quite follow the Minister.

The Minister for the North-West: The native is not so dependent upon his employer as was the native in the early days.

Hon. L. Craig: In other words, he is more independent.

Hon. L. C. DIVER: I could not understand the Minister for a moment. The Minister may be correct in his contention; but the native today is handling far more money than he did in the days of yore. But what is he doing with it? Is he improving his living standards? I do not think he is.

The Minister for the North-West: Some are.

Hon. L. C. DIVER: Yes; but they represent only a small percentage, and we can welcome them into our community. Only a small percentage of natives are being assimilated.

Hon. L. Craig: It used to be none, you know.

Hon. L. C. DIVER: I could go back over the years and name some very fine native citizens. I know of one caste native who is an excellent farm hand; in fact, he owns his farm. However, men of his type are extremely rare. That is the position we have to face. Whilst I wish to be one of those who are willing to thrust more responsibility upon these people, at the same time we have to consider our own community in taking such a step.

Hon. C. W. D. Barker: This Bill is only taking the matter a small step forward.

Hon. L. C. DIVER: In some respects, but not in others. In regard to the amendment to Section 50, I have here a few telegrams from hotel proprietors protesting against it. One of them has been read out by Mr. Baxter. Another, from Mr. Williams of the Quairading hotel, reads as follows:—

> Earnestly request you oppose entirely proposed amendment to Section 50 of Native Welfare Act. Minister's statement that such amendment is suitable to hotel keepers exists only in his imagination.

That is to the point. I can realise his position. It is the caste native who holds citizenship rights who obtains liquor and supplies it to others who are not so privileged. If this legislation is passed with that provision in it, the doors of all hotels will be thrown open to natives who hold citizenship rights. Such a native would be able to book a hotel room and then supply liquor to those of his colleagues who did not possess such rights.

I am sure all of us would be pleased to see suitable types of natives granted citizenship rights and thus given the opportunity of becoming well-educated men and women. However, when these amenities are placed in their way, unfortunately they become very violent under the influence of liquor, to which they are very partial, and especially to wine. They will do almost anything to obtain a bottle of wine. That is the point where our responsibility starts and the difficulty begins not only for publicans, but also for members of the Police Force. That is the reason why we should obtain their opinion before we pass this legislation. Until hotel proprietors and members of the Police Force say that they are agreeable to this legislation I do not think it should be agreed to, because I am sure we will have trouble with natives if the amendment to Section 50 is put into effect. However, many other clauses in the Bill are quite satisfactory, and I have no objection to them.

The Minister for the North-West: Do you know the opinion held by members of the Police Union?

Hon. L. C. DIVER: No; that is why I think it is incumbent upon the Minister to obtain an expression of opinion from the Police Union to the effect that its members are quite happy with that provision.

The Minister for the North-West: But is it not their job to interpret the law?

Hon. L. C. DIVER: That may be so; but if the control that is exercised over s.p. betting is any example of how the law is enforced, it does not show much promise of effective control under this provision.

Hon. L. Craig: Did you ask them what they thought of the legislation which has been introduced to deal with the lumpers' dispute?

The PRESIDENT: I would remind the hon. member that we are dealing with the Native Welfare Bill.

Hon. L. C. DIVER: Mr. Barker has referred to the better type of native who is already permitted to enter hotels. No one objects to a good type of native having that privilege; but every member of the community will take exception to the actions of those natives who consider themselves equal to the better-class native, and who become extremely arrogant. Those are the natives who will cause all the trouble if this provision is agreed to. The best thing we can do is to prohibit natives from entering hotels until they hold citizenship rights and can behave themselves. The position should be as Mr. Baxter has expressed it—namely, if in the opinion of the hotel proprietor a native is a fit and proper person, he should be permitted to enter a hotel.

Hon. C. W. D. Barker: Under the charter of human rights I do not think we could refuse them admittance to hotels.

Hon. L. C. DIVER: That may be so; but against the charter of human rights, we have a White Australia policy. If we carried Mr. Barker's sentiments to their logical conclusion, we would allow Chinese coolies the right to enter this country and go into hotels.

Hon. C. W. D. Barker: That has nothing to do with the question.

Hon. L. C. DIVER: Of course it has! It has some reference to human rights. We must have standards, and that has reference to those standards. Mr. Craig asked if the members of the Police Force had agreed to the legislation dealing with the waterside workers' dispute. That is hardly to the point. When I was referring to the reaction of the police, I was pointing out that here we are passing laws for the police to enforce. However, we should not pass legislation that, in effect, will be a barrel of dynamite, and will eventually destroy the freedom of our own citizens. I have spoken to many members of the Police Force who have had practical experience of this problem in outlying places.

In recent years, these people have had more money to handle than ever before, but not one in a thousand has made an attempt to build a home. I say, without fear of contradiction, that the vast majority of natives employed in the agricultural areas receive considerably more than the basic wage every week.

Hon. A. F. Griffith: They even fly down from the North for their holidays.

Hon. L. C. DIVER: It is common knowledge these days that some of the best fares of taxi-cabs are natives. If they want to travel from one part of the State to another to visit relatives, they hire a taxi. They will sleep under a sheet of galvanised iron next to their dogs; yet the next day they travel by taxi to another part of the State to see their relatives. It has been suggested that they should be permitted to lodge at hotels; and if this Bill becomes law, there will be nothing to stop them. With those few observations, I support the second reading. During the Committee stage, I shall oppose Clause 50.

On motion by Hon. J. McI. Thomson, debate adjourned.

BILL—LOAN, £14,808,000.

Second Reading.

Debate resumed from the previous day.

HON. L. A. LOGAN (Midland) [5.17]: I notice that the Government is becoming very generous. Last year I could not find any allocation in the Loan Estimates for the Geraldton harbour works, but this year the Government has given it the magnificent sum of £3,000; so it must be getting very generous.

Hon. A. F. Griffith: It is a high percentage on nothing.

Hon. L. A. LOGAN: It is a big increase on nothing.

Hon. C. H. Simpson: What amount is required? It is £500,000?

Hon. L. A. LOGAN: I do not know. There is one item in the schedule on which I would like some information. Under the heading of "State Saw Mills," £360,000 is made available from loan funds.

Hon. E. M. Davies: It is to help build some of the houses you want in Geraldton.

Hon. L. A. LOGAN: Last year the State Saw Mills made a profit of £77,677 from its ordinary trading, and a profit of £54,221 2s. 7d. from its association with the Wagon Construction Co., derived from the manufacture of rollingstock. I wonder at the necessity for a loan of £360,000 to an undertaking which, if it cannot pay its way today, will never do so, because the demand for and the price of timber is very high, and all timber is sold as first grade. There may be some reason for this allocation, and I want to find out what it is.

I am disappointed that, under the schedule, more money has not been made available for housing in Geraldton. In reply to questions I asked, the Minister stated that, as there is not sufficient loan money available, it is not possible to comply with the request for additional houses. As I pointed out, there were something like 160 applications for homes; but contracts

have been let for only 23, plus four war service homes. This still leaves a deficit of over 120. In my opinion, such a deficit should be sufficient reason for the Government to take further steps to build more houses there. I hope that some portion of loan moneys not expended will be diverted to further the housing scheme in Geraldton. With those observations, I support the second reading. I would like the Minister to tell me the necessity for the allocation of £360,000 to the State Saw Mills, when it should be in such a healthy financial position.

Question put and passed.

Bill read a second time.

In Committee.

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

Clauses 1 to 6—agreed to.

First Schedule:

The CHIEF SECRETARY: Mr. Logan has raised a query regarding the State Saw Mills. I have not available the information to supply the answer; but I have made a note of his request, and, when replying to the debate on the Supply Bill, I shall furnish that information.

Schedule put and passed.

Second Schedule, Third Schedule, Preamble, Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—MOTOR VEHICLE (THIRD PARTY INSURANCE) ACT AMENDMENT.

Second Reading.

Debate resumed from the 9th November.

HON. E. M. HEENAN (North-East) [5.25]: This short Bill proposes to amend the parent Act. The Chief Secretary, when moving the second reading, gave a comprehensive outline of the Bill, and his remarks leave little for me to add. I shall therefore content myself with saying that the proposed amendments are mainly of a machinery nature, while others are designed to clarify certain legal doubts which have arisen in connection with the construction placed on some sections. The amendments should clarify and improve the present Act, and I therefore support the second reading.

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—MARRIED WOMEN'S PROTECTION ACT AMENDMENT.

Second Reading.

Debate resumed from the 9th November.

HON. A. F. GRIFFITH (Suburban) [5.30]: I support the second reading. Mr. Heenan gave us an excellent dissertation on and the Chief Secretary a clear explanation of the proposals in the Bill, and both of them agreed that the court should be empowered to grant the husband access to the children. Mr. Heenan also told us that the court had granted the husband temporary access to the children, and that this had become a sort of accepted practice, though it was not within the provisions of the law. In certain circumstances, it is desirable that the court should have this power. The Chief Secretary has placed two amendments on the notice paper, the second of which will tidy up the last subclause in connection with the payment of maintenance. This is a simple Bill and it calls for no further discussion.

Question put and passed.

Bill read a second time.

In Committee.

Hon. E. M. Davies in the Chair; the Chief Secretary in charge of the Bill.

Clause 1—agreed to.

Clause 2—Courts of summary jurisdiction may include directions as to access in orders:

The CHIEF SECRETARY: I move an amendment—

> That after the word "vary" in line 30, page 2, the words "or suspend" be inserted.

The object of the amendment is obvious.

Amendment put and passed.

The CHIEF SECRETARY: I move an amendment—

> That after the word "fit" in line 32, page 2, the following words be added:—"from time to time whenever the order for access is disobeyed by the married woman."

The object of the amendment is clear; it will complete the intention contained in Subclause (4).

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

Title—agreed to.

Bill reported with amendments.

BILL—TRAFFIC ACT AMENDMENT (No. 2).

Second Reading.

Debate resumed from the 2nd November.

HON. C. H. HENNING (South-West) [5.35]: There are one or two provisions of the Bill that I consider are contentious.

One in particular deals with the half fee for certain vehicles or what is called the concessional licence. We have been told that the Road Board Association has asked for this provision. I am not surprised at that. Over a number of years, this subject has been freely discussed, and there has always been a divergence of opinion between the road boards and the farmers generally.

The proposal is to add to Section 11 of the Act the following words:

> but the provision that one-half of the licensing fee shall be payable is restricted to one vehicle so used in connection with each farm or holding of other land.

What is the definition of "holding"? Does it mean a particular block separated from another block? Does it mean land that was once a farm on which the owner was in residence? Does it mean that each and every one of these blocks shall be regarded as a separate holding? In the event of a partnership, would it be possible for each member of the partnership to have one truck licence? Another question that arises is: Why, after the several provisions for reduced fees, should this apply to the farmers only?

This concession—if it can be called a concession—was granted not 20 years ago but it applied 30 or more years ago to spring carts. About the year 1923-1924, in another place, Sir Charles Latham requested the then Minister for Works to include under the provision for reduced license fees motor-vehicles owned by farmers, but the Minister at the time would have nothing to do with it.

About 1930 or 1931, it was found necessary to make very steep increases in licence fees for trucks. This happened at a time when competition by road transport was being felt rather severely by the railways. When the Bill providing for the increased fees was passed—these fees were three or four times the amounts charged previously—the then Minister for Local Government considered that those people who used the roads most and naturally caused the greatest damage should pay more than those who did not. For this reason the concession was granted to farmers' vehicles which were solely or mainly used in the cartage of produce from the farm to the nearest railway or alternatively to the nearest port.

A farmer's vehicle does not compete with the railways; rather does it feed the railways, and it is used mainly for seasonal requirements. I see no reason at all, acting on the principle that those who cause the most damage should pay the most, why the provision should be altered. It is simple enough to retort that many farmers abuse the concession, but it is the responsibility of the road boards—the people who have asked for this provision—to see that it is not abused. In the Act it is stated—

> but if in the opinion of a local authority any such vehicle is not being used solely or mainly for any one of the purposes specified, the local authority may, by notice in writing sent to the owner at his last place of abode, revoke the licence.

This being so, it appears that the Road Board Association members are definitely trying to evade a certain amount of responsibility. Everyone knows that the owners of a number of these vehicles, not many, do abuse the provisions of the Act, but that is no reason why everyone should be brought into line and that one vehicle and one only should be granted this concession. The proposal might have the blessing of the Road Board Association, but the Farmers' Union does not approve of it. I presume that members have received a letter from the Farmers' Union, dated the 22nd October, in which the following statement appears:—

> We trust that when this matter comes before the House, members will oppose it. Modern farming practices make it necessary for farmers to have more than one vehicle on the property.

The letter goes on to state that invariably it is necessary to have a light vehicle for ordinary farm work and a heavy vehicle for seasonal haulage. I personally see no reason why the concessions should be revoked. There is also the provision dealing with the hauling of farm machinery on roads, and I think the amendment which appears on the notice paper in the name of Mr. Jones, will cover the position there. At present I believe there is some possibility of one section overriding another. The relevant portion of the provision reads—

> And not on any road otherwise than in passing from one portion of the farm or holding to another portion thereof, such portions being separated only by a road.

I do not know whether the provision in the Bill is sufficient to overcome the difficulty; and I would like the Minister, when replying, to tell me whether it is the legal opinion that this portion of the measure will overcome Section 11 of the principal Act. Provided it is in keeping with the regulations, with regard to safety, I believe reasonable allowance has to be made for the farmer moving heavy farm machinery. Modern farm practices are requiring more and more and larger machinery. A farm machine is only a tool of trade of the farmer; and it is necessary for him on a number of occasions to move his machines along the roads. Therefore, rather than make it difficult for him to move his machinery, we should do everything possible to help him and

ensure that he is put to the least possible inconvenience in that regard, provided always the proper safety precautions are observed. I support the second reading.

Question put and passed.

Bill read a second time.

BILL—PHARMACY AND POISONS ACT AMENDMENT.

Second Reading.

Debate resumed from the 3rd November.

HON. J. G. HISLOP (Metropolitan) [5.47]: My remarks on this measure will be brief and simple. I believe the Bill is essential for two main reasons. First of all, I have always maintained that any human being should have freedom of choice as to his medical attendant; and, consequent upon that, a free choice as to his pharmacist. It is essential to maintain the faith of the patient in the person who is acting as the guardian of his health; and if I write out a prescription for a patient, I think he should have the freedom to take it to whatever pharmacist he wishes to compound it.

There is in a Bill of this sort, the difficulty that if a medical practitioner has his rooms close by a pharmacist's shop in which he has a financial interest, he may be induced to send his patient to that pharmacy for the dispensing of the prescription, and no member of the profession to whom I have spoken regards that as being right. In the relationship between medical practitioner and pharmacist it must always be remembered that we of the medical profession do rely on the pharmacist to act as a guardian, as it were, in regard to the prescriptions that we write out. To err is human; and I suppose that each of us, occasionally, during a lifetime of practice, in a busy moment or when our concentration has been diverted, makes some small error in a prescription.

There are times, for instance, when some item in a prescription which we write out might not be obtainable, or we may have ordered a dose which is not made up by the firm whose name we have indicated on the prescription. Minor details of that nature are rectified by the pharmacist, who will ring the practitioner and discuss the matter with him. It may be, of course, that a mistake could be made which would be injurious to the patient; and then the pharmacist, trained as he is in the compounding of prescriptions, is a great safeguard to both the patient and the medical practitioner.

The second main reason why I support this Bill is that under the various schemes existing today, such as the free medicine provisions, and the legislation providing benefits for pensioners—there could be collusion between doctor and pharmacist if the medical practitioner had a financial interest in the pharmacy, because in such circumstances over-prescribing would be a temptation. I will not say that it would occur in many instances; but that it could take place is agreed upon by all of us who know anything about the practices of medicine and pharmacy; and I believe this measure is a safeguard, not only for the medical profession, but also for the people of the State, in that the profession will be limited to the practice of medicine and will not be able to have a financial interest in a pharmacy.

A question has cropped up relating to individuals who hold both medical and pharmaceutical qualifications. In such circumstances, my view is that the individual concerned should be entitled to choose in which sphere he will continue to earn his livelihood. I would have liked to go a little further and say that the individual should declare under which heading he should be known. Members of the profession, and certain members of the council of the B.M.A. to whom I have spoken, agree with me, although such a provision is not included in the measure. I commend the Bill to the House and stress that the main danger that it will avert is the possibility of over-prescribing, while it will ensure that the individual is not deprived of his free choice of a pharmacist, which we would deplore.

HON. R. J. BOYLEN (South-East—in reply) [5.55]: There is little I wish to add except to express my appreciation of Dr. Hislop's remarks in support of the Bill. I agree that a person holding both medical and pharmaceutical qualifications should have the choice as to the heading under which he is to earn his livelihood, but I should think that in the first place he generally becomes a medical practitioner. I know that there are many pharmacists who have made up their minds that their sons shall be trained in medicine rather than in pharmacy.

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—MINES REGULATION ACT AMENDMENT (No. 2).

Second Reading.

Debate resumed from the 26th October.

HON. J. J. GARRIGAN (South-East) [5.57]: I rise to support this Bill, which contains some small amendments, and

which does not seek to do any injustice to the parties concerned. The reporting of the more serious accidents in mines has been the duty of mine managements over the years, the report being made to the workmen's inspector, the Government inspector and the Mines Department. I cannot see that much extra work would be involved in reporting the accident also to the secretary of the A.W.U.. as that would require only another sheet of paper. I have been on the management committee of the union for many years, and I know there is an enormous amount of book work involved in relation to accidents in mines; and that if the secretary of the A.W.U. could be given a report of the accidents that occur, it would simplify things for him greatly.

The next amendment in the measure is not as serious as Mr. Simpson would have us believe. For 24 years, up to just prior to entering this House, I worked underground on the mines, in all departments; and in my view, all this amendment would do would be to incorporate in the Act the 7½-hour day which the men are at present working, together with the five-day week; whereas previously they worked for 7 hours 12 minutes, six shifts per week. Surely there is nothing contentious about this!

The statement was made by Mr. Simpson that he had worked underground in 1914; and I can inform the House that the Kalgoorlie and Boulder cemeteries tell the story of those times. In those days men working in the mines worked very hard, for long hours and under extremely bad conditions as to ventilation, and in other respects. Today the conditions are excellent, and the men work a 7½-hour day five days per week under good conditions, about which they are quite happy. I trust that every member in this Chamber will support the Bill.

HON. R. J. BOYLEN (South-East) [6.0]: I support the Bill for the same reasons as Mr. Garrigan. There are only two small amendments, and for the life of me I cannot see why they should receive any opposition. There is a provision that certain people shall be advised of mine accidents. It is usual to advise the secretary of the mining division of the A.W.U. of serious accidents, fatalities and suchlike; but it has not been the custom to advise the A.W.U., which is the main union controlling the interests of workers in the goldmining industry, of other than serious accidents.

A mining accident could occur which, although it might appear to be only of a minor nature, could develop serious consequences. The worker could knock off work; and after a few days—or maybe a week—go by, the injuries develop into something more serious. If no provision is made for the secretary of the union to be advised, a man may be deprived of certain of his rights. Many of these people do not know the modus operandi; and, as a result, are likely to deprive themselves of certain benefits to which they are entitled, such as workers' compensation and the like. If the secretary of the A.W.U. were advised, he could be in a position to tell the worker what he should do. He could appraise the effects of the accident and probably save a considerable amount of time and trouble.

As far as the hours question is concerned, it seems to me only logical to say that the hours shown in the Mines Regulation Act shall be the same as those in the award. This will merely bring the Act into line with the award made by the Arbitration Court. Previously workers worked for five days a week, seven hours 12 minutes a day, and a four-hour shift on Saturdays. The Arbitration Court has made the hours 7½ per day, and has stipulated a five-day week, making a total of 37½ hours. The position is not as Mr. Simpson stated. He said that it applied only to underground workers handling machines; it applies to all underground workers.

Hon. C. H. Simpson: I did not question the hours worked.

Hon. R. J. BOYLEN: One member said that it applied only to those working machines underground; it applies to all who work underground. It is the custom, in many industries today to work a five-day week, and the Arbitration Court has seen fit to award that to underground workers. As it is an Arbitration Court award, I think the Mines Regulation Act should be brought into line, and I support the second reading of the Bill.

HON. H. K. WATSON (Metropolitan) [6.3]: In the few minutes available to me I would like to give some reasons why I intend to oppose the Bill; and I trust that it will not be read a second time. Firstly, members will notice that this is the second Bill we have had this session to amend the parent Act. As I said earlier in the session, I feel that departmental officers and Ministers in charge of them should bring amendments to Acts down in the one Bill and not tinker with statutes and introduce two or three amendments in the same session. On principle, I hope that the House will record its disapproval of that practice by voting against the measure.

So far as the merits of the Bill are concerned, I see no reason why the Secretary of the A.W.U. should be notified of any accident. Under the Act as it stands, if an accident occurs the mine has to notify the department; and the department, in its turn, notifies the secretary of the Chamber of Mines and the secretary of

the union. In my opinion that is all that is necessary; and if the provision in the Bill becomes law, it will do nothing but provide the union secretary with an opportunity, and perhaps an unwarranted opportunity, of unduly entering the mine, making a nuisance of himself, and interfering in the ordinary work of the men.

The Minister for the North-West: They do not do that.

Hon. C. H. Simpson: They have a workmen's inspector.

Hon. H. K. WATSON: The possibility is there. I suggest that the provision now in the Act is quite sufficient. So far as the other provision of the Bill is concerned, I suggest that it does nothing except demonstrate that Sections 36 to 39 inclusive of the principal Act have no right to be there at all. Those sections relate entirely to the conditions and hours of employment.

It has always been a principle in this State that those matters should be under the jurisdiction of the Arbitration Court; and in the mining industry the hours and conditions of employment are fixed by the Arbitration Court. It so happens that most of the sections to which I have referred have, for many years, been suspended by proclamation. That in itself demonstrates the futility of having them in the Act; and my own personal opinion is that they should not be there at all.

These sections should be struck out of the principal Act and this would make it clear that Parliament adheres to the principle that hours of employment are not a matter for Parliament, but for the Arbitration Court. As the Minister said when introducing the Bill, the amendment has arisen simply because the Arbitration Court in its wisdom has varied the hours previously fixed from seven hours 12 minutes per day, with a 40-hour week, to 7½ hours for a five-day week, making a total of 37½ hours. This measure proposes to make the principal Act coincide with the latest decision of the Arbitration Court.

Hon. H. Hearn: They might make a further amendment shortly.

Hon. H. K. WATSON: If, in another two or three months, the Arbitration Court altered the hours again, we would be faced with the ridiculous position of having a further Bill introduced to alter the hours once more. In my opinion those sections should be deleted altogether; and if the Government is not prepared to do that, I see no reason why the Bill should be passed at the second reading stage. I intend to vote against it.

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

House adjourned at 6.10 p.m.

Legislative Assembly

Thursday, 11th November, 1954.

CONTENTS.

The SPEAKER took the Chair at 2.15 p.m., and read prayers.

QUESTIONS.

COMMONWEALTH FILMS DIVISION.

As to Recording State Development.

Hon. A. F. WATTS asked the Premier:

(1) Is there a Commonwealth Films Division?

(2) If so, does this division produce documentary films for the Department of the Interior, and also for "The Australian Diary?"

(3) Did it some years ago produce a very excellent film on the goldmining industry of Kalgoorlie and the surrounding areas?