

Legislative Council

Wednesday, the 11th November, 1959

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

CEREMONY AT WAR MEMORIAL

President's Thanks

The PRESIDENT: Before proceeding with the business of the House I would like to take the opportunity of thanking all those who attended the ceremony at the War Memorial this morning. It is a great honour to be installed as Warden of the State War Memorial, and may I emphasise that I regard it as a tribute to Parliament. The presence of so many of my friends this morning was gratifying.

QUESTIONS ON NOTICE

TARRAJI ROAD PROJECT

Allocation of Money

1. The Hon. W. F. WILLESEE asked the Minister for Mines:

With reference to the Tarraji road project in the Derby area for trucking cattle—

- (a) has an allocation of money been made for this area;
- (b) if so, how and when will it be spent?

The Hon. L. A. LOGAN (for the Hon. A. F. Griffith) replied:

- (a) Funds have been made available for work on the road to Tarraji Station.
- (b) The work is now being carried out by the West Kimberley Road Board.

VACATION AND TOURIST RESORTS

Organised Survey of Potential Sites

2. The Hon. J. M. A. CUNNINGHAM asked the Minister for Mines:

- (1) Has the Government made any organised survey of suitable potential sites for vacation or tourist resorts in or around the coastline of Western Australia?
- (2) If so, is any of the information available to interested investors?
- (3) To whom would interested parties apply for advice or information?

The Hon. L. A. LOGAN (for the Hon. A. F. Griffith) replied:

- (1) Preliminary investigations are being carried out by the Lands Department in regard to areas between Busselton and Albany.
- (2) and (3) Investigations are proceeding, and advice will be given to interested investors. In the meantime, anyone interested should contact the Tourist Bureau.

HIGH SCHOOLS

Qualifications of Senior Masters

3. The Hon. J. M. A. CUNNINGHAM asked the Minister for Mines:

In view of the assurances given in the answers to questions asked by me in the House last week, concerning qualifications required for the appointment of senior masters to high schools, will the Minister advise the House—

- (1) Is it true that the following teachers have been appointed to fill the positions of senior masters—

(a) Mr. P. Nelson, to Curtin High School;

(b) Mr. C. Tilbrook, to Armadale High School;

(c) Mr. M. Walker, to Kent Street High School?

- (2) What degrees or certificates are held by each of these teachers?

The Hon. L. A. LOGAN (for the Hon. A. F. Griffith) replied:

- (1) Yes.
(2) Diploma of Physical Education in each case to which positions the persons named have been appointed.

An amendment to regulation No. 172 (2) published in the December, 1957, circular stated:—

Senior Assistant—Physical Training.

Regulation 172 (2). The Diploma of Physical Education will be accepted as satisfactory requirements for Senior Assistants in Physical Education.

POLICE FORCE CANTEEN

Goods Sold and Regulations

4. The Hon. L. C. DIVER asked the Minister for Mines:

With reference to the regulations concerning the Police Force canteen which were tabled on the 27th October, will the Minister inform the House—

- (1) Where the canteen is located?
(2) Whether any drinks or goods other than "liquor" as defined in the regulations are sold?
(3) If the answer to No. (2) is in the negative, what provision is made for members

of the force who do not take alcoholic liquor?

- (4) As the canteen is not subject to inspection in the same way as licensed premises, what provision exists for the proper observance of the regulations?

The Hon. L. A. LOGAN (for the Hon. A. F. Griffith) replied:

- (1) At police headquarters, James Street, Perth.
(2) Soft drinks, cigarettes, and tobacco are also sold.
(3) Answered by No. (2).
(4) The canteen regulations are made under section 9 of the Police Act, and its operations are subject to the normal disciplinary regulations of the department.

The canteen is therefore subject to inspection at any time, and at all times, by senior officers of the department.

Breaches of the regulations may be dealt with as breaches of discipline.

STATE SHIPPING SERVICE

Trips to Darwin, and Berth Accommodation

5. The Hon. G. BENNETTS asked the Minister for Mines:

- (1) Which ships have made round trips to Darwin, and on how many occasions since the 1st January this year?
(2) How many berths are available in such ships?
(3) How many berths were actually occupied on the outward and return journeys on each occasion?

The Hon. L. A. LOGAN (for the Hon. A. F. Griffith) replied:

- (1), (2), and (3)

Name of Ship	No. of Trips to Darwin	Berths Available	Berths Occupied	
			Embarked Fremantle	Disembarked Fremantle
Koolama	6	58	(7/2/59)	61
			(10/3/59)	47
			(6/6/59)	51
			(13/7/59)	56
			(10/9/59)	54
			(15/10/59)	Trip not complete
			(18/4/59)	42
			(23/5/59)	30
			(2/7/59)	56
			(15/8/59)	58
Koojarra	6	61	(23/9/59)	62
			(3/11/59)	Trip not complete

Name of Ship	No. of Trips to Darwin	Berths Available	Berths Occupied	
			Embarked Fremantle	Disembarked Fremantle
Kabbarli	7	37	(14/2/59)	24
			(26/3/59)	21
			(7/5/59)	26
			(16/6/59)	30
			(28/7/59)	38
			(5/9/59)	43
			(24/10/59)	Trip not complete
Dorrigo	2	Nil		
Dulverton	7	Nil		
Delamere	5	Nil		

In some instances figures shown for "Berths Available" have been exceeded by the figures in the columns headed "Berths Occupied."

This is explained by extra accommodation being made available and refers mainly to that allotted to children—two in a berth, or in cots, etc.

Empty berths, outward and return, result from several causes beyond the control of the State Shipping Service. Some of these causes are

- (a) Cancellations being made at too short notice to enable State shipping authorities to refill the berths.
- (b) Unsuccessful attempts to fill berths on the northward voyage that have been reserved for south-bound passengers as part of a policy of giving special consideration to *bona fide* residents in the North.

TOBACCO SUPPLIES

Withholding by Wholesalers

6. The Hon. G. E. JEFFERY asked the Minister for Mines:

In view of the statement which appeared in *The West Australian* on Saturday the 7th November, 1959, indicating the threatened withholding of tobacco supplies by wholesalers from T. E. Wardle for sales at reduced prices, will the Minister inform the House—

Is this a breach of the Monopolies and Restrictive Trade Practices Act?

- (a) If so, what action does the Government intend to take?
- (b) If not, will the legislation proposed to replace the Monopolies and Restrictive Trade Practices

Act include provision for the prevention of this restrictive trade practice?

The Hon. L. A. LOGAN (for the Hon. A. F. Griffith) replied:

The information as set out in the Press statement does not show any action which would be contrary to the provisions of the Act.

(a) Answered by No. (1).

(b) It is not usual to disclose details of legislation before its introduction to Parliament.

PENSIONERS AT SUNSET HOME

Number Accommodated, and on Waiting List

- 7A. The Hon. J. D. TEAHAN asked the Minister for Mines:

- (1) What number of male pensioners is at present accommodated at Sunset Home?
- (2) What is the number on the waiting list?

The Hon. L. A. LOGAN (for the Hon. A. F. Griffith) replied:

- (1) 415.
- (2) 19.

PENSIONERS AT MT. HENRY HOME

Number Accommodated, and on Waiting List

- 7B. The Hon. J. D. TEAHAN asked the Minister for Mines:

- (1) What number of female pensioners is at present accommodated at Mt. Henry Home?
- (2) What is the number on the waiting list?

The Hon. L. A. LOGAN (for the Hon. A. F. Griffith) replied:

- (1) 378.
- (2) There are 50 urgent cases being cared for at home or in hospitals. In addition, a considerable number have lodged applications anticipating need for institutional care.

CLOSING DAYS OF SESSION

Suspension of Standing Orders

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [4.42]: I move—

That during the remainder of the session so much of the Standing Orders be suspended as is necessary to enable Bills to be passed through all stages in any one sitting, and all messages from the Legislative Assembly to be taken into consideration forthwith.

In moving this motion I wish to assure members, on behalf of the Leader of the House—who unfortunately is ill today—that this motion, which it is usual to move towards the end of the session, will not be used for the purpose of any bulldozing; and that every opportunity will be given to members to debate Bills before the House.

THE HON. A. L. LOTON (South) [4.43]: I do not think anyone would object to the first reading, the second reading, and the Committee stage of a Bill being taken on one day, but I would like, if possible, for the third reading to be taken the following day, so that when legislation is brought here hurriedly there will be an opportunity of recommitting it on the following day. I would like the Minister to ask his colleague, the Minister for Mines, for an assurance that, where practicable, this will be done if members agree to the suspension of Standing Orders.

THE HON. H. C. STRICKLAND (North) [4.44]: As the Minister said, this is the motion usually moved towards the close of the session; and I was wondering, in view of the Minister having moved the motion, whether he could advise members of any target date that may have been set for the closing of the session.

THE HON. L. A. LOGAN (Midland—Minister for Local Government—in reply) [4.45]: I will pass on Mr. Loton's suggestion to the Leader of the House; and I am sure he will co-operate in that respect. In reply to Mr. Strickland, I can only say that I do not know of any particular date having been set down for the closing of the session; although we want to finish by the end of this month. That is as far as I can advise members at present.

Question put and passed.

ROAD DISTRICTS ACT

Disallowance of Kalgoorlie Commonage By-laws

THE HON. E. M. HEENAN (North-East) [4.46]: I move—

That commonage by-laws made by the Kalgoorlie Road Board under the Road Districts Act 1919-1959, published in the *Government Gazette* on the 16th October, 1959, and laid on

the Table of the House on the 27th October, 1959, be, and are hereby, disallowed.

These by-laws, which are causing grave concern to dairymen and a large proportion of the general public on the Goldfields, were recently gazetted by the Kalgoorlie Road Board, pursuant to its powers under the Road Districts Act 1915-1956. Although no such by-laws have existed in the past, they have now been brought into being by the Kalgoorlie Road Board for the purpose of conserving what is known as the green belt; and that object is an entirely laudable one. We are all aware of the fact that conditions are very dry in Goldfields towns, and it is necessary to encourage the growth of trees and lawns in order to keep down the dust menace so far as possible. In so far as that is the object of the by-laws, I am prepared to concede that they are entirely worthy; but there is also another side to the picture.

I am going to ask members to bear in mind the important fact that no by-laws similar to these have existed in the past; and the cities of Kalgoorlie and Boulder have managed to get along quite well without them. I think both cities are pleasanter and more favourable places in which to live nowadays than they ever were in years gone by. I will now acquaint the House with some of the by-laws with which I am concerned. They relate to the common, which I understand to be that area of land within a radius of five miles of the Kalgoorlie Town Hall and within a radius of five miles of the Boulder Town Hall.

Some of my colleagues are better acquainted with the details in this regard than I am, and will be in a better position to enlighten the House on those aspects. However, these by-laws are what are called commonage by-laws and the following are some of the provisions contained therein:—

1. All stock running on the commons otherwise than in accordance with the following by-laws shall be treated as trespassing stock.

2. No stock of any description shall be allowed to depasture on the commons free of charge.

3. The following charges shall be payable in advance in respect of all stock running or depasturing upon the commons—

- (a) cattle £5 per head per annum, £2 10s. per half year or £1 5s. per quarter or part of a quarter.

That is not the whole of the third by-law, but it is all that concerns me here, as the balance relates to horses, sheep and goats. Others of the by-laws state—

4. The number of head of stock allowed to be run or depastured on the common by any person, firm or company, shall be decided by the

Board, and the maximum number of stock allowed to run or depastured on any one common by all owners at any one time shall be:—

(a) Cattle. A maximum of 100 head of cattle on any one common.

7. It shall be compulsory for all persons making use of the commons as hereto-before mentioned, to furnish the Secretary of the Board or the ranger of the Common, with a list giving a correct description of all stock placed by them upon the common, 24 hours prior to placing such stock thereon; in the case of his failure to do so the stock of the person concerned shall be liable to be impounded.

9. Stock proved to be accidentally upon the common shall not render their owners liable to pay common fees, but shall be treated in all respects as trespassing stock.

14. Notwithstanding anything herein contained the Board shall at all times have power to order the shifting or removal of stock found to be grazing in concentrated numbers to the detriment of the Common.

Those are some of the proposed by-laws objected to by the dairymen of Kalgoorlie and Boulder. I have received a circular letter, which has been addressed to all Goldfields members, dated the 31st August, 1959, and it reads as follows:—

We the undersigned wish to bring to your notice that there is a set of By-laws being formed by the Kalgoorlie Road Board to close the Commonage or alternatively to charge an exorbitant fee for the right to depasture cattle thereon.

We are running between us three hundred and fifty cattle and producing in the vicinity of 250 gallons of milk daily.

If those by-laws are sanctioned it means our life's hard work and savings are being slaughtered for no apparent reason.

The only dust storms here for the past 60 years have come from the slime dumps at the mines and no-body can control this.

We solicit your best endeavours to refute this and we feel sure you will, as a sane person, see the amount of damage to the community who want fresh local milk for their babies.

Trusting to receive your support and thanking you in anticipation,

We remain,

Yours respectfully,

J. A. Thorn, Overland Dairy.

R. Pollard.

P. J. Condren.

That letter was followed by another dated the 9th November, 1959, from P. J. Condren, but I will read only one paragraph of it to the House. The paragraph reads as follows:—

After the struggle I had to rear 14 children it's heartrending to have my life's hard work and savings taken on by an irresponsible fanatic. Hoping you and your colleagues will be successful in turning the tables and giving us poor slaves a bit of justice.

Your sincere friend,

P. J. Condren.

To give Mr. Condren his due, he has been carrying on business as a dairyman for many years. He has stood fast by his occupation through good times and bad; and he is one of those primarily responsible, at present, for maintaining a supply of fresh milk to the people on the Goldfields. Whether that service is deserving of some consideration is a matter for the House to decide.

I also have here a letter dated the 9th November, 1959, signed by Messrs. R. Pollard and A. Thorn, who are dairymen in a similar category to Mr. Condren in that they are not newcomers to the Goldfields, but have been carrying on their occupations as dairymen for many years past through both good and bad times. If their argument carries any weight, it is obvious that these by-laws will inflict real hardship on them. For what it is worth, the letter reads as follows:—

I wish to bring to your notice the shameful injustice being handed to us dairymen on the Goldfields through the medium of a proposed green belt.

It is significant that the Kalgoorlie Council or the Boulder Council are not associated with this project. Again, the Kalgoorlie Road Board has very little territory that would benefit by a green belt. There is still hundreds of thousands of tons of slime dumps to create dust which they can never eliminate. There are also bulldozers working in different parts of the towns that create dust.

We, the dairymen, are providing both Kalgoorlie and Boulder with fresh local milk of a far higher standard than milk which is brought from Perth nearly a week old. We also supply the public with manure for their gardens; the demand for it is so acute we have to ration it.

I would ask you gentlemen to consider my case, who has been in the industry since 1911. I went through two wars, the 1914 drought and the depression which I went through with my wife and 10 children—

The Hon. G. Bennetts: That is Condren,

The Hon. E. M. HEENAN: No, this is Thorn; Condren had 14 children.

—on a weekly income of 50s. being broke and out of business, and to think that as soon as I got a bit of a stake to tide me over my old age it's being swiped from me to boost the ego of a fanatic. I may mention here I've never had twopence worth of assistance from either the Government or anybody else, and seeing that I reared 14 children—

Apparently he has his numbers mixed.

—I've been handed a leather medal for my efforts.

To the Members outside our district who don't know the set-up here I would ask for your support. At the rate our privileges are being filched from us you may have your turn next.

This matter has already received some publicity on a prominent page of the *Kalgoorlie Miner* in its issue dated the 5th November, 1959. That article pointed out that the dairymen claim that these by-laws could force them out of business. I hope the House will support the Goldfields members in having this motion carried. I must admit that I have not had adequate opportunity to hear the point of view of the Kalgoorlie Road Board; possibly that viewpoint may temper some of these rather drastic by-laws which it proposes.

Prima facie it does seem that these by-laws are far-reaching, especially as we have managed to get on without them all these years. There are now apparently only three or four dairymen left in Kalgoorlie. They supply milk of a high standard, and I think they supply a real want. Of course the people on the Goldfields have to be careful that a state of affairs is not allowed to come into existence which will force the dairymen out of business.

The Kalgoorlie Road Board should have another look at these by-laws, and perhaps bring forward a set which will exclude dairy cattle. Rather than move the present motion to disallow the by-laws *in toto*, I did consider the drafting of amendments to modify the by-laws in such a way as to protect the dairymen; but I found it very difficult to do so. Rather than allow the by-laws to be adopted, we, as representatives of the Goldfields, decided to move this motion. If it is carried, perhaps the Kalgoorlie Road Board will be able to bring forward, next year, by-laws which will be fair to all concerned.

In view of the fact that so much time had gone by before these by-laws were brought forward, it appears to me that if the matter is left over to the next session of Parliament, the Kalgoorlie Road Board could bring forward another set of by-laws which would not harm the dairymen. We would not then oppose those by-laws.

THE HON. J. J. GARRIGAN (South-East) [5.31: I support this motion to disallow the by-laws. Firstly, in fairness and in justice to all parties concerned, members of Parliament representing the area concerned should have been given more notice of these by-laws; we could then have made more research into the matter, before it reached this House.

I must support the move to disallow these by-laws which affect the dairymen in Kalgoorlie. They are the pioneers of the Goldfields, as are their sons and daughters. Anyone who has run a dairying business knows the hard work that is connected with the running of a dairy herd. If these men are to be put out of the industry in which they are engaged, they will find it very difficult to secure suitable employment.

We have heard a great deal about the green belt around towns and cities in various parts of Australia. I was in Broken Hill a few years after the green belt was established. I found it to be useless. If you, Mr. President, had been on the Goldfields last week when a 50-mile per hour storm was blowing, you would have seen the dust which was caused by that storm. The dust was not caused by the cattle, goats, or any other type of stock.

I say again that in fairness to all parties concerned, an examination should be made of the dust created by mining operations and from slime dumps. Practically all the dust on the Goldfields comes from those sources. On the Goldfields we experience south-easterly and easterly winds, and they are the means by which the dust nuisance is created.

The dairymen on the Goldfields established their industry over many years, and the product of the industry has proved to be an amenity to Goldfields residents. The industry was established long before bottled milk was first imported into the Goldfields.

Often in this House we have talked about the necessity to decentralise, but we do not do anything about that matter. If we adopted these by-laws we would be impeding the process of decentralisation by driving the dairymen out of existence and depriving the people of the outback areas of this State of a most essential commodity.

It may be easy to run dairy herds in the South-West and in many other parts of the State, but on the Goldfields the dairymen have to hand feed the stock. We all realise what that entails. Chaff, bran, oats, and other cereals have to be hand fed to the cattle. Furthermore, the cattle require a mixed fodder; and they have to be provided with scrub feed, grass, and other types of fodder.

The dairy herds do no harm by roaming on the commons, reserves, or vacant allotments. I suggest to the Kalgoorlie Road Board that it should have another look at the by-laws and resubmit a new set in the next session of Parliament so that more consideration and research can be given to the matter.

THE HON. R. F. HUTCHISON (Suburban) [5.7]: I support the motion, which deals with the dairying industry on the Goldfields. It is most essential that we take some action to preserve the fresh food supplies in the outback areas. I was a mother who lost a baby during its infancy. That was caused by the lack of fresh milk in the outback areas of this State. I might have been able to save the baby had fresh milk been available. I can vouch for the fact that the fresh milk obtainable in Kalgoorlie is far above the quality of some of the milk obtainable in the metropolitan area.

The Hon. F. R. H. Lavery: It tastes like milk. The product which is obtainable in the city does not taste like milk.

The Hon. R. F. HUTCHISON: It certainly is of high quality. In these days there is too much readiness to sweep away the amenities which belong to the residents of the outback. In earlier days, dairying was a very highly prized industry. I cannot understand any authority desiring to interfere with the fresh food supply of a community—a supply on which babies are reared. I cannot agree to any attempt to close the dairying industry in a place like Kalgoorlie.

I hope that consideration will be given to the disallowance of these by-laws. They should not be passed, unless some reason, better than the one now given, is put forward. We seem to be too ready to sweep away the amenities which are useful to the people of the outback.

I do not know whether fresh milk can be imported into Kalgoorlie. If fresh milk is sent from Perth to Kalgoorlie, it would not be very fresh by the time it arrived, because I know that milk deteriorates very quickly. With the present facilities available to us, it is not possible to transport milk over that great distance successfully. This brings me back to the conditions which applied years ago when the people in the outback had to resort to tinned powdered milk. Sometimes this type of milk upsets the stomachs of children in the dry areas.

We should agree to this motion and endeavour to assist the dairying industry in Kalgoorlie. If the by-laws are passed, the dairymen will be deprived of their livelihood. That would be very unfair.

THE HON. G. BENNETTS (South-East) [5.11]: I support the motion moved by Mr. Heenan. During the last month I made an inspection of the whole area in which the dairymen concerned are established. A fortnight ago I visited the area on the other side of Brown Hill; I visited the dairy of Mr. Thorn, which is situated about five miles from Kalgoorlie, between Brown Hill and the slime dumps of the mines.

Each dairyman in Kalgoorlie runs about 80 head of cattle. Mr. Thorn is operating on the other side of Brown Hill—on the

property first established by the late Mr. Alfred many years ago. The latter brought his original stock from the Eastern States and established his dairy on the east side of Boulder about 1908 or 1910. This dairy has been operating ever since, and it has now been taken over by Mr. Thorn.

In a period of a few months, Mr. Thorn lost several head of cattle as a result of the cyanide from the slime dumps poisoning the grazing land. The rain washed the cyanide down from the dumps on to the land. He suffered a great hardship.

Another dairyman, Mr. Pollard, is established on the other side of Williamstown, which is also in the district of the Kalgoorlie Road Board. Mr. Condren, another dairyman, lives in Boulder.

Neither the Boulder Municipal Council nor the Kalgoorlie Municipal Council has raised any objection to dairy cattle grazing on commonage. The by-laws placed on the table of this House have been made by the Kalgoorlie Road Board.

These dairymen are quite aware of what is likely to take place when their cattle roam. They take their herds out of the paddocks to enable the herds to graze a little along the roadsides; they then take the herds back to the paddocks where the cattle are hand fed. The dairymen take great care of the cattle.

As members are aware, cattle must have a certain amount of scrub feed, or roughage. The dairymen at Williamstown and Brown Hill take their cattle out into the bush and allow them to obtain roughage, before bringing them back and hand feeding them. These dairymen are playing a very important part in supplying a fresh food product to the people of the Goldfields; and they have done so for many years.

Between them, these dairymen are supplying 300 gallons of fresh milk per day to the people of the Goldfields. That is a great help. Mr. Thorn, one of the dairymen to whom I referred, has applied for an area of land upon which he intends to raise his herd. This is an area at Karalee. I have been in touch with the Lands Department over this application. He intends to raise his cattle on this land, and to bring the cattle to Kalgoorlie as and when they are required. So, these men are making some effort to protect the Kalgoorlie district.

If these by-laws are disallowed on this occasion, the Kalgoorlie Road Board can submit another set in the next session of Parliament. By then these dairymen may have been able to obtain land further out from Kalgoorlie upon which to rear their cattle.

Only recently the dairies were brought up to the standard required by the Milk Board, which is pretty rigid. I think Mr. Condren spent just over £2,000 on renovations. If the by-laws are agreed to, the

dairymen will be required to pay £5 a head for their cattle; but they will not be able to pay that amount.

There is another hardship. On the other side of Brown Hill there is an old chap with about 20 goats. He supplies the young nannies or kids to certain new Australians as a table delicacy. The regulation provides that no billy-goat over the age of six months shall be allowed to exist; he will be shot. I want to know whether a goat has to carry his birth certificate with him. It is ridiculous to have this provision in the by-laws. The man who owns these goats is earning a living; and he has his children to rear. The goats are only allowed on the common for a certain time, and during that period they are being cared for, and then they are brought back into a paddock. The authorities will take the goats from this man unless he pays £2 a head for each one.

Members can see the hardships that will apply to the dairyman and to this man who owns goats. I would not be in favour of anyone raising cattle on the Goldfields for the purpose of fattening and selling them to the butcher.

Within three or four miles of the Kalgoorlie Town Hall, we have an area that is fenced in and used for grazing purposes. What would be worse than having a mob of sheep or cattle grazing so close to Kalgoorlie? I do not see that there would be any hardship if we allowed the position, as it was, to remain for another year, and then to modify the by-laws in some way so that the dairy-owners, and the other individual whom I have mentioned, would be protected. I support the motion.

THE HON. J. D. TEAHAN (North-East) [5.18]: I also protest against these by-laws being gazetted and made effective. If they are passed, a charge of £5 will be made for each head of cattle that one runs or depastures on the common. The common is a big lump of territory adjoining the town. The previous position existed for years; and why these by-laws should suddenly be made, I do not know. Members can readily imagine what they mean to the dairymen on the Goldfields.

It is said that each dairyman has an average of 80 head of cattle. The by-law asks that the money be paid either yearly or half-yearly in advance. So an impost of £400 will be loaded on to the expenses that these people now have to meet. This is just a little bit vicious; £5 for allowing cattle to run on the common is too much.

The position will be that after a while the dairymen will give up; they will not be able to stand this extra charge of £5, and so they will go out of business.

The Hon. G. C. MacKinnon: Do they have to pay it, or can they avoid paying it?

The Hon. J. D. TEAHAN: The by-law states that it shall be paid if the cattle are allowed to run or depasture on the common; so the cattle have only to be on the common at any time at all, and the owners will have to pay. It does not matter how well fed cattle are—and the cattle on the Goldfields are very well fed—they need to run in the open at times.

In regard to the incidence of T.B., quite a high standard is maintained on the Goldfields because the cattle are fairly free from the disease; and the milk is of good standard.

The Hon. G. C. MacKinnon: They should be wholly free from it if the milk is supplied for human consumption.

The Hon. J. D. TEAHAN: They are wholly free. When checks have been made very few affected cattle have been found. For some years now the standard has been high. It is also known that no matter how well cattle are fed, roughage is necessary when they are store fed, so that they may maintain a good standard of health.

If we lose these dairy herds, as we will finally, it will mean that another blow will have been struck against decentralisation, because we will be forced to buy our milk in bottles from Perth.

The position is almost nationalised now. When people on the Goldfields have to buy bottled milk from Perth, it will mean that the conditions that we have been used to for years will have been terminated. For that reason we do not want to do anything which will cause the dairymen to go out of business. If they do go out of business, then certain people will come to Perth and there will be fewer numbers employed on the Goldfields. It was truly stated in one of the letters read out by Mr. Heenan, that if these by-laws go through, a similar set could be gazetted for some other district. This matter wants to be nipped in the bud so that we will not reach the stage where we have no local cattle.

I think I have said sufficient to register my protest against the by-laws. Do not let us agree to something that will react against decentralisation. If we do not disallow these by-laws, the people employed in the Goldfields dairies will be forced to seek employment in the metropolitan area. Let us hold on to what we have.

THE HON. J. M. A. CUNNINGHAM (South-East) [5.22]: I regret having been absent from the Chamber when Mr. Heenan spoke, because I am aware he had some valuable information to put before the House.

I feel compelled to support the motion for the disallowance of these by-laws until further information can be made available to the members who are interested in the district; and also until we can see just what effect the by-laws will have on the three dairies concerned.

Some 20 or 30 years ago there were 15 to 20 dairies serving the Goldfields, and there was a tremendous dust hazard because, coupled with the normal dairy herds, there were innumerable goats without owners, wandering all over the district. The Goldfields were notorious for the goats.

The Hon. J. D. Teahan: There were straying horses, too.

The Hon. J. M. A. CUNNINGHAM: Yes; but the main animals were the goats and cattle. Goats are recognised as the worst animal, including rabbits, in bringing about the denudation of the country. They are all gone now; and we have only three herds of dairy cows.

The Hon. G. C. MacKinnon: Which have all gone, the goats or the cows?

The Hon. J. M. A. CUNNINGHAM: The goats have all gone except for a small herd owned by one man. Only three herds of cows, totalling less than 300 beasts, remain; and they are now contributing in some small degree to the dust hazard which, even in the heyday of the Goldfields, took several thousand beasts to bring about. The owner of some 90 cows is mainly hand-feeding them because he has been very far-seeing and has built up a pasture plot from the sewage at Kalgoorlie. He has a plot of lucerne that is just fantastic. Every day without fail, he goes to the plot and cuts a full truckload of green feed which he takes back to his dairy and hand feeds to the stock; and then he lets them out for exercise and to get a little bit of roughage on the outskirts of the town.

I can sympathise with the road board, in whose area the common is situated, in wanting to do as much as it can towards preserving the natural herbage around the district. For years there has been a lot of talk about a green belt, but up to now there has been only negative action that has stopped people from doing certain things. No positive action has been taken to enclose areas around the Goldfields to keep out completely all stock and game. A real green belt has been established at Broken Hill, but no attempt has been made to establish one on the Goldfields.

Suppose we do preclude all dairy stock from grazing on the common, what are we going to do about the donkeys, wild horses, rabbits, and kangaroos that go from Kalgoorlie to Coolgardie and Southern Cross? These wild animals cause just as much denudation as do the small dairy herds.

One other point, which has been mentioned by other speakers, is the fact that while these three herds are on the Goldfields, the people will be safeguarded in times of emergency because not all their milk supplies will be cut off. I can remember that a few years ago, when there was a shortage of milk in Perth, the first people to suffer were those depending on metropolitan supplies—the Goldfields.

Today, pasteurised milk, in steel containers, is sent to Kalgoorlie; also pasteurised milk in bottles and tetra packs goes there, with the result that the customer can order from his dairyman the type of milk that he prefers, including raw milk.

The Hon. G. Bennetts: And it is a local industry.

The Hon. J. M. A. CUNNINGHAM: That is so. If we support by-laws that will ultimately mean the closing down of the three dairies on the Goldfields—or at least two of them—I feel we will be taking a backward step because the small local industry has served, and is serving a useful purpose.

These by-laws, which have been thrust upon us so suddenly, are rather severe. I would like more time to go into them and to discuss the position with the men concerned in order to see whether something milder might meet the requirements of the position. I support the motion.

THE HON. W. R. HALL (North-East) [5.59]: I support the motion. For 15 years I was chairman of the Kalgoorlie Road Board, from which these by-laws evidently emanated; and the proceedings tonight bring back memories to me. I can recall the debates that took place 15 years or so ago in connection with the formation of a green belt. At that time I opposed, for more reasons than one, the motion for a green belt on the Goldfields. In the first instance I thought it was impracticable.

A meeting, called the Conference of Local Bodies, was held by the three local authorities, but the suggestion for the establishment of a green belt was dropped. At that time it was suggested that men be employed to water the trees and so on surrounding Kalgoorlie and Boulder. To my way of thinking it would have been a very costly arrangement for the three local bodies concerned.

It is surprising to hear of these by-laws made by the Kalgoorlie Road Board, and published in the *Government Gazette*, because the dairies which have been mentioned this evening have rendered excellent service to the Goldfields people for many years. They were operating long before bottled milk was brought to the Goldfields from the metropolitan area; and to my knowledge the Goldfields has not suffered one epidemic which could have been caused by the standard of milk supplied.

[*Resolved: That motions be continued.*]

The Hon. W. R. HALL: These dairies have been handed down from father to son, and the father of one of the present dairy-men served me with milk long before we obtained bottled milk from the metropolitan area. The milk we get from the dairies on the Goldfields is as good as, if not better than any bottled milk.

The Hon. G. Bennetts: Your results prove that.

The Hon. W. R. HALL: That is true. The honourable member is also one who has been served with milk by these dairymen; and he knows how good it is. He has been dealing with the same dairy for a number of years.

It seems to me that this is the wrong time to bring down by-laws of this nature, because commonages were set aside for certain purposes. Today there are only 23,000 or 24,000 people on the Goldfields, but in its heyday there were 44,000 to 45,000. We have heard a lot of talk tonight about goats—the four-legged type. I was always led to believe that goats' milk is the purest of all milk; and years ago on the Goldfields there were thousands of goats which were kept for milking purposes. Why in the name of fortune the road board wants to bring down by-laws at this stage, when there are so few goats about—they have been almost wiped out—I do not know!

The number of dairies and cows on the Goldfields has also dwindled and, therefore, I fail to see the need for by-laws such as have been mentioned. For that reason I must support the motion for their disallowance. There is not the same number of dust storms on the Goldfields as there used to be 30 or 40 years ago. At that time there was a dust storm every two or three days; but today, because of the bituminisation of roads and the timber that has now grown up out towards the abattoirs, and in a four or five mile radius from the centre of the town, we get very few dust storms.

Do not let us worry about the cows, goats, or other animals which may be eating the undergrowth. I think we should worry about the human element—the people who are cutting down the timber. Timber and undergrowth prevent dust storms; and it is only because the timber has been allowed to grow on the outskirts of Kalgoorlie and Boulder that we now have fewer dust storms than we used to have. I think the £5 a head mentioned in the by-laws is a bit rough; and it appears to me that there is a nigger in the woodpile somewhere.

Having regard to what the dairymen on the Goldfields have had to put up with over the years; how they have had to struggle to provide decent quality milk for the public; and the fact that there have been no epidemics on the Goldfields, I have no hesitation in supporting the motion for the disallowance of the by-laws.

On motion by the Hon. L. A. Logan (Minister for Local Government) debate adjourned.

BILLS (2)—FIRST READING

1. State Transport Co-ordination Act Amendment Bill.
2. Stamp Act Amendment Bill.

Received from the Assembly; and, on motions by the Hon. L. A. Logan (Minister for Local Government), read a first time.

HOUSING LOAN GUARANTEE ACT AMENDMENT BILL

Third Reading

Bill read a third time and transmitted to the Assembly.

HIRE-PURCHASE BILL

Recommittal

On motion by the Hon. A. L. Leton, Bill recommitted for the further consideration of clause 25.

In Committee

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

Clause 25—Power of court to restrain repossession of certain goods from farmer:

The Hon. A. L. LOTON: Members will recall that yesterday I mentioned the definition of "motor truck" and said that I hoped certain other vehicles would be included in the definition because it was not very clear. The definition of "motor vehicle" in the Traffic Act reads as follows:—

"Motor vehicle" means any vehicle propelled or designed for propulsion wholly or partly by gas, motor spirit, oil, electricity, steam, or any other mechanical power, and includes a motor car, motor cycle, omnibus, motor truck, motor utility truck, tractor or traction engine and also a trailer, semi-trailer, or caravan, attached to or drawn by a motor vehicle.

Under the Motor Vehicle (Third Party Insurance) Act, the definition of "Motor vehicle" reads—

"Motor vehicle" means any vehicle propelled by gas, oil, electricity or any motive power not being animal power and used or intended to be used on roads; but the expression does not include a locomotive or traction engine propelled by steam, or a railway carriage or wagon, tram, motor tram car, trolley bus, any farm tractor which is not used on a public road or any kind of air craft intended for use in air navigation.

I ask the Minister to look into the matter because I think that in this clause we should include motorcycle, motor utility truck, and jeep. We find the definition of "farmer" includes people engaged in agricultural or pastoral pursuits. Many of these people use the three vehicles I mentioned. As motorcars are excluded from the provisions of the Bill, I think that motorcycles and jeeps, which are used in the running of station properties, should be covered by the provisions of this legislation. I will wait and hear what the Minister has to say.

The Hon. L. A. LOGAN: Clause 25 deals with the power of the court to restrain repossession of certain goods from farmers, and that is the reason why only the words "motor truck" have been used and not the words "motor vehicle," which would have included all the vehicles the honourable member mentioned. The idea of the clause is to allow an approach to be made to the court for an extension of the period of payment to cover those vehicles which are used in the running of a farm or pastoral property. Whether motorcycles and jeeps are used in the running of a farm, I do not know. I do not think we could include them. The provision is to protect the farmer in regard to implements used in production; and the Minister does not wish to extend the protection to vehicles used for passenger transport. We are satisfied that the words "motor truck" are sufficient to meet the situation. They appear in legislation in other States, and the court should know exactly what is meant by "motor truck."

The Hon. A. L. Loton: It should know.

The Hon. L. A. LOGAN: Yes; and I imagine the court would call it a table-top vehicle used by the farmer to carry his produce.

The Hon. A. L. Loton: Would that cover a converted motorcar?

The Hon. L. A. LOGAN: Not in my opinion. The clause seeks to protect those implements used in production. If a man's production is taken away, he has no means of raising sufficient capital to pay his debts. So he is left with the implements of production, such as the harvester, binder, tractor, and plough. To enable him to complete his production with those implements, he is allowed a motor truck. We should not go further than to give the court the right to grant an extension of time for implements other than those used for production.

The Hon. A. L. LOTON: Surely the Minister will realise that one motor truck would not cover the situation! Quite a number of station-owners use motorcycles or jeeps to get around and attend to their windmills and pumping outfits; and these vehicles should be included.

The Hon. F. J. S. Wise: And they are widely used.

The Hon. A. L. LOTON: That is so. They are even being used in the pastoral areas for mustering sheep. A pastoralist obtains his income from farming pursuits, and a motor truck alone would certainly not be sufficient for him. Jeeps can be used as a source of power for water supply, and for hauling out sheep that might have got bogged, etc. I moved an amendment—

Page 29, line 36—Insert after the word "truck" the words "motor cycle, motor utility truck, and jeep."

The Hon. G. C. MacKINNON: The word "jeep" is a proprietary name for a vehicle, and if we include that, we must include such vehicles as the Austin Gypsy, the Land Rover, and the International 4-wheel drive. While I agree with the principle mentioned by Mr. Loton, this, after all, is a hire-purchase Bill, and I am extremely doubtful whether the station-owners in the North purchase their vehicles under hire-purchase; though I have no doubt that either Mr. Strickland or Mr. Wise could inform us on that score. This clause would relate to a very small section of farmers. The vast majority of farmers, being reputable citizens, would approach the firm concerned, if they were in difficulty as a result of an adverse season, and in 99 per cent. of the cases the firm would agree to carry the farmer over and give him time to pay.

In the main such things as motorcycles would not be bought under hire-purchase. A fair number of jeeps are used in the South West Province, but they generally constitute the second vehicle. If this amendment is persisted with we should include Land Rovers and International 4-wheel drive vehicles, etc.

The Hon. H. C. STRICKLAND: It is neither customary nor desirable for farmers to use the hire-purchase system when buying things like motorcycles. But unfortunately the time may arrive when it will be necessary for them to take advantage of the hire-purchase system; and there is no harm in providing for it while the law is before us. There still remains a law under which pastoralists receive drought relief. This was initiated during the time of Mr. Wise, when he was Minister for Agriculture, following the depression in 1930. I would not be surprised if even now there were pastoralists purchasing goods under this scheme.

Many pastoral properties today carry less sheep than some of the neighbouring farms; and the prospect of re-establishing properties on the Murchison, and in parts of the Gascoyne and Pilbara districts to enable them to carry the numbers of sheep they were carrying prior to the depression and drought years is very remote. Because wool prices have been high following the war, and because the prices for wool have been more or less stabilised in the last 12 months, it does not mean that the price of wool will always be sufficient to meet the costs of running extensive properties. I am now speaking in terms of area, not in terms of flocks.

The area south of the Kimberleys has been considerably reduced in the last 30 years, and because of that we never know what the pastoralist may be up against. While I agree with Mr. Loton's amendment, I feel that a utility truck might cover the various types of jeep. There is no definition of farmer in the Bill, so

when Mr. Loton's amendment has been dealt with, I will move to add after the word "farmer" in line 38 the words "or pastoralist."

The Hon. A. L. LOTON: To meet the objections raised by Mr. Strickland and Mr. MacKinnon, I ask leave to amend my amendment by striking out the words "and jeep."

Leave granted.

The Hon. H. K. WATSON: Mr. Loton's argument is not sound. We might with equal logic say a farmer should have protection under this clause for a wireless set or a television set; a bedstead or a mattress; and so on *ad infinitum*.

We have to bear in mind what the Minister has said; that the whole idea of this clause is to preserve to the farmer his real implements of trade so that he can continue to produce. So far as a motorcycle is concerned, I can visualise the possibility of a farmer buying one in his own name for his son so that he can career around the countryside or spend his time with it in the city. The proposition lends itself to abuse. I think that if a farmer were in such distressed circumstances that he could not meet a monthly or annual payment on a motor-bike, his proper destination should be the Bankruptcy Court and not a court of petty sessions.

The Hon. A. R. JONES: I support the amendment. A farmer should be able to keep those things which he uses to earn his livelihood; and a motor truck is one of those things.

The Hon. L. A. Logan: A motor truck is already in it.

The Hon. A. R. JONES: A utility truck is not.

The Hon. L. A. Logan: That is a motor truck.

The Hon. A. R. JONES: I do not think so. The definition in the Traffic Act is quite different. A motor vehicle could be anything at all, whereas this provision ties it down to a motor truck. I am not concerned about a motorcycle, but some stations have three or four on windmill runs. Therefore, perhaps motorcycles should be included. There may never be any necessity to protect anyone who buys a motorcycle, but, as Mr. Strickland said, the time might come when it will be necessary. As I said when speaking to another amendment yesterday, a magistrate would be able to sum up a person, and unscrupulous people would not be able to take advantage of the clause.

The Hon. L. A. LOGAN: It might be advisable for me to remind the Committee at this stage that this measure has been agreed to by all States of the Commonwealth on a uniform basis. The

subject matter of the Bill has been considered by the Ministers and their representatives from every State. They apparently considered that the term "motor truck" was sufficient to allow a farmer to carry on with his production.

It is going too far to include a motorcycle as being part of the production plant, but I might concede that a motor utility truck may not come under the definition of a motor truck, although it could feasibly do so. If a farmer did not own a motor truck, but owned a utility truck which he used to cart his produce, I am sure the court would agree that it was part of his production plant.

Mr. MacKinnon raised the question of motorbikes in the North-West. I should imagine that stations would buy them through their stock firms. Therefore, hire-purchase would not come into the picture. I should imagine the same thing would apply in regard to utilities.

The Hon. A. L. Loton: The stock firms may buy them with a hire-purchase agreement.

The Hon. L. A. LOGAN: That would not affect the farmer. I think to include a motorcycle is drawing the bow too far. A motor utility truck may be suitable, but I think it could come under the definition of motor truck.

The Hon. A. R. JONES: I point out to the Committee that while the interpretation of "motor truck" in the other States might include a utility truck or a commercial vehicle with goods carrying capacity, that is not the case under our Traffic Act. If the words "motor vehicle" were included in this Bill they would cover everything; but the Bill merely says "truck." A truck is not defined in any part of our Traffic Act. The definition is in respect of a motor vehicle.

The Hon. H. K. WATSON: I move—

That the amendment be amended by deleting the words "motor cycle."

The Hon. A. L. LOTON: I am agreeable to the amendment on the amendment.

The Hon. H. C. STRICKLAND: The Minister said that the inclusion of a motorcycle was drawing the long bow. That may be the case if the property possessed one motorcycle, but I know of properties which have several motorcycles; and they are used in the production of wool. They are also used for the running of the windmills. One honourable member mentioned earlier that some stations even muster with motorcycles. Surely there can be no harm in leaving the words "motor cycle" in the Bill.

The Hon. G. BENNETTS: An owner of one of the largest stations in South Australia uses motorcycles for mustering

and boundary riding; he probably has 30 motorcycles on his property. In my own electorate, a Mr. Warren uses motorcycles for the same purpose.

Amendment on the amendment put and a division taken with the following result:

Ayes—8.

Hon. C. R. Abbey	Hon. G. C. MacKinnon
Hon. J. Cunningham	Hon. H. K. Watson
Hon. L. A. Logan	Hon. F. D. Willmott
Hon. A. L. Loton	Hon. R. C. Mattiske

(Teller.)

Noes—15.

Hon. G. Bennetts	Hon. C. H. Simpson
Hon. E. M. Davies	Hon. H. C. Strickland
Hon. L. C. Diver	Hon. J. D. Teahan
Hon. J. J. Garrigan	Hon. R. Thompson
Hon. E. M. Heenan	Hon. W. F. Willesee
Hon. R. P. Hutchison	Hon. F. J. S. Wise
Hon. G. E. Jeffery	Hon. P. R. H. Lavery
Hon. A. R. Jones	

(Teller.)

Majority against—7.

Amendment on the amendment thus negatived.

Amendment put and passed.

Clause, as further amended, put and passed.

Bill reported with a further amendment.

Sitting suspended from 6.18 to 7.30 p.m.

STATE FORESTS

To Revoke Dedication

Message from the Assembly received and read requesting concurrence in the following resolution:—

That the proposal for the partial revocation of State Forests Nos. 4, 9, 14, 16, 22, 28, 32, 33, 47, 49, 51 and 52 laid on the Table of the Legislative Assembly by command of His Excellency the Governor on Tuesday, 10th November, 1959, be carried out.

LICENSING ACT AMENDMENT BILL

Second Reading

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [7.32] in moving the second reading said: Members will recollect that on the 10th September, 1957, the previous Government appointed a special committee to make a general survey of the principal Act, and of the liquor trade, with the object of submitting recommendations in these connections. Mr. Heenan was Chairman of this Committee which also included Mr. Roche and four members of another place. The committee's report has, I have no doubt, been carefully studied by all members of this House.

During the course of the enquiry, Mr. Heenan visited the Eastern States and consulted various licensing authorities there, including Mr. Justice Maxwell of New South Wales. I expect we will hear some interesting remarks from the honourable member.

The special committee's report was carefully studied by police officers, the Licensing Court and the Solicitor-General, and they submitted their comments on the report to the then Minister for Justice. The previous Government gave consideration to the report and the various comments, and decided, as it was then late in the year, that further consideration should be given prior to the commencement of this present Parliamentary session. However, the wheel of fate turned a full circle, and a new Government took office. The new Government appointed a sub-committee consisting of the Attorney-General, the Minister for Health, and the Minister for Police to consider the matter of amendments to the Licensing Act and related matters, and to submit recommendations to Cabinet. As a result of all these various reports and advice, the Government instructed that a Bill be prepared for introduction in Parliament.

The Bill was a proposition to improve our licensing laws; and members of both Houses have been invited to treat it on a personal-opinion basis. It was thought that the deliberations of both Houses would result in a measure that would be of benefit to the community. The Bill was given careful consideration in another place, where several amendments were made.

As it is introduced as a non-Party measure, and because it is essentially a Committee Bill, I propose to explain its provision briefly and without elaboration. The main discussion and argument will, I think, develop in Committee.

It will be noted that the Bill, if agreed to, will come into operation on a date to be proclaimed. A proposed amendment to section 25 of the principal Act would enable quarterly sittings of the Licensing Court to be held during May, as well as in March, June, September, November, and December, as provided at present by the principal Act. This amendment would allow a member or members of the court to attend all renewal courts throughout the State, including the licensing districts of West and East Kimberley, Broome, Roebourne, Pilbara, and Gascoyne.

The present statutory quarterly sittings do not give the court the time to attend to all renewals, and it has therefore been necessary on many occasions to delegate this important function to stipendiary magistrates. The proposal in paragraph (b) of clause 3 is designed to clear up the doubt as to whether the extra quarterly sitting days of the court, that can be approved by the Minister, must be in the months I have mentioned or whether they can be in some other months. The amendment provides that these extra sittings may be at any time of the year.

The Bill seeks to amend Section 28 of the principal Act to enable the court to grant what are termed "restaurant licenses." A later provision in the Bill seeks

the insertion in the Act of a new section 44F, which sets out the conditions under which a restaurant license may be issued. Such a license can be given in respect to that part of premises subject to a publican's general license where meals are provided, and to any restaurant considered suitable by the court.

Such a license will entitle the sale of any liquor in any quantity, provided the liquor is consumed with the meal. Sale can take place in a hotel up to midnight, and in a restaurant from 6 p.m. until midnight. As members know, there is no bar at the present time to persons taking their own liquor to restaurants and consuming it there while the restaurant remains open. Under the Bill only liquor sold on the premises can be consumed in a restaurant or hotel that holds a restaurant license.

The Bill also provides that restaurant licenses cannot be effective on Sundays, Anzac Day, Good Friday, or Christmas Day. A meal is defined in the Bill to consist of at least two courses, one of which shall be fish or meat other than in sandwiches, and shall be eaten seated at a table. The Bill seeks to prevent the holder of a publican's general license or any person beneficially interested in any license issued under the principal Act, apart from a restaurant license, from obtaining a license for a restaurant. This disqualification will not operate against a person who is a shareholder or member of any incorporated company of over twenty persons. This is similar to the provision in the Constitution Act relating to members of Parliament and their interest in contracts.

The Bill makes it an offence for the holder of a restaurant license to create any impression that the premises are in the nature of a club. Restaurant licensees are required to provide at each table a printed list showing the prices of all meals and liquor.

Clause 9 of the Bill provides that all licenses, except temporary and occasional licenses, may be granted or renewed for a part of a year, as well as for a full year. The amendment in clause 10 deletes a reference to part VI of the parent Act. This part dealt with prohibition and was repealed in 1951. The words deleted by the Bill are now "dead wood."

The next amendment will enable the court to issue a provisional certificate for a new publican's general license in cases where the court considers there is not a sufficient number of such licenses in a particular district to meet public requirement. Before deciding to issue such a certificate, the court would have to obtain evidence as to the ability of the existing accommodation to meet requirements, and as to whether the existing premises should be required to meet the demand. The court would also have to consider objections to the issue of an additional license. If the court resolves

to grant a provisional certificate for a new license, this certificate shall be offered for sale by public tender. On completion of the necessary building requirements, the successful tenderer would then be issued with his publican's general license.

Clause 11 provides that a person shall not be the holder of a publican's general license or a wayside-house license unless he can satisfy the court that he has sufficient knowledge of the principal Act to befit him for the issue of a license. The clause further provides that applications for a license, renewal, transfer, etc., may be refused without the court giving reasons for refusal.

The Bill removes what is now a most outmoded provision and replaces it with one that meets the demands of the present day. The provision to be deleted is that requiring licensees to provide stabling and provender for at least six horses. This is replaced by an obligation on licensees to provide garage and parking accommodation as may be required by the court. One of my Opposition friends has suggested that, with the increase in motor-license fees, it might be advisable to retain the stabling provision; but I think this might be looking a little on the dark side.

The Bill also provides that a publican's general license may be granted or renewed, if the court is of the opinion that the accommodation is sufficient to meet local demands even though it may not comply with the minimum requirements of the Act.

A new section 51A is to be inserted in the parent Act by the Bill with the object of permitting the court to order additions, alterations, renovations, etc. to premises covered by a publican's general license. This is rather a lengthy clause extending over more than four pages of the Bill, but the details in the clause are necessary to cover the rights between owner, occupier, lessor, lessee, etc. A new section 51B will permit the Treasurer to advance moneys under the Industry (Advances) Act to owners or occupiers of premises, covered by a publican's general license, who are unable to meet the cost of additions and renovations, etc., that have been ordered by the court. The amount advanced by the Treasurer shall not exceed in the aggregate at any time £250,000.

Clause 15 of the Bill seeks to delete a reference to part V of the parent Act. This part deals with licenses reduction, and has not been operative since the 31st December, 1933, on which date the operation of the part expired.

Section 61, which deals with the issue of provisional certificates for a publican's general license, is to be repealed and re-enacted with additional provisions enabling the issue of such certificates for Australian wine licenses. The object of provisional certificates for Australian wine licenses is to cover cases, which have occurred, where

premises have been acquired or erected for this purpose and the court has decided they were unsuitable unless considerable alterations were carried out. If, after inspection of the premises or plans, the court could issue a provisional certificate, the applicant would be assured of obtaining a license once the court's requirements had been met.

Part V of the Act which provides for the appointment of a licenses reduction board with the duty of reducing the number of licenses in the State is to be repealed as that part no longer operates.

Another amendment will enable the court to prescribe varying hours in which meals shall be served in hotels in order to suit the convenience of the particular locality or district.

The next amendment is of considerable importance and is one on which we may expect a deal of debate. It is to alter to 10 a.m. to 10 p.m., the period during which hotels—except those in the Goldfields area—may remain open for the sale of liquor. I understand that opposition to this proposal has emanated from hotel employees, but it would appear that the convenience of the public is the more important aspect. Hotels in New South Wales, Queensland, and Tasmania are open from 10 a.m. to 10 p.m., and on the Goldfields in Western Australia from 9 a.m. to 11 p.m. The position also is that persons belonging to clubs may obtain liquor up until 11 p.m., and this is said to have a deleterious effect on the trading of hotels.

The penalty for supplying liquor to an intoxicated person is increased from £20 to £50, and provision is made for a minimum penalty of £20. This is a serious offence which, with the decrease in money values, warrants a more severe penalty and the provision of a minimum penalty.

The provision by hotel licensees of children's playgrounds adjacent to the hotel premises is to be prohibited, and a penalty of £20 imposed for disregarding this prohibition. This does not refer to playgrounds provided for the use of the children of guests or the children of licensees or their employees. This is a matter which has caused considerable discussion in the community.

The Premier, during the last election campaign, stated that the Liberal Party was opposed to the provision of playgrounds for children at hotels. In view of the divergence of opinion as to the need and effectiveness of such playgrounds, and the strong representations that have been made, the Licensing Court decided, in July, 1958, not to approve of the establishment of any further playgrounds pending a decision by Parliament on the matter.

The provision that a club must have been in operation for 12 months before being registered under the principal Act, has been replaced in the Bill with one permitting a period regarded as suitable by the Licensing Court.

The Bill also authorises clubs to make donations to charities; and to permit a person, who is visiting a club for the purpose of engaging in a sport conducted by the club, to be appointed an honorary or temporary member. Each visitor must be proposed, in writing, as an honorary or temporary member by a member of the club, and notice must be posted on the club premises by the secretary of the club. This honorary membership will be effective for six hours as from the time of the posting of the notice. The practice of supplying liquor by clubs to visiting bowlers, cricketers, athletes, etc., is of dubious legality; and this provision will clarify the matter.

Subsection (3) of section 190 of the Act is to be deleted. This is another case of "deadwood" in the Act. Clause 33 of the Bill permits the conditional registration of a club where the premises are not erected or are partly erected. If the premises are completed to the satisfaction of the Licensing Court, a certificate of registration may be granted.

The Bill adds two further objections that may be submitted by persons opposing the registration or renewal of registration of a club. These are that the club does not meet a genuine and substantial need; and that its registration would result in undue competition and economic waste.

The last proposal in the Bill is one recommended by the special committee and other organisations: It is that arrangements shall be made for school-children to receive instruction on the evils and effects of over-indulgence in alcohol.

I am sure members will welcome this opportunity of debating the proposed amendments to the Licensing Act. Over the last few sessions we have endeavoured to deal with this legislation piecemeal; and every time such an amendment was brought before the House we were advised that it would be better to leave it until the whole Act could be revised. This Bill will give all members an opportunity of riding their hobby-horses, as it were, in regard to our licensing laws.

I hope that members will treat this measure as a non-Party Bill; that they will express their points of view on it; and that they will move any amendments which they think necessary, so that by the time the legislation is passed we will have a Licensing Act worthy of Western Australia.

The Hon. F. J. S. Wise: It is strange how good a gallery we get when horses or beer are being discussed.

The Hon. L. A. LOGAN: I move—

That the Bill be now read a second time.

THE HON. J. G. HISLOP (Metropolitan) [7.50]: I wish to register my protest, Mr. President; because this Bill is going to require a considerable amount of research by every member of this Chamber, if it is to receive proper consideration. Surely

when Bills of the nature and importance of this one are brought before the House, we might well adopt the method followed by the Commonwealth Government, and produce an entirely new measure, instead of asking members to deal with a Bill which makes it necessary for them to study the original Act and all amendments made to it in order to see where they stand!

In having to deal with a measure such as that now before us, under the existing circumstances, we are given an arduous and unnecessary task; because every member will have to do considerable research into the questions dealt with in the Bill. If a new measure had been placed before us the position would have been entirely different—

THE PRESIDENT: I hope the honourable member realises that he will not be able to speak again to this debate.

The Hon. J. G. HISLOP: I realise that; and therefore I will continue with my speech. I have raised this question because I believe that the best way of dealing with legislation such as this is by means of a totally new measure. Those who intend to speak to this debate later will have to do a great deal of research into the Act and all the amendments that have been made to it. In view of the importance of this measure, I suggest to the Minister that, when it is passed, a whole new Act should be made available to all members and to the public—if necessary by purchase—in order that they might have before them the complete review of the licensing laws of this State.

Coming now to a more congenial note, I think the Government must be applauded for having brought down a Bill of this nature. I believe every member in this House will find considerable satisfaction in the fact that at last an urgent, social problem is to be dealt with.

There are many things which each of us could say on the subject of licensing and the sale of liquor in Western Australia; but there is a number of provisions in this Bill which are more suitable to be dealt with in Committee than in general debate. I wish first to deal with the proposal to alter the hotel trading hours from 9 a.m. to 9 p.m., to 10 a.m. to 10 p.m., because that provision alone will create a great deal of interest and debate. It is of interest to anyone who has studied the question of alcoholism to any degree, that the opening hour for hotels should be changed to 10 a.m.

One has always wondered why people wanted the hotels open at 9 a.m.—that is people apart from chronic alcoholics—as there are very few people in the community, with perhaps the exception of those who work at night, who are really entitled to drink before 10 a.m. I have wondered whether 11 a.m. would not be a wiser choice for the opening hour, together with 10 p.m. closing. Of course there are still in the community individuals who would desire to

knock the hotel-keeper up at 6 a.m.; but they should not be catered for. I think it is wise that the 9 a.m. opening should be altered to 10 a.m.

One important provision in the Bill relates to accommodation in hotels; and it is good to know that in future most if not all rooms—at least in new hotels—will have to be provided with running hot and cold water. It is a curious anomaly that, in regard to bathrooms, it is necessary also to state that running hot and cold water shall be provided. At all events, it is a step forward to find those provisions in the Bill.

It is a matter of great interest to see that the hotel license has been preserved. I understand that a hotel license is practically a license solely to sell beer; and that raises the question of whether in future the Licensing Court should not give considerable thought to its power to state that any existing hotel need no longer provide accommodation; and that it should revert to a hotel license and sell beer only. That is a custom which has grown up in many countries in the world.

I feel that consideration should be given to the question of incorporating a wine license with a beer license, and so raising the standard of the present Australian wine license houses; because in many respects they are deplorable places, yet we could get over the difficulty by raising the standard of the wine shops in the way I have suggested. One matter which the court should insist on is the removal of any obstruction erected close to the door of licensed premises so as to prevent the public seeing what is going on inside.

One of the greatest difficulties in regard to the problem posed by alcohol in Australia has been the consumption of liquor behind closed doors; it is only in the last few years that hotel lounges have been provided in greater numbers. Prior to that it was almost a homosexual matter of the men drinking together in hotels and women being relegated almost entirely to the wine shops. Those are matters to which the Licensing Court must give thought; and I hope it will be able to bring about radical alterations under the powers given to it by this Bill.

I believe that when an application is made for a license, the police might consider refraining from lodging an objection without valid reason. It seems a curious anomaly, when one reads of an application being made for a publican's general license, that the police almost automatically lodge an objection. It seems foolish, when there is no valid reason for it, that an objection should be made by a body of such repute as the Police Force. That aspect of the matter might well be given thought.

The constitution of the court is another matter of considerable interest; and while I suppose it would be possible to introduce

into this debate the question of the re-organisation of the court, as that matter has not been included in the Bill I do not expect that any great interest will be taken in that question. Even if the court is not reconstituted in any way, however, I would like to see a woman appointed to it because, in regard to bathrooms, laundries, toilet accommodation, kitchens, bedding, the condition of linen, and so on, a man, not being accustomed to deal with such matters, is likely to overlook many points.

I believe that the viewpoint that could be expressed by a woman member of the Licensing Court, when inspecting hotels in regard to their status, might bring about an alteration and an improvement in their standards which we do not at present envisage. I was impressed with many hotels which I saw in the United States and with the knowledge that their interiors had been designed by women architects. In several of those hotels one could not help but note that the conditions compared more favourably with those surrounding ordinary home life than do the conditions of our hotels.

The Hon. R. F. Hutchison: It would have a good effect.

The Hon. J. G. HISLOP: I think it would have a good effect, as Mrs. Hutchison has said. Although I know it would not be possible to incorporate in the Bill a clause which I would like to see incorporated—because it would be a charge upon the Crown—it would be of great benefit if each member of the licensing authority, once during his term of office at least, could visit countries overseas. Many of the troubles that have existed in the past with our institutions—not only in hotels—have been due to the fact that the members of the Licensing Court have been tied up to such an extent with their duties that the opportunity has not been afforded them to visit other countries to inspect hotels so that they may bring to the administration of the hotels in this State the benefit of the knowledge they have gained.

If a member of the court, once during his or her term of office, could visit the Continent; if another member could visit the United States of America; and another could visit Scandinavian countries, they would return with ideas which would undoubtedly raise the standard of accommodation and of the dining-rooms of our hotels.

In regard to the licensing of restaurants to enable them to serve liquor, I would have liked to see included in this measure a clause providing that the Commissioner of Public Health should issue a certificate on the health standards of the restaurants to be licensed. I suggest that, because it is all very well to enter the dining part of a restaurant which might be well kept, but from experience and the investigations that have been made in the past,

we know that the kitchens of many of these establishments are far from being up to standard.

One of the features that I have applauded in the Fosters series of restaurants which are established from coast to coast in the United States is that the kitchen of each restaurant is properly air-conditioned and equipped with exhaust fans and the patrons are able to watch their food being prepared. In this State, of course, we know quite well that the kitchens of many of our restaurants are far from being in keeping with the high standard of the dining portion of the establishments. Therefore, I consider that the Commissioner of Public Health should be obliged, under the licensing laws, to issue a certificate which would state that the kitchens of our eating establishments met with his satisfaction. Included in that certificate there could be some mention made of the disposal of refuse because if we look at some of the backyards of some city properties we will readily agree that some changes for the better are well overdue.

I am certain that these features of hotel accommodation and standards could well be supervised by a woman member of the Licensing Court. I am looking for a court of experience; a court that is willing to bring about changes; and a court that has some imagination and an eye to the future.

The Hon. G. Bennetts: The health officers who are employed by the local authorities are supposed to keep the restaurants up to standard.

The Hon. J. G. HISLOP: All I wish to say to the honourable member is that he should take a day off and pay a visit to a few of these establishments.

The Hon. G. Bennetts: Apparently the health officers are neglecting their duties.

The Hon. J. G. HISLOP: One of the aspects which will govern the granting of restaurant licenses is of wide interest because it reflects on the habits which the community has formed in the last few years. I am acquainted with the owner of a well-kept restaurant, and I suggested that his business might be improved if he held a license to sell liquor. He said, "It would not improve my business at all. We cater for those patrons who live in the district and we have even gone to the extent of suggesting that we would not like them to bring alcohol into the premises." That restaurant has maintained its standard and its clientele by the observance of that principle. Other restaurants, of course, will be looking for a license; and no doubt they will observe the right to make a high charge for meals and the provision of amenities which other restaurants do not provide.

However, there is a group of restaurants in this city at the moment which are extremely popular. They are places to

which people have grown accustomed to take their liquor. This custom has become established because Australian people—I could probably add those of many other countries as well—have developed a habit of charging far too much for our wines which are local products. On the other hand, if a patron takes his own liquor into these places, the cost is much less.

I could name half-a-dozen restaurants which people have grown accustomed to patronise because they can take their own wine, and they pay only for the food which they eat. If these restaurants were to apply for a license to sell liquor, and they had to carry a stock of alcohol to meet the varied wishes of their customers, the charge to each customer would have to be raised considerably because the restaurant keeper would have to meet the interest on the capital outlay of his liquor supply; but by raising his charges he could quite easily reduce the number of his patrons.

Therefore the voluntary approach to the question of granting licenses to restaurants, which has been made in this Bill, is a wise one. Generally, I believe that this measure is going to raise the status of restaurants and hotels very considerably. There is one clause which will be of great assistance to hotelkeepers. That is the one relating to the individual who considers that he has invested all his own capital to raise the standard of his hotel—I do not think the provision covers restaurants—to that required. Under this Bill he will be able to approach the Treasury for more money; or at least for the issue of a certificate covering the cost of improvements. If this clause is agreed to, it will mean that there will be no excuse for these establishments to remain shabby so long as the total cost to the Treasury at any one time does not exceed £250,000.

Generally speaking, the Bill, as it is presented to us at this stage, is very welcome. It contains several amendments which will effect improvements. As I have pointed out, there are a number of aspects of licensing which do not appear in any measure, but I have referred to them because I believe it is in the interests of the Licensing Court and the people generally to know these matters. Therefore, I will have considerable pleasure in voting for the second reading of the Bill.

THE HON. R. THOMPSON (West) [8.10]: I realise that this Bill contains many good clauses, but I do not intend to speak about them or what they seek to provide. I am concerned more with the knowledge that most of my constituents come within the category of the working class, and I have a fear of what might be the reaction of some of those people who cannot control themselves when they consume liquor.

In every community there is a section that does not greet reforms, such as are contained in this Bill, with the tolerance with which they should be greeted. Most of my time is engaged on social welfare work in and around my constituency. I deal with housing problems; people who are behind with their rents; deserted wives; and so on. They represent some of the problems with which I am concerned. What effect will the closing of hotels at 10 p.m. have on that section of the community?

The Hon. J. J. Garrigan: What about the people on the Goldfields?

The Hon. R. THOMPSON: I am talking about my constituency and not about the Goldfields. I am referring to what I have to face up to and the work on which I am engaged at present; and, further, what I could be called upon to do if this Bill were passed. I have already said that the Bill contains many advantageous clauses. However, one has only to look at the public gallery to realise the lack of interest shown by the members of the general public in the measure. On the other hand, if we look at the President's Gallery we can readily realise where the interest lies. It is the breweries and the hotelkeepers who are mainly concerned with this legislation; the average person is not concerned with it.

Since this legislation was mooted, I have had more telephone calls from hotelkeepers who favour the 9 p.m. closing than I have had from any one else. Without fear of contradiction I can say that the majority of publicans in the City of Perth and the City of Fremantle favour 9 p.m. closing. However, I am not concerned whether they favour that closing hour or a later one; I am concerned only with the people I represent. If the members of my electorate approached me and said that they favoured 10 p.m. closing, I would vote for that particular clause in the Bill. However, not one person has approached me to express an opinion in that regard. I do not wish to express my own view on this matter.

Another clause in the Bill which was dealt with by Dr. Hislop provides for the granting of a license to restaurants to sell liquor. If this clause is agreed to it will enable restaurants to sell, until midnight, liquor with the meals that they provide. I think, in regard to this clause, there has been an omission.

The best licensed premises, the best constructed building, and the best conducted club I have visited is the Fremantle Club. It offers the best facilities for the serving of liquor and meals; yet there is no provision made in the Bill to enable clubs to sell liquor with meals until midnight. If hotels and licensed restaurants are to be given this right, then licensed clubs should also have it.

I oppose proposed section 51B under which the owner or occupier of a hotel can apply to the Treasurer to guarantee the cost of alterations and renovations, if he finds difficulty in raising the money himself. He has to satisfy the Licensing Court that he is unable to provide or borrow the necessary funds. In these circumstances the Treasurer may advance the required funds. That is money handed out to private enterprise. Since I have been in this House, all such hand-outs have been for the benefit of private enterprise. This can become a burden on the Crown. I shall oppose that provision during the Committee stage.

During the second reading debate on the Tourist Bill, I made my position abundantly clear in relation to the state of some of the hotels here. That subject was also raised by Dr. Hislop. If I might use an expression, which is not a nice one, some of the near-country and suburban hotels are commonly known as slop houses. We can find them not many miles from this place; there is one within $1\frac{1}{2}$ miles. Throughout the suburbs we can pick out such hotels, although there are many good ones.

This brings me back to my expression of opinion during the debate on the Tourist Bill. I think that hotels should be classified, so that people may know what type of accommodation, meals, and service they can expect; and what facilities, such as hot and cold water in the bedrooms and bathrooms, the provisions of lounges, etc., are provided.

I pointed out between 40 and 50 different tariffs charged by hotels between Carnarvon and Albany, and I referred to varying rates in the same towns. Bridgetown comes to mind, where one hotel charges £5 15s. a week, and another charges £16 10s. a week. We should not be concerned solely with the sale of liquor by hotels. The hotel trade should be able to look after its own affairs and bring the hotels up to the required standard. It is the province of the hotel-keepers and the brewery-controlling interests to bring their hotels up to the required standard. They should not permit their hotels to drift into disrepair, although they might be painted regularly.

Regarding the closing hour of hotels, during the war years the hotel interests were only too ready to agree to 6 p.m. closing. The hotel-keepers fell over themselves to accept that closing time. When it was in operation, we found the hotels in this State opening between 11 and 12 in the morning, closing at 2 p.m., and opening between 4 and 6 p.m. They seemed to please themselves. In those days every drop of liquor which the hotels could obtain was sold without competition. The people and the servicemen in Australia were not able to go into any hotel and purchase a bottle of Scotch whisky. The hotel-keepers were only desirous of selling the liquor on hand

at as high a price as they could get, in any fashion, for the purpose of quitting the stocks and making a quick profit. They did not cater for the general public.

Today we find there is a mad rush to cater for the needs of the public. That appeared to be the position in this House during the past week. But the public is not now interested in the measure. I have expressed my views on the closing hour of hotels. I consider that 9 p.m. is a reasonable time. If a later closing hour is desired, I would have no objection, provided the hotels closed during the evening meal break between 6.30 and 7.30 p.m. The workers who knocked off at 6 p.m. would have sufficient time for a few drinks before going home for their meals; if they desired to return to the hotel afterwards they could do so at their leisure.

I disagree with one of the comments made by the Minister when he introduced the Bill. I thought the measure was being introduced on a non-Party basis. In his introduction, the Minister outlined the policy speech of the Premier in respect to the banning of children's playgrounds adjacent to hotels. That matter should not have been brought into this debate. It is most unbecoming to bring the Premier's policy speech into this debate at all.

I do not agree to unattended children's playgrounds adjacent to hotels. Up to this stage I have not heard any mention about this aspect in the debate. In Adelaide, where the hours of trading are from 6 a.m. to 6 p.m., parents are permitted to take their children into the lounges of hotels, which are well policed and well conducted.

If we are to have education of children in regard to the consumption of liquor, which seems to be necessary at the present time, the aspect of children's playgrounds adjacent to hotels could be one of the subjects for consideration. It would be far better to follow the practice of the Adelaide hotels, than to have children fenced into a playground about 15 ft. square at the back of a hotel, where they are left like untamed animals.

A commonsense approach to the Bill should be adopted. Hotels which have the facilities should extend their lounges to enable children to be taken into them, so that they may be under the care of their parents. That would be one means of educating the children and of bringing about a saner method of drinking.

Most of the provisions in the Bill are commendable, with the exception of those which I oppose. I do not say that because I oppose them, all members here should agree with me. If all members were to express their views, the same as I have, then after 30 speeches had been made we should have a clear indication of what the people desired.

Unless some substantial argument is submitted to prove to me that the closing time should be extended beyond 9 p.m.,

I shall vote against that provision in the Bill. People residing in country towns or in the metropolitan area have facilities for consuming liquor up to 11 p.m. in licensed clubs. Therefore, the argument for extended trading hours is not a strong one. By paying £3 to £4 a year, a person can become a member of a licensed club and so obtain liquor up to 11 p.m.

By paying £3 a year to one such club I know of, a person can effect a large saving, because he will pay a lower price for his beer; he will receive hand-outs from the club; he will be able to attend social functions put on free of charge; he will receive six bottles of beer at Christmas time; and his children will each receive a present from the Christmas tree provided by the club. He will get all that for £3 a year. It may only be £2 10s.; I am not sure.

So, by joining a club, the average person will not lose, because he will receive many benefits from the club, made possible by the profits from the sale of liquor. There are many licensed clubs in the metropolitan area to satisfy the needs of people who desire to drink after 9 p.m. Unless some conclusive argument in favour of 10 p.m. closing is brought forward, I shall not support that provision. As I have already stated, I oppose power being given to the Treasurer to advance funds for the improvement of hotels.

THE HON. J. M. A. CUNNINGHAM (South-East) [8.30]: It may come as a surprise to some people to hear me support a measure to extend drinking hours, because I am considered by most of my friends to be a teetotaler; and, indeed, I am called by some a wowser. If one understands this to mean that I take no personal pleasure in even mild drinking, then I am a wowser and I find no offence in the term. If, on the other hand, the word is applied as it is defined in the dictionary, as being a needlessly or excessively censorious person, or a spoilsport, then I refute the term completely as applied to myself because I am not censorious of other people's actions, nor am I a spoilsport.

The Hon. R. F. Hutchison: Sometimes you are here.

The Hon. J. M. A. CUNNINGHAM: It depends on a person's interpretation of the word "sport."

The Hon. F. J. S. Wise: And what type of sport, too.

The Hon. J. M. A. CUNNINGHAM: I believe that every man is his own master and free to choose his own pleasures, having always regard for other people's rights; and even when a person's actions may infringe on others, I do not believe I have the right to censure him. If, on the other hand, the time comes when, through abuse or because of loopholes in legislation, someone's life is affected, such

as occurs in the innumerable instances we hear of where the husband steals from his family the bulk of the money he earns to satisfy an unreal appetite for alcoholic liquor, and so deprives his family of their just rights in the way of food, shelter or clothing. I think something should be done. I have no doubt that every member can pin-point such cases.

But these are not the general run. If these isolated cases do ultimately become the rule, or even if they become accepted in our community, then it will be time for the people, through their elected members, to do something about bringing the Act up to a reasonable standard in accordance with modern conditions. I believe the time has come to do that; and I am fully prepared to support this measure which, I believe, is a genuine attempt to bring about such a change in the legislation.

It must not be thought that the Licensing Act has never been attended to. Indeed, no less than four complete reprints of the Act have been made since it was first passed in 1911. It was reprinted in 1922, 1928, 1950 and 1954; but in all that time there has never been a sufficient cleansing of the Act to remove such an anomaly as the foolish provision which imposes on a licensee the necessity to provide provender and stabling for a certain number of horses and coaches. This just goes to show how far out of touch with modern conditions the Act is.

Also, since the inception of the Act in 1911, no less than 30 amending Bills have been passed; and no doubt innumerable other amending Bills have been introduced but have not survived the third reading. However, 36 amending Bills have been passed, and that is why, although I am prepared to accept completely the sincerity and good motives of those people who have written to their members asking for their support to defeat the measure, I cannot accede to their request.

While I will not support a minority in advocating the rejection of the Bill, neither will I support the demands or even the requests of those who advocate a complete lifting of the lid so far as licensing and drinking are concerned.

We have ample evidence of the terrible results that can ensue from a complete restriction in regard to this matter. How many members are too young to remember the prohibition days of America when such men as Lucky Luciano and Al Capone were able to amass annual incomes amounting to many millions of dollars, thereby enabling them to corrupt judges, senators and police organisations.

The Hon. E. M. Davies: That was in America.

The Hon. J. M. A. CUNNINGHAM: Yes; but I do not think any member would suggest that the American way of life is so vastly different from ours that if

the same thing were to occur here, we would not have the same result. It is all too obvious that where there is a restriction through the shortage of anything, there is an increase in the desire of certain people to acquire or use that hard-to-get article.

The Hon. R. Thompson: There are restrictions at present.

The Hon. J. M. A. CUNNINGHAM: That is so; and the Bill is attempting not only to remove some of the restrictions but to bring a little bit of rational thinking into the licensing or drinking question and into the various aspects of alcohol and its application to the public.

Police statistics prove beyond any shadow of doubt that in the metropolitan area, where we have comparatively restricted hours—they are not restricted compared with hours in some other States and in some other parts of the world—there are, per hundred of the population, more convictions of drunkenness or crimes arising out of drink, than there are on the Goldfields, where we have more leisurely hours of drinking. Some people, however, say the Goldfields is a little area of its own. But the same result obtains at Esperance, which comes under the Goldfields licensing laws.

At Esperance, which can be compared with any other small seaside town, we will not find from one year's end to another—including the period when the town more than quadruples its population with vacationers from the metropolitan area, with money to spend—the amount of drunkenness that is evident in the metropolitan area. The people from the metropolitan area go to Esperance where they can drink with freedom until 11 p.m.; but it is surprising to see a drunk in the streets, or to see people before the courts on charges of drunkenness. It is remarkable, but it is absolutely true that, despite the name the Goldfields is supposed to have, there are fewer cases of drunkenness, per hundred of population, than there are in the metropolitan area.

I believe, as some people in the trade claim, that even if the hours were extended for an hour or two, the hotels would sell no more liquor than in the shorter period. With the longer period, drinking becomes more leisurely; but the people drink roughly the same amount, generally speaking, because the average person—not the addict—budgets the amount of money he will spend on drink. I honestly believe that the extended hours will not have the effect of increasing the sales of liquor, but of decreasing the offences of drunkenness and disorderliness, and other offences arising from the consumption of liquor.

The Hon. G. Bennetts: The Goldfields people know how to consume their liquor.

The Hon. J. M. A. CUNNINGHAM: I have before me the annual report of the Commissioner of Police. In the last 12

months there were near enough to 50,000 offences of all categories brought to trial. Of this number, less than 5,000 were charges in connection with drunkenness or vagrancy; and a vagrant is not necessarily a drunk. That does not represent a great preponderance of drunkenness; but, of course, charges of drunkenness get great publicity because the bad drunk affects many people—his family and his friends. Such a person is probably more notorious than one who commits some other offence.

I sincerely believe that the Bill will attain worth-while effects; and that it contains so much that we cannot afford to risk losing it. This is the first time—although this is only an amending Bill—that an attempt has been made to remove a lot of the redundant material that is in the Act. If we can get this measure on the statute book—it will last for only 12 months—it will provide us with a foundation on which to build good modern licensing legislation. Our State and our city are growing fast, but our licensing legislation is far behind the times; so we must bring it up to the stage where it meets modern conditions, because conditions in Western Australia have changed in the short time that members here have had anything to do with making the laws of the land.

Amongst a group of members, I had the pleasure and privilege of listening to Professor Saint give an address, the other night, on alcoholism. If that man could be heard by even a small percentage of our population, I feel that many of the ideas in connection with drinking and alcoholism would be changed. Professor Saint believes that the availability of drink does not in any way affect a person's desire or willingness to spend money on drink.

He believes, and states, that the confirmed addict will obtain alcohol in one of its forms, no matter how much we try to restrict him; and no matter how easy we make the position, it will not have the effect of making more addicts. We may make it possible for more people to drink, but not necessarily to become addicts. This man has made such a study of the subject that it is more than a hobby to him; I should say that he is an expert on it, and if he toured the country giving lectures he would do a great amount of good.

This Bill, as has been explained, is the end result of a great deal of research. The special committee composed of members of all Parties spent a great deal of time travelling all over the State, and it made certain recommendations. There have been no less than three deputations to the Government from interested bodies pressing their own points of view. There have been other organised groups of people who have approached the Government expressing their views. The matter has been discussed with the Licensing Court; and

the police have had their say. And we have before us today a measure which has taken quite a beating in the Lower House. The Bill which we now have is not the Bill as it was originally drafted and presented to Parliament. Many amendments have been made to it and among them, I am glad to say, is one which wiped out the provision preventing clubs selling liquor in kegs to club members.

In some places there are no hotels available to extend this service to the public; and in some instances clubs have been established and have been able to render this service to their members. For the sake of what is good in the Bill I think it is better that that particular portion of it should have been amended as it was. I think the Government or the draftsman has tried to steer a middle course—a just and fair one to all concerned. The measure favours nobody, and it will be on the statute book for one year, during which time every member can take it upon himself to inquire personally into many of the aspects that have been discussed. Perhaps when a Bill for an entirely new Act is presented to Parliament we will all be able to speak with greater knowledge on the subject, and contribute something to this State by way of up-to-date licensing legislation.

I ask the House to let the Bill go through as it stands. I admit it has certain shortcomings; but there is too much good in it to risk losing the measure—and that is what could happen. Let us pass the measure so that we can mark time for 12 months, see what effect it has on the population, and find out what loopholes and anomalies there might be. At the end of that period we can do something about passing an entirely new Act, and for those reasons I support the measure.

On motion by the Hon. F. D. Willmott, debate adjourned.

STATE TRANSPORT CO-ORDINATION ACT AMENDMENT BILL

Second Reading

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [8.50] in moving the second reading said: There are two proposals in this Bill. The first provides the Transport Board with the statutory authority to advise the Minister as to which areas, due to the absence or inadequacy of a railway service, should be served by road transport. The board can recommend to the Minister the routes that should be followed by road transport, the classes of goods to be carried, and what subsidy should be granted to that road transport. It is obvious that the Transport Board is the logical authority to advise the Minister on these subjects.

The second provision in the Bill is that, should the board's recommendation be accepted that road transport be established in any district, the Governor may then

make regulations providing for the establishment of the service, the areas to be served, routes to be followed, the classes of goods to be carried, and the rate of subsidy, if any, to be paid.

It will be recollected that subsidies have been paid to road transport in areas that had been promised a railway but which had not eventuated, as well as in areas where the railway service had been suspended. In the latter case, the previous Government had arranged for the subsidy to be reduced gradually over a period of seven years, at the end of which period it was to cease. This caused a great deal of bitter feeling in country districts.

The present Government considers there should be no distinction between country areas so far as road transport subsidies are concerned; and it has put this practice into operation. This is assisting to eliminate the bitter feelings to which I have referred. The fact that there is no statutory authority for the Government to carry out this policy has given rise to feelings of uncertainty in country districts, and this could militate against the development of agricultural areas. The Government has therefore decided to introduce this Bill, which will enable the Governor to act upon advice from the Transport Board.

It will be noted that the Bill provides that any regulation for the withdrawal or reduction of any subsidy shall not become effective until the period allowed for its disallowance by Parliament has ended. This will assure country people that their subsidies will not cease or be reduced until such time as Parliament has had the opportunity to consider the matter. I move—

That the Bill be now read a second time.

On motion by the Hon. H. C. Strickland, debate adjourned.

STAMP ACT AMENDMENT BILL

Second Reading

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [8.54] in moving the second reading said: The proposal in this Bill is to increase the duty on hire-purchase agreements from one-eighth of 1 per cent. to 1 per cent. The rate in Victoria is 2 per cent.; and Tasmania intends to increase its rate from 1 per cent. to 2 per cent. as from the 1st January next. In New South Wales and South Australia the rate is 1 per cent.; and a Bill has been introduced in Queensland to provide a similar rate.

In its examination of this State's applications for special grants, the Commonwealth Grants Commission pays particular attention to the level of all State non-income taxes. Where this falls below the average of the non-claimant or standard States, a financial penalty is imposed. At

the present time our stamp duty on hire-purchase agreements is very much below standard, and it is proposed to correct this position by increasing the present rate to 1 per cent. The estimated benefit to Consolidated Revenue is £160,000 for a full year of operation.

The measure is primarily intended to levy duty only on agreements under which the ownership of the goods does not pass absolutely at the time of the agreement. Instalment-purchase agreements, and like transactions, under which the ownership of the goods does pass absolutely at the time of the agreement, are specifically excluded.

The amount on which duty is payable is the difference between the deposit or initial payment, and the cash price of the goods. Exemption is included for agreements under which the dutiable sum is less than £10. Payment of the duty is to be made by the vendor of the goods, and must not be added to the price of the goods or to the charges. Penal clauses have been included covering contraventions of this provision.

The Hon. F. J. S. Wise: Can you explain how that will be effective?

The Hon. L. A. LOGAN: I think it could be effective in this way: The charge will be on the hire-purchase company and not on the manufacturer; and surely the manufacturer will not be in cahoots with the hire-purchase company to see that the extra fee is added on to the price of his goods! If he does so he is working against his own interests in his competition with other firms. I am perfectly certain that no manufacturer would do that.

The Hon. F. J. S. Wise: You don't think the hire-purchase companies have any interest in these other companies, or vice versa?

The Hon. L. A. LOGAN: There are penal clauses in the Bill to stop that being done. The same principle has applied in other States, and it has been proved that there has been no increase in the price of goods.

The Hon. F. J. S. Wise: Who started hire-purchase in Western Australia?

The Hon. L. A. LOGAN: Persons engaged in the trade or business of selling goods, who purchase goods on hire-purchase terms for the purpose of retelling them, have been given special consideration. Duty on such agreements will continue to be charged at the existing rates which are set out in the schedule to the Bill.

The New South Wales Attorney-General has advised that the penal clauses and the provision that this duty shall be carried by the owner or vendor have been quite successful and satisfactory in that State.

The Hon. H. C. Strickland: You could make it effective with price fixing.

The Hon. L. A. LOGAN: There is no price fixing anywhere at the moment. I do not think members need have any fears on that score. Apparently similar provisions in the other States have not had any effect—and I refer to Tasmania, Victoria, New South Wales and South Australia. So I do not see why the provision should have any effect here.

The Hon. H. C. Strickland: How can you prove that it has had no effect?

The Hon. L. A. LOGAN: I move—

That the Bill be now read a second time.

On motion by the Hon. F. J. S. Wise, debate adjourned.

ADJOURNMENT—SPECIAL

THE HON. L. A. LOGAN (Midland—Minister for Local Government): I move—

That the House at its rising adjourn till 2.30 p.m. tomorrow.

Question put and passed.

House adjourned at 8.58 p.m.

Legislative Assembly

Wednesday, the 11th November, 1959

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