

under the provisions of the Act, without having the slightest knowledge they were becoming moneylenders and running a great risk of losing all the money they had loaned.

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

Ayes—21.

Mr. Bovell	Sir Ross McLarty
Mr. Burt	Mr. Nalder
Mr. Cornell	Mr. O'Connor
Mr. Court	Mr. O'Neil
Mr. Craig	Mr. Owen
Mr. Crommelin	Mr. Perkins
Mr. Grayden	Mr. Roberts
Mr. Guthrie	Mr. Watts
Dr. Henn	Mr. Wild
Mr. Hutchinson	Mr. I. W. Manning
Mr. Lewis	(Teller.)

Noes—20.

Mr. Andrew	Mr. Kelly
Mr. Bickerton	Mr. Lawrence
Mr. Brady	Mr. Molr
Mr. Evans	Mr. Nulsen
Mr. Fletcher	Mr. Oldfield
Mr. Graham	Mr. Rhatigan
Mr. Hall	Mr. Rowberry
Mr. Hawke	Mr. Sewell
Mr. W. Hegney	Mr. Tonkin
Mr. Jamieson	Mr. May
	(Teller.)

Pairs.

Ayes.

Noes.

Mr. Mann	Mr. Toms
Mr. Nimmo	Mr. Heal
Mr. Brand	Mr. J. Hegney
Mr. W. A. Manning	Mr. Norton

Majority for—1.

Question thus passed.

Bill read a second time.

HIRE-PURCHASE BILL

Council's Amendments

Schedule of two amendments made by the Council now considered.

In Committee

The Chairman of Committees (Mr. Roberts) in the Chair; Mr. Watts (Attorney-General) in charge of the Bill.

The CHAIRMAN: The Council's amendments are as follows:—

No. 1.

Clause 25, page 29, line 36—Insert after the word "truck" the passage, "motor cycle, motor utility truck."

No. 2.

Clause 25, page 30, line 20—Insert before the word "engaged" the word "principally."

Mr. WATTS: Both these amendments made by the Legislative Council relate to clause 25, which deals with the question of the special provisions in regard to farmers' machinery. The first of them proposes to add motor-cycles and motor utility trucks to the list of vehicles. I am not at all clear that either of these amendments is essential; but, on the other hand, circumstances could arise which would necessitate the inclusion of these two types of

vehicles in the list. I hardly think it is necessary to dispute the action of the Legislative Council in such a minor matter, and I therefore propose to agree with both amendments and I ask you, Mr. Chairman, to deal with them together.

The second amendment seeks to insert before the word "engaged" the word "principally." This has reference to a person who could receive protection under this clause, such a person being engaged in farming, which was defined as including agriculture, horticulture, viticulture, etc. The amendment seeks to insert the word "principally" to ensure that any person wishing to obtain the benefit under the clause would have to be principally engaged in any one of those industries.

What the mover of the amendment had in mind were those circumstances whereby a person who had an interest in a farming property, but obtained the substantial part of his income from elsewhere. Such cases do exist in various parts of the State, and the insertion of the word "principally" before "engaged" makes it quite clear that the major interest of the person must be in a farming property. I move—

That the amendments be agreed to.

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

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

ADJOURNMENT—SPECIAL

MR. WATTS (Stirling—Acting Premier): I move—

That the House at its rising adjourn till 5 p.m. tomorrow.

Question put and passed.

House adjourned at 11.46 p.m.

Legislative Council

Wednesday, the 18th November, 1959

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

QUESTIONS ON NOTICE**STATE SHIPPING SERVICE***Trips to Darwin and Berth Accommodation*

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

In view of the reply to my question on Wednesday, the 11th November, 1959, regarding accommodation in North-West ships—

- (a) Is the Minister aware that many Goldfields people are desirous of visiting Darwin, but owing to the present restricted available accommodation, are unable to do so?

Additional Ships for the North-West

- (b) If the Government wishes to foster its policy of catering for tourists in the State, will the Minister advise whether it is intended to supply additional ships for the North-West service?

The Hon. A. F. GRIFFITH replied:

- (a) Yes. Owing to the limited amount of accommodation available and the needs of local residents, it is impossible to cater for all applicants.
- (b) A fourth passenger vessel is now under construction at Brisbane and is expected to be completed early in 1962.

METROPOLITAN FIRE BRIGADE BOARDS*Method of Financing*

- 2 The Hon. G. E. JEFFERY asked the Minister for Local Government:

(1) In what manner are the operations of the Metropolitan Fire Brigade Boards in each of the States of the Commonwealth financed?

(2) What proportion is paid in each of the States by—

- (a) Government;
- (b) Local government authorities;
- (c) Insurance companies?

The Hon. L. A. LOGAN replied:

(1) and (2) Contributions towards metropolitan fire brigades are as under:—

	Insurance Companies	Local Authorities	Government
Queensland	5/7ths	1/7th	1/7th
New South Wales	3/4ths	1/8th	1/8th
Victoria	2/3rds	1/3rd
Tasmania	50%	25%	25%
South Australia	5/9ths	2/9ths	2/9ths
Western Australia	5/9ths	2/9ths	2/9ths

MUNICIPAL CORPORATIONS ACT AMENDMENT BILL (No. 3)*First Reading*

Bill introduced by the Hon. E. M. Davies and read a first time.

STAMP ACT AMENDMENT BILL*Second Reading*

Debate resumed from the 11th November.

THE HON. F. J. S. WISE (North) [4.36]: This Bill is a further measure to increase taxation in the community. It is a Bill to increase the stamp duty on all hire-purchase agreements from 1/4th of 1 per cent. to 1 per cent.—from 2s. 6d. in £100 to £1 in the £100. It was anticipated in the speech of the Minister for Local Government, when introducing the Bill, that in our applications for special grants from the Grants Commission we would be penalised unless we increased the present rate of stamp duty on hire-purchase agreements.

The Minister further stated that the Government anticipates raising £160,000 for a full year from this measure. I do not know the source of the Minister's figures; I do not know upon what basis he assessed the £160,000 to be collected, because it does not fit in with any official figures available in regard to the volume of hire-purchase transactions in this State. It was not disclosed where those figures came from, but it is very important for us to know.

I have the latest official figures available; they were made available only on the 14th October last, and were made up till the quarter ended the 31st August. These are from the Commonwealth Statistician's figures, and they are statistics relating to businesses which finance the sale of goods by retail, but do not retail goods themselves. They comprise public and private companies, partnerships, banks and other financial business; they relate to all hire-purchase agreements made by those businesses in respect of goods sold by retail. All types of goods sold to farmers or other producers are included, whether they be producer-goods or not; but time payment and other instalment credit transactions are excluded, as are transactions by businesses which finance hire-purchase exclusively for their own employees. I repeat, these figures are absolutely up to date, and are the last official figures available.

The balance outstanding, as at the 31st August last, for all Australia for the full period was £360,860,000. That is the amount owing at the moment under hire-purchase agreements for all of Australia. For Western Australia the figure is £21,122,000.

The tables show very clearly that the increase is at a rate exceeding £2,000,000 a year, and approaching £3,000,000 a year. As this tax is to be applied during the current financial year, and is expected to bring in £160,000 in a full year, according to the words of the Minister, I suggest that the basis for the estimate of £160,000 is wrong, and that by the end of the financial year the transactions will at least be £24,000,000, which will bring in at one per cent, a sum of £240,000.

It is interesting to observe the volume of business in motor vehicles and tractors for all Australia, and for this State. I dare not weary the House with all the figures in the schedule I have before me, which, again was compiled as at the 31st August last. The schedule shows that the total in regard to new and used motor vehicles and tractors in all of Australia amounted to £85,634,000. That was the amount owing.

In regard to new agreements made in the first six months of this year, over £85,000,000 applies in respect of motor vehicles and tractors; and Western Australia's proportion for the six months ended the 30th June, 1959, was £5,543,000. The amount of business which is dealt with under instalment systems or on lay-by systems is voluminous. Tremendous sums are involved in all Australia, and very large sums in respect of Western Australia.

The Hon. G. C. MacKinnon: This Bill will have no effect on those transactions.

The Hon. F. J. S. WISE: It will have no effect on those transactions as they exist today, but I venture the opinion that one of the several effects of the imposition

of a tax of one per cent, will be the deviation of much of the hire-purchase business to the other sort of business, because of the lower stamp duty.

The Hon. G. C. MacKinnon: They will transfer to lay by.

The Hon. F. J. S. WISE: Of course the people will transfer to lay by, because no one in this House would suggest that in the ultimate the consumer would not be paying the one per cent., irrespective of what the Minister said at the conclusion of his speech and irrespective of the provisions in this Bill. We are not sufficiently naive or foolish to believe that any firm, large or small, will absorb in the case of a tractor the £20 additional in stampage.

The Hon. L. A. Logan: Give us the proof in regard to New South Wales, Victoria, Tasmania, and South Australia.

The Hon. F. J. S. WISE: The proof is in the airy-fairy words of the Minister. The proof is in this fact: The Minister has had the advice that the penal clauses in the New South Wales and Victorian measures have acted satisfactorily. That was all the information he gave us. He has asked me to give the proof, but the onus is on the Minister.

The Hon. L. A. Logan: It is on you.

The Hon. F. J. S. WISE: No matter how noisy the Minister may become by interjection or in reply, that noise in his argument will not carry any weight, for the reason that there is not one firm concerned in the handling of hire-purchase business, especially the lesser lights, which will be able to absorb the one per cent. itself. The margin of profit in the case of many of the firms engaged in hire-purchase transactions is not very high.

The Hon. L. A. Logan: How many of them have gone bankrupt in the Eastern States?

The Hon. F. J. S. WISE: No matter how the Minister may protest, the onus is on him to show—and he cannot show us—that in the ultimate the consumer will not pay the increased rate for the goods purchased under hire-purchase agreements as a result of this additional stamp duty. It will affect those who are least able to pay; it will affect the newlyweds considerably; it will affect the farmer who is becoming established, more particularly in the rural sense; and it will affect people who, in all their purchases initially, and quite properly, use the hire-purchase system to make progress with their equipment and plant. They are the ones who will pay.

It is quite idle to suggest that in respect of this additional £900,000 for motor vehicles and tractors for all of Australia, the additional one per cent. in respect of Western Australia's proportion of £5,500,000 will not be transferred to the

purchaser. The new agreements for Australia are working out at the rate of 100,000 a month.

It is clear that the volume of business to be affected by the stamp duty to be applied by this measure will, in the case of Western Australia, be associated with the total of £24,000,000. I would like the Minister to tell us how the estimated £160,000 was arrived at, because I am quite prepared to permit him to examine the material I received today, which shows the figures right up to date in regard to hire-purchase transactions in every State of the Commonwealth.

I forecast that in respect of this Bill there will be a big change in this type of business to instalment-purchase agreements, rather than hire-purchase agreements; that in many instances where a change cannot be effected in the style of business, undoubtedly the stamp duty will be passed on.

It must be said that there is no disgrace whatever in the use of hire-purchase arrangements. Almost every person within the middle class income has, at some stage, purchased some article through hire-purchase agreements, or on extended terms. This form of business is increasing in the whole of Australia today. The figures clearly show that in all the States, according to the population, a very high proportion of young married people are involved in hire-purchase agreement contracts.

Irrespective of what the Minister may adduce as to the satisfactory working of the law—surely we are not pledged to the law of another State because it is working satisfactorily there—I contend that ultimately the levy will be imposed upon the consumer, and the cost of the goods will thereby be increased. The tendency must be inflationary.

I further point out to the Minister that, although in this State we are well below the average of all Australia in regard to stamp duties imposed on hire-purchase agreements, we are not in any way in a discreditable position so far as stamp duties as a whole are concerned. It is not true to say that the Grants Commission has or will at any stage penalise us because of our low stamp duties. That is a fallacious assumption.

The Hon. L. A. Logan: You do not believe the Under Treasurer, then?

The Hon. F. J. S. WISE: I believe the evidence of the Grants Commission, no matter how the Minister may care to argue against it.

The Hon. L. A. Logan: You do not believe the Under Treasurer? Be honest.

The Hon. F. J. S. WISE: The evidence of the Grants Commission shows that the stamp duties, as non-income taxation, form one of the non-income taxes par-

ticularly mentioned by the Grants Commission; and one year—the year before last—we had a £325,000 favourable adjustment because of our non-income forms of taxation. Last year we had a favourable adjustment of these taxes of £570,000. These figures include stamp duty; so I say to the Minister I care not what the Under Treasurer may advise him in regard to all stamp duties. I have said we are lower in hire-purchase stamp duty, which the Minister mentioned himself; but let the Minister look at his own notes and he will find that specifically he was referring to stamp duties and then changed the argument to the stamp duty on hire-purchase agreements.

That is true; and it is true to say that the one-eighth of one per cent. on hire-purchase agreements is much lower than the average of all Australia, or the State general principle applied in Australia; but it is not true to say we are penalised because of our all-over stamp duties as applying to agreements, contracts, insurance policies, and all those things which make up the stamp duties outside of normal contracts, because in the year 1957-58 we received a favourable adjustment of £140,000 for our stamp duty position. The Minister cannot deny that.

He will find in the last two reports of the Grants Commission—reports 25 and 26—that we got a favourable balance of £325,000 in one year for non-income taxation and a favourable balance last year of £570,000. So that, including our one-eighth of one per cent. hire-purchase stamp duty, we are in a favourable position compared with the other States in all our stamp duties.

The Minister can find out, if he likes to look in the schedules of the Grants Commission report, that no penalty at all has been applied to this State because of our low stamp duties payable in the past on hire-purchase agreements. Because of the situation of the *per capita* average of all Australian States, including our own, it is extremely unlikely that we will ever be penalised on account of our favourable position. Members should reflect on this point: Victoria, with the vastness of its business transactions involving stamp duties, has a *per capita* average of little over 5s. in excess of Western Australia. That is the position with its millions of transactions, and with its being the head of many of the commercial activities of this Commonwealth.

So there is no support for the Minister's argument concerning the effect of our all stamp duty average. I suggest that there will be, as a consequence of this tax, a possibility, because of the words used in the definition clause, of many transactions being brought within the scope of this Bill if it becomes law—transactions which at present are not so affected. I refer to the interpretation and definition of the word

"goods." The word "goods" includes all chattels personal other than money or things in action; and it includes fixtures and so on. "Chattels" is a word very wide in its usage in this interpretation. A legal dictionary, which is supported by *Halsbury's Laws of England* shows that chattels, personal or real, include all movable things; and include as personal, a horse and other beasts, belonging to the person of a man.

I suggest that there is a distinct possibility of transactions between stock firms and purchasers of sheep, including stud stock—particularly by those people who are guaranteed by those firms which invest millions in such people for the provision of stock—being affected by this law.

The Hon. G. C. MacKinnon: That is pulling a long bow.

The Hon. F. J. S. WISE: No; I have conferred with a legal authority today on this point. I had the principal of a senior legal firm of this city produce the interpretation I have read. If members will go to the trouble of looking at the Bills of Sale Act they will find that the word "chattels" includes any personal property capable of complete transfer by delivery. That is the definition in our own law of the word "chattels."

The words "goods" and "chattels" were often heard by you, Mr. President, during those vexatious and difficult days of the 1930's when goods and chattels were attached by banking institutions and by people to whom large sums of money were owed; and the interpretation of "chattels" in its strictest legal sense, gives it as wide a coverage as the one I have mentioned. So I am saying it is a possibility; and I would like the Minister to clarify it to see whether it is not something to be brought within the scope of this Bill. It is important that it should not be.

For the reasons I have given, but mainly for the reason that this Bill must continue to have an inflationary tendency in regard to transactions in the lives of the people of the State, I oppose it, stating very definitely that except for the fact that it is to be used as a medium to raise £160,000, not a valid argument was raised by the Minister when he introduced the Bill.

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

STAMP ACT AMENDMENT BILL (No. 2)

First Reading

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

METROPOLITAN REGION TOWN PLANNING SCHEME BILL

Report

Report of Committee adopted.

Third Reading

Bill read a third time and returned to the Assembly with amendments and an amendment to the title.

LICENSING ACT AMENDMENT BILL

Second Reading

Debate resumed from the previous day.

THE HON. E. M. DAVIES (West) [5.3]: The main points that I can ascertain from this Bill, apart from the proposed change in trading hours of hotels, is that restaurant licenses would be granted in respect to portion of premises subject to a publican's license, and to restaurants which a court considers are suitable to hold a license, so that liquor may be served on premises, the subject of a publican's general license, between the hours of 10 p.m. and midnight—except on Sundays, Anzac Day, Good Friday, and Christmas Day; and on other premises between the hours of 6 p.m. and midnight, except on the days I have already mentioned. The Bill also provides for education in schools in connection with the evils of over-indulgence in liquor. Of course there are other amendments, but these are the important ones.

Firstly I am not in any way enamoured of this measure. I believe there are some provisions in it which are an improvement on the existing laws, particularly in regard to restaurants being licensed for the sale of liquor to those who desire it at meal times. I am one who believes that a person has the right to select whatever type of beverage he desires, and that the consumption of liquor with meals would be preferable to some of the methods adopted under the present licensing system. Those people who consume liquor with their meals would not consume as much as they would if they stood at a bar and did nothing else but drink.

I believe that the old-type bars which have been in existence for quite a lengthy period are partly responsible for some people occasionally being the worse for consuming liquor. For this reason the proposed provision for the granting of licenses to restaurants, although it may not do any good, will certainly do no harm.

The Government has not taken into consideration the fact that the changing of trading hours for hotels is usually effected after the opinion of the people has been ascertained by a referendum. This has

been done in the other States before any change has been made in the hours; and I feel the Government has made a very great mistake in not making provision for a referendum before submitting this Bill to change the hours.

For the time being I do not intend to support the Bill. If provision had been made for a referendum, I would have decided otherwise. It does not very much concern me whether a referendum be taken in regard to the whole of the State or portion of it, but one should definitely be held.

The Hon. J. M. A. Cunningham: What would a referendum cost?

The Hon. E. M. DAVIES: I think that is a stupid question. If the honourable member is going to consider the cost in this problem, he should remember that no thought is given to money in regard to other matters which have cost the State far more than would this referendum. If a referendum would be beneficial to the people, I do not think the cost should be considered; and I am rather surprised that the honourable member should make that an excuse for not taking the referendum.

The Hon. J. M. A. Cunningham: I did not say I opposed it; I just asked if you knew the cost.

The Hon. E. M. DAVIES: I am expressing my opinion at the moment. The honourable member expressed his, and I did not interject or take any objection to his views on this particular question. I have already said that some of the proposals in the Bill are very good; but a referendum should be held, particularly in regard to the change of hours.

The Hon. A. F. Griffith: Do you suggest that a referendum should be on a State-wide basis?

The Hon. E. M. DAVIES: I just said that I am not concerned whether the referendum is taken on a State-wide or on a district basis. I do not intend to speak very long at the moment because this Bill will go into Committee. Personally I am not going to commit myself in regard to the measure at the moment; although, I feel like opposing it until such time as I know whether the Government will hold a referendum.

One final point I wish to make is in relation to the term "drinker." I take great exception to that expression which is applied to those who occasionally have only one glass, or perhaps two. At liquor trade conferences and on other occasions I have continually heard this type of hotel patron referred to as a "drinker." That is not a term which should be used so generally. It is not right that hotel proprietors should refer to those who frequent their premises in this way; and I know that people object very strongly when they do.

I suggest to those in the trade that in future they refrain from using the word "drinker" because such term is not appreciated; but rather they should refer to those who frequent their establishments as customers or patrons, because that is what they are.

I conclude my small contribution to this debate by saying that while some of the proposals in this measure are an improvement on the existing conditions, I will not support the second reading unless the Government is prepared to hold a referendum in connection with the matter.

THE HON. F. R. H. LAVERY (West) [5.13]: I do not desire to say very much in connection with the debate, but I do not believe that I have the right to record a silent vote. I remember that when, in 1916, I was a lad of 18 in Westonia, I was very active on several social organisations. For instance, I was the assistant secretary of the Red Cross, the secretary of the fire brigade, and secretary of the trench comforts fund, to mention a few of the organisations with which I was connected. This was because I was a very active lad; but, I was a non-drinker.

When the Federal proposal was submitted for conscription, at the same time a referendum was held in regard to prohibition. Many people in Westonia came to me and asked me to work for the prohibitionists. However, I told them that because I was a non-drinker, that was no reason for me to be a prohibitionist. I had no right to attempt to stop people from doing what they desired so long as it was paid for and was within the law. I said that in 1916, and I repeat it now in 1959. I believe the Government is asking us to make a decision which it should have made. It should have asked the people their opinion in regard to the alteration of these hours.

I believe that the field covered by this Bill is such that the questions contained in it should be decided by referendum. I do not want anyone to think, however, that I am trying to hide behind a referendum. I am the elected representative of a group of people; and from discussions that I have had in the last few months with hotelkeepers, club managements, and others in my area, I have found that some hotel proprietors would be quite happy with the 10 a.m. to 10 p.m. hours proposed in the measure, while others, in the City of Fremantle, would prefer the present hours to remain.

The people about whom I am most concerned, however, are the hotel patrons, because I believe that if people wish to drink, the necessary facilities and amenities should be provided to enable them to do so in peace and comfort. Some opponents of drinking have a lot to say about drunks. A few years ago, when ships called at Fremantle, one would see the

firemen, who had been shovelling coal into the boilers, coming ashore, covered with dust and with sweat rags around their necks, and heading for the nearest hotel. Within a few hours they would be well under the influence of liquor. But today those men have been replaced by diesel engineers, who come ashore neatly dressed in their uniforms; and we no longer see the so-called drunks about the streets.

I am worried about the people who go to hotels and who, at closing time, leave under the influence of liquor and drive away in motor vehicles. I feel that perhaps the onus should be placed on hotel proprietors—if necessary—to see that the patrons do not get too much liquor. If it were not for these fools who drive motor vehicles, after drinking to excess, there would not be so much opposition to drinking.

When a parliamentary committee was appointed to inquire into the Licensing Act, the Liberal Party refused to take part in it; and placed the onus on the Country Party and Labor Party to conduct the inquiry and draw up a report. I believe that all who have read the report of that committee will admit that it is comprehensive, having been formulated after a considerable amount of research. I believe the Government is wrong in bringing down this legislation at the present time. It has been in office only a short time and could well have left this measure until next year, when it could bring down a Bill completely rewriting the Licensing Act.

The present measure is nothing but a hotch-potch; and many people are dissatisfied with the way the matter is being handled. If we had before us a Bill completely overhauling the Act, we would be able to produce legislation which would benefit the hotel trade, the breweries, and the consumers of liquor. Like most members, I have received quite a lot of correspondence from various groups of people who have always been opposed to drinking, for which I give them full credit; as well as correspondence from people who support the Bill. However, I have not received a single letter from any ordinary citizen of the type that has a drink in a hotel; so I am not prepared to support the Bill unless the Government will agree to a referendum being held.

THE HON. R. F. HUTCHISON (Suburban) [5.20]: I do not wish to cast a silent vote on this Bill; and I agree with Mr. Lavery, that it would be better for the Government not to proceed with this measure until the whole of the liquor question has been inquired into, and the law relating to it completely recast. We live in a democracy; and I believe that a referendum should be held so that the majority voice of the people could be heard on this question. The licensing laws affect everyone in the community, both

drinkers and non-drinkers. We are not elected to this Chamber to rule by force; we should consult the people on a question such as this, in order to find out what they want. I repeat that a referendum would be the fair and just way of resolving this problem.

I have had letters from a number of associations and groups of people, and I agree with the point of view that they express. In the course of my life, I have seen the havoc which the misuse of drink can bring about; and its effect on both drinkers and non-drinkers. The whole liquor question requires careful consideration. We have no right to deny people any social usage if they want it; but I believe that we should do what we can to even up the position between clubs and hotels. The clubs have become a social amenity and fill a need for those who want them; but we should see that a balance is kept and ensure that we do not create any greater evils than now exist.

Under the present law, hotels are required to provide meals and accommodation for the travelling public; and that is a considerable service to the community. So I do not think they should be placed at a disadvantage as compared with clubs. We all know that if the people want something they will eventually get it; and if they want clubs for the social contacts and amusements they find there, they will have them; and we have no right to try to prevent that. However, I agree that drink can be a very harmful influence in the community.

If we submitted the whole of this question to a referendum, the people would have an opportunity of expressing their wish as to whether the present Act should be altered. Since I have grown older and have mixed with all classes of society, I have come to realise that it is very difficult to prohibit any social usage; and I repeat that we have no right to bring about such a prohibition. It is our duty, I believe, to do what we can to overcome the evils of drink; but what should be done in that regard is beyond me.

I feel that this Parliament should be able to prevent some of the abuses that exist under the present Licensing Act. Having lived on the Goldfields, I realise that there is no analogy between the Goldfields and the city, as regards the liquor question. The climate on the Goldfields is entirely different from that of the metropolitan area; and the people there have not the same amenities and entertainments available to them as exist down here. For that reason, I would not restrict the present position on the Goldfields; although I firmly believe that the people should be allowed to speak on this question with a decisive voice by means of a referendum.

THE HON. C. R. ABBEY (Central) [5.27]: I believe that the proposal for the holding of a referendum is wrong in principle because, if agreed to, it would simply mean passing the buck. We, as members of Parliament, should not shelve our responsibilities, but should be prepared to make up our minds and vote on this question.

The Hon. A. F. Griffith: As we have done about 36 times previously, without a referendum.

The Hon. C. R. ABBEY: That is true. We might well draw some comparison between this question and the recent debate in regard to the building of a pool in King's Park; because I feel that a referendum could equally have been sought there—

The PRESIDENT: Order! The honourable member must not proceed along those lines, but must return to the Bill.

The Hon. C. R. ABBEY: I cannot support the proposal to hold a referendum; because I am sure that we can make up our minds on behalf of those whom we represent. One of my objections to a referendum is that if we cast our minds back we can recall unfortunate experiences of the past, such as what happened in America when prohibition was brought about by a referendum.

I am sure we would not like to see the youth of this country suffering from the effects of consuming wood alcohol and other substitutes for liquor, as happened during the prohibition period in America. Another factor is that many of the evils arising during a period of prohibition persist long after the use of alcohol has again been legalised. Restrictions lead only to abuses; and, if the decision were left to me, I would allow the hotels to remain open until 11 p.m., because I believe that hotel patrons are entitled to the same conditions as club members, who already have very liberal drinking hours.

Perhaps there could be a break in the trading hours in the late afternoon so that people could go home for their evening meal and then, if they so desired, return to the hotel to drink in the evening. Many comparisons have been drawn between the liberal trading hours enjoyed by Goldfields people as compared with the trading hours in the metropolitan area. However, I point out that people in the wheatbelt and out-back country areas also suffer the same adverse conditions. For example, I am sure that a man who was working on a harvester in the heat of the day would enjoy a drink on a Sunday afternoon or late at night if he were able to obtain one at the hotel nearest to him. I am sure that many members in this House agree with me on that.

If the trading hours were extended in all parts of the State, I am sure they would be observed by the people in a sensible manner, and that such a concession would not lead to abuses of the Act. Let us, therefore, extend such drinking privileges to the people all over Western Australia.

THE HON. H. L. ROCHE (South) [5.32]: I have a few views which I would like to express on the licensing laws of our State. At the outset I am not particularly happy with the Bill as we have received it from another place, nor as it was originally introduced by the Government. However, at least the Government showed the courage to introduce a Bill which, to my mind, seeks to make some improvement to the provisions which have been in the Act practically ever since we have had responsible government in Western Australia. As will be seen from the Bill, some of the provisions in the Act go back to the horse and buggy days because by this measure it is sought to remove all reference to stables for horses and accommodation for their attendants.

I am not concerned with the viewpoint of those in the liquor trade, or of those people who are desperately scared of the effect of liquor on themselves and who seek to deny other people an amenity which is regarded as an accepted part of civilised living in this modern world. Most people recognise that a reasonable consumption of alcoholic liquor is part and parcel of civilised living in most countries of the world. Therefore, to me it seems wrong that any minority—and it is an unofficial political minority—should seek to take it upon itself to try to deny to the rest of the community a reasonable supply of liquor, especially to those who know how to hold it and handle it.

As far as our prohibitionist friends are concerned, they seem to visualise, the moment any action is taken by those who have had any experience of liquor to improve the conditions for the drinking public in general, that such people are going to turn 99 per cent. of the population into dipsomaniacs; and, blindly and willy-nilly, they oppose any reform that is sought. So far as the representatives of the liquor trade are concerned, they are well able to look after themselves. It is the general mass of the people, who have come to regard a reasonable consumption of liquor as one of the amenities of civilised living, that we should consider and try to serve.

The framers of this legislation must have made an oversight—which I regret—because whilst they have drafted a Bill which constitutes a tremendous advance by providing for the supply of liquor with meals on other than licensed premises, they have not seen fit to prohibit the continuance of the present conditions surrounding some establishments. By that I mean that

people are permitted to take liquor into eating houses and consume it up to any hour. When the parliamentary committee was inquiring into the ramifications of our licensing laws, its members had an opportunity to visit some of these restaurants and eating houses. It was found that some of them were very well conducted; and I am sure those are the establishments for which applications will be made for licenses to sell liquor with meals. However, the day the licenses are granted to those establishments, their patrons will not be able to take their own liquor on to the premises.

What I am leading up to is that this legislation has not sought to deal with those "shypoo" joints in Leake Street, and surrounding parts—places of a most disreputable nature, into which people are allowed to take as much liquor as they like, and where they may stay as late as they like. This Bill will not prevent those places from continuing to operate. In my opinion that is a bad omission. The framers of the Bill may have had good reason for allowing them to continue in business, but I cannot think what those reasons might be.

In view of the developments since the Bill was introduced in another place, I am afraid that those of us who would like to see sane legislation dealing with liquor consumption and sales in this State would be better advised to accept what we have in this measure rather than try to amend it in any material way; because, obviously, if an opportunity occurs as a result of our amendments, there will be an amalgamation, or a most unholy alliance, in another place which might mean that the whole of the Bill will be scrapped. Another unfortunate omission is that the Bill does not provide for any restraint to be made on bulk liquor sales. With the advance of refrigeration, there have been developments over the past 15 years which have brought about many changes in some stores which hold a gallon license. In fact the sale of liquor has become their major activity, whereas years ago they were principally grocery stores or general providers.

Apparently anyone can go to those stores and obtain an ice-cold keg or, if he so desires, the proprietor of the establishment will deliver it to the person's house together with a gas container and all the appliances necessary for drawing the beer. Following that, the storekeeper will pick up the empty keg the next day.

The Hon. G. E. Jeffery: One can have either a singing or a fighting keg.

The Hon. H. L. ROCHE: Up to date they have been mostly singing kegs. These stores have gone past the stage of being gallon license premises; and this aspect of liquor sales is also noticeable in clubs and hotels. It is common practice today for

suburban keg parties to be held. A group of friends will take turns in holding the party at each other's home. When this trend first began, one keg was consumed, but now two are. Generally, these keg parties continue to 1 a.m. and 2 a.m. No check whatsoever is made on this feature of our drinking. Quite often there are teenagers present at these keg parties.

When the parliamentary committee was making its investigations, I was unofficially informed by one member of the Police Liquor Branch that he knew of an instance where teenagers, in the absence of their parents, had telephoned the local grocer and ordered a keg of beer to be delivered to their home. There was one case of a girl of 15 or 16 years who hired a taxi to go to one of these gallon license establishments and then sent the taxi driver in for a keg to take back to her home so that she could hold a beer party. Those are only a couple of instances of what is happening today with keg sales; and the practice of holding keg parties in the suburbs is going to increase.

In a few years this development will have become so firmly established in the community that we will have some difficulty in effecting improvements to our licensing laws by way of restraint, in much the same way as we are facing difficulties in regard to other aspects of the liquor trade today, including the exotic growth of clubs, and the liberal granting of club licenses. Unfortunately, the position is such that we cannot do much to rectify it at the moment; but it is something we should keep well in mind. From what I have observed, I am certain that this trend will develop into one of the major weaknesses of our licensing laws.

There do not seem to be the same difficulties with regard to the sales of bottled beer. I do not know whether this is because a person can drink only a limited amount of bottled beer, or whether, when several bottles are purchased, and only a certain number have been consumed, the remainder can be disposed of the following day; whereas, if a keg is purchased, all the contents have to be consumed at the one sitting, because any beer left in the keg would go flat.

The Hon. G. Bennetts: Some holders of gallon licenses sell several bottles of liquor at a time.

The Hon. H. L. ROCHE: That can be dealt with under the Act as it now stands. My view on Sunday trading is that there was never any need for it. It is a pity it was ever introduced. I opposed the provision when it was before the House for consideration, and I have since seen nothing to make me alter my opinion. As the position is now, and as apparently it is to continue in the future, it is unfortunate that some agreement cannot be reached among those with tolerant views to make Sunday trading State-wide. If

this were done, and the midday Sunday trading session were eliminated, it would be an improvement on the existing state of affairs.

In a civilised community, it seems a disgrace to see literally hundreds of people, during the summer months particularly, travelling in vehicles to such places as Sawyers Valley and Rockingham for the sole purpose of becoming reasonably well lubricated in the least possible time; and some of them becoming a menace to others on the road when driving their cars home.

If this amenity were extended to the suburban areas in particular—say, to any hotel licensee who likes to avail himself of this amenity, if it is an amenity—we would immediately overcome the problem which, to my way of thinking, is one of the very undesirable features of our existing law. I would not like you, Mr. President, or anyone else to think that I am hostile to the liquor trade or that I am averse to a certain amount of reasonable lubrication myself, but I do think—

The Hon. H. K. Watson: You will take in a given quantity?

The Hon. H. L. ROCHE: I could once.

The PRESIDENT: Order! This is not question time. The honourable member may proceed.

The Hon. H. L. ROCHE: There is another aspect of the liquor trade which members should bear in mind in the event of the Government deciding to improve still further our legislation next year, or before it goes out of office. Apparently this Government has the courage to tackle the liquor business; and to my knowledge we have not had a Government in the last 20 years with the courage to do so. One way in which the Government could proceed to improve the general standards of accommodation and service in hotels would be to make a concession in the license fees.

Some hotels cater for the house trade; some definitely do not; and there are others that do not care very much. It seems to me that the only way to overcome that problem—and so far as I am concerned the major reason for the existence of a hotel today is to provide for the public—is to make it worth while for publicans who are prepared to cater for the house side of their trade.

The Hon. G. C. MacKinnon: Are you suggesting graded hotels?

The PRESIDENT: Order!

The Hon. H. L. ROCHE: No; I was never enamoured of the idea of trying to establish a standard for hotels, because some licensees do not care. In some country towns there are only two or three hotels, and the licensees might not care about the standard of the accommodation they provide; but people would still have to stay at those hotels. To my mind there is only one practical way to raise the

standard of hotels; that is, to take into account the house trade as an offset against the liquor trade in assessing the license fee to be paid.

At present, the license fee is assessed on liquor turnover. If the amount received from the house trade were deducted from the amount received from the liquor trade, before assessing the license fee, it would provide an encouragement to those licensees who were prepared to cater for the public. I know of no other way which would be effective. It would probably cost something in regard to the total amount of license fees collected, but I have no hesitation in saying that the Government would be justified in increasing the license fees for other hotels in order to compensate for this loss.

The Hon. G. C. MacKinnon: Up-grade the poor accommodation hotels.

The Hon. H. L. ROCHE: I cannot think of any other way which would effectively improve the standard of our hotels. It must be done through the pockets of the licensees. There is one hotel in Perth—there may be others—which I understand earns more from its house trade than it does from its bar trade. That would create a difficult position; but it is one which I think could be overcome by having a flat-rate license fee.

The Hon. L. A. Logan: It is a combination of both.

The Hon. H. L. ROCHE: It is outrageous that in Perth—and in some country towns—the travelling public are not wanted. The licensees complain; and they say that, because the bedrooms are not used, they should have the right to close them. However, they do their best to make sure that the bedrooms are not used by the poor type of service and accommodation which they provide.

The Hon. G. C. MacKinnon: Don't you find that that is only in towns—

The PRESIDENT: Order! The honourable member has made his speech.

The Hon. H. L. ROCHE: This may sound a little revolutionary to some members, but I think we should give some thought to removing the restrictions which are now in force through the Licensing Court in regard to new buildings. I cannot see that the public would suffer in any way if, in Perth, there were a few hotels built up to a 1959 standard with 1959 accommodation and service. We have to some extent, through our efforts to control abuses in the liquor trade, built a monopoly which has drifted along and allowed buildings of 30, 40 or 50 years of age still to be used.

No-one is allowed to come along and set up a modern hotel alongside an existing hotel. I do not think that the public—that is, members of the public who take liquor and stay at hotels—would have anything to lose if it were possible

for people to come along and erect a modern hotel alongside an old hotel under such restrictions or conditions as the Licensing Court might think desirable. If a modern hotel is built next door to a dilapidated old place that was here in the days of Sir John Forrest, it is not for us to worry about the investor—it has to be an investor because of the expense involved—if he is prepared to risk his capital. If he loses it, that is due to his bad judgment. If the old antiquated building goes out of business, why should we concern ourselves unduly, provided the public obtains an improved service and an improved facility?

Whilst that may sound revolutionary, I suggest to members that it is worth while thinking about. In Perth, Fremantle and some country towns, there are hotels which every now and again receive a certain amount of renovation, including paint work, yet they remain shacks because they were built almost before the horse and buggy days. They held a license then, and they have been allowed to continue. No-one has been allowed to come in and build modern premises to really cater for the public.

With saner drinking habits, and with a little more enlightenment amongst the public, members should reflect on whether we are not over-concerned regarding the restriction of hours. It is a very small percentage of the populace which insists on drinking to excess. Therefore, if hotel-keepers were prepared to keep their hotels open for any 12 hours which suited them, I do not think we would suffer very much if they were allowed to do that. In fact, I think the position might be improved. I think hotelkeepers should be able to nominate the 12 hours during which they would be prepared to remain open; but I am not sufficiently optimistic to believe that that suggestion will be acceptable for quite a while yet.

There seems to be a very real reform to which no attention has been given. There has been some talk—I think there is provision for this in the Bill—in regard to education on drinking. Drink never did me much harm; and I have had mighty little education about it.

The Hon. A. R. Jones: You did not need it.

The Hon. H. L. ROCHE: However, I am not going to decry that provision. I believe those people who honestly want to reform our drinking habits—the people who want to accelerate the movement from the old pioneer front-bar type of drinking to the saner type of drinking that exists in the United Kingdom and the older countries of the world—should concentrate on trying to obtain the production and sale of liquor with a lower alcoholic content. The beer of this State, and that of the other States of Australia—I think I am right—has an alcoholic

content of about 8½ per cent. Evidence was submitted to the committee—I do not wish to quote it, because that committee took evidence from anyone and everyone on the understanding that it was not for publication—that the Government should follow the same practice as obtains in England and encourage the brewing of a 5 per cent. mild ale.

If a strong and genuine move were made to impress upon the Federal Government the desirability of something of that kind—for a start the alcoholic content need not be as low as 5 per cent.—so that in the assessment of excise that Government could make a liberal concession to the brewer of beer with a lower alcoholic content, the monetary attraction would, I think, help to popularise the drinking of that type of liquor.

The Hon. G. Bennetts: You might bring me into it then.

The Hon. H. L. ROCHE: That would be a misfortune after all these years. A move along these lines was made in Queensland during the war. An approach was made to the Federal Government, and the reply received from that Government comprised quite a number of pages; and to my way of thinking it was just gobbledygook. Unfortunately, the brewing interests are not favourably disposed to a proposition of this kind. Apparently, whenever the proposal is put forward to the Federal Government, its excise officers visit the brewers and naturally obtain an apparently strong case as to why nothing should be done.

However, the fact remains, as I said earlier, that a beer is produced in the United Kingdom which is quoted as mild pale ale; and it has a 5 per cent. alcoholic content.

If it is possible to produce such beer there, I suggest that, if encouragement were given to the brewers in this country to produce something of the same kind, it could probably be sold at 3d. or 4d. a schooner less than the cost of the present beer. I think a market could be found for it; and if it were popularised we would not have as much drunkenness as we have now; although to me—I have lived a fair time—it seems obvious that there is nothing like the amount of drunkenness in the community today that there was 30 or 40 years ago.

The Hon. F. R. H. Lavery: Quite correct.

The Hon. H. L. ROCHE: I regret that the Government did not feel disposed to take a stronger line in regard to the clubs that have sprung up all over the place, particularly the sporting clubs which have been licensed to retail liquor. Instead of regarding the license, as they claimed it would be in their application, as an amenity for their members, they regard

it as a means of making a profit for the purpose of building better premises and increasing the amenities of the members without imposing a corresponding increase in the fees.

The position in this regard can become rather desperate. I am speaking more particularly of the country areas, because in the country the hotels are expected to provide meals and accommodation for the public—particularly the travelling public—and they will be having some of their most profitable trade taken from them. The hotels are controlled and policed to a far greater degree than are the clubs. The sporting clubs are not expected to provide accommodation for anyone—even their own members—and they are not required to provide facilities for anyone who is not a member.

I think the position will get worse in the next few years. If future Governments, with the courage that this Government has displayed in making a start, continue to deal with this question, then we, as a Parliament, should approach the matter in a commonsense way instead of being swayed by outside influences which have their own particular logs to roll.

THE HON. G. E. JEFFERY (Suburban) [6.31]: I have no wish to cast a silent vote on this measure; and I intend to support Mr. Wise in his attempt to have a referendum, on the question of hours, held in all parts of the State excluding the Eastern Goldfields. When the committee that was set up by the previous Government investigated the various angles of the liquor trade, and heard witnesses from 43 different organisations—and I take it the evidence was given by more than 43 individuals—the committee had a broad picture of the opinion of the public in this State; but we find that three of the members of the committee were in favour of changing the present hours, and three were in favour of no change in the hours.

I suggest to members that they look at page 1 of the committee's report, and they will see that the witnesses were from diversified interests. The committee, after hearing the evidence of those witnesses, was split evenly down the centre on this vexed question. We have been told that if we are going to take a referendum on the liquor trading hours, there are other subjects to go before referendums. I suggest in all sincerity that a change in the trading hours of hotels could have a big effect on the social life of Western Australia.

I have some private opinions as to the form the referendum should take. Anyone who is strong enough in his belief in this matter would take the sporting chance of obtaining the opinion of the public. I realise that referendums cost money; but I also realise that this is a serious question.

Much has been said of the relationship between clubs and hotels. I might say something on this matter so far as it applies to the metropolitan area, because I must admit that my experience of clubs and hotels in the country is not very great; and I would not even set myself up as an expert concerning the metropolitan area. I do suggest, however, that in quite a number of suburbs the hotels were established for many years prior to the clubs, and the reason why so many people flock to the clubs is because of the shabby treatment meted out to them by some of the suburban hotels.

A lot of people talk with their tongues in their cheeks, and they get carried away somewhat when they refer to the tourist trade. When it is all boiled down, the backbone of the hotel trade in this State is made up of the people permanently resident within our boundaries. I suggest that in many cases the people flock to the clubs because of the take-it-or-leave-it attitude of the publicans who, in many instances, unfortunately, regard the sale of liquor as a monopoly.

The clubs have certain natural advantages over hotels. I am a member of a club; and I joined it, not so that I could drink liquor outside the ordinary hours—after 9 o'clock during the week, and on Sunday—but because I am a very one-eyed supporter of a certain football club. Because of my loyalty to and interest in that club, I joined it. The advantage that clubs enjoy is that they can discipline their members. If a member of a club does not play the game according to the rules, his own friends will soon expel him from the club. This gives a club a much greater hold over the conduct of its members, than it is possible to have over the people who frequent hotels.

Many hotels in the metropolitan area are owned by absentee owners who have no interest in the hotels other than to see that the maximum income is derived from them. The unfortunate manager, however, is in the invidious position of having to satisfy his master and, at the same time, the client. In many cases, I suggest, he has to shut his eyes to certain things which, if he owned the hotel, he would deal with by taking severe remedial action.

When I look through the figures and see the number of people convicted of drunken driving, and who were arrested within 10 minutes of closing time, I think something should be done. Under the Licensing Act the publican, and his staff, can be convicted for selling liquor to a person under the influence. I suggest that this section of the Act requires much more intelligent interpretation and administration than it is getting at the moment.

Having travelled in every State of Australia, except Tasmania, and taken an interest in the hotels in both the city and the country, I would say that, generally

speaking, the hotels in this State are of a much higher standard than those in the other States. That is my opinion; but it may be slightly biased because of State loyalty. I sincerely believe that our hotels and the Licensing Court have done a good job regarding the provision of accommodation. I also say that the owners of some of the hotels in the metropolitan area, if they want the hours extended, will have to give much more comfort to the people who frequent their premises. The person who first thought of the title "trough" for a public bar was not far wrong when we consider the conditions at some of the suburban hotels.

I suggest, too, that in the administration of the Act, a stroll around the suburbs at about 5 p.m. on a Saturday would show the state of the public bars. I would hate to go into my home and see the same amount of spilt beer and the same number of cigarette butts on the floor as can be seen in most hotel bars. The application of a broom would, on many occasions, mean that a much better impression would be gained than is gained at the present time.

The hotels in the metropolitan area have, to a large extent, contributed to their own downfall. We hear of the amount of custom that is being taken from the hotels by the clubs; but I submit that in many suburbs that suggestion does not represent the true picture. I know that we cannot go on the amount that passes over the counter, because of the inflationary trend since the cessation of the last war; but I suggest that the amount of liquor sold through the taps would, in most instances, be equal to or greater than the amount that was sold in 1945. What has happened is that, in many areas, the clubs have taken the patronage of the increased population. The competition the clubs give to the hotels is quite healthy for the community.

One provision in the Bill which I like is that which will allow the individual to have liquor served with his meals. Frankly, I believe this is a sane way of drinking; and it brings us more into line with what occurs in the Eastern States. I have had experience in Melbourne; and I think the idea of being able to drink with a meal is an excellent one. There seemed to be no abuse of this privilege in Melbourne; if it were abused, I did not see it.

In Sydney, of course, the hours are from 10 a.m. to 10 p.m.; and on the two occasions that I spent touring the city of Sydney and drinking as the guest of the people who were my hosts, I frankly admit that I saw no abuses of these trading hours. The authorities there seem to maintain a pretty tight control over the conduct of the populace; and I could not make any complaint.

I had a vastly different experience in Brisbane where I spent eight days. My impression of Brisbane was somewhat marred by the fact that the eighth day I was there was March the 17th—St. Patrick's Day—and there seemed to be more Irishmen in the city than in any other capital city of the Commonwealth; and although they were not armed with shillelaghs, they were wailing the daylights out of every other Irishman or Scot who was present.

A committee in Western Australia heard much more expert evidence than is available to members in their daily callings, but the members of that committee could not agree on the question of hours, but, as I said earlier, split down the centre so that three were in favour and three were against any change. I suggest that a referendum of the people of this State be held to decide the issue. In the first instance, another place attempted to carry out the recommendation of the committee that the hours be increased in the summer; but I agree that whatever the hours are, they should apply equally in both the winter and the summer months. With these few remarks, and with the fear of hearing the traditional call of the publican, "Time, gentlemen," I shall resume my seat.

Sitting suspended from 6.15 to 7.30 p.m.

THE HON. L. A. LOGAN (Midland—Minister for Local Government—in reply) [7.30]: I do not know that it is necessary for me to say very much in reply to the debate on this Bill. As I said when I introduced the measure, it is a non-Party Bill, and every individual member has the right to express his own point of view; and, if he desires, he can place amendments on the notice paper. It will then be up to him to get support from the various members in the House.

The Bill now before us is different from the one which was introduced in another place; and this, to a certain extent, proves that any amendments to the Licensing Act cause a good deal of discussion among members. In the first place, it was based mainly on the report of a parliamentary committee composed of six members of Parliament, with Mr. Heenan as chairman. Those members made a fairly lengthy inquiry into the position; and, from the list of those who gave evidence, it is obvious that the witnesses came from a good cross-section of the community. The committee's report was presented to the Police Department, the Licensing Court, and the Crown Law Department for comment, and it was then referred to a Cabinet sub-committee. Then the Bill was introduced to Parliament.

I am not going to say that if there had been no change of Government, the Labor Party would not have introduced a Bill to

amend the Licensing Act; but it fell to the lot of this Government to introduce such a Bill; and, as I said, it was based mainly on the report of the parliamentary committee. I think it is only right that members should support the findings of that inquiry.

We have to remember that we are dealing with a commodity the consumption of which is not compulsory; nobody is forced to have a drink. We are dealing with liquor, which is available in many forms. It is sold both wholesale and retail, and can be obtained from hotels and store-keepers. If anybody wants to drink in his own home for 24 hours of the day, he has every right to do so. Because hotels are open between 9 a.m. and 9 p.m., and on the Goldfields and in the North-West from 9 a.m. till 11 p.m., it does not mean to say that people are forced to go to the hotels; there is nothing compulsory about drinking liquor. All this Bill gives the public the right to do is to drink between 10 a.m. and 10 p.m.; but there is nothing compulsory about it.

The Hon. F. R. H. Lavery: They can do that now.

The Hon. L. A. LOGAN: Up to 9 p.m.

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

The Hon. L. A. LOGAN: This Bill will give them the right to drink at a hotel until 10 p.m., if they want to; but they do not have to go to a hotel.

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

The Hon. L. A. LOGAN: Recently a sunshine festival was held at Geraldton, and I was responsible for inducing the Minister for Police to grant an extended license for every night the festival was being held; so for eight nights there was 9 a.m. to 10 p.m. trading for the hotels in Geraldton. I say without fear of contradiction that it worked very well, and there was no trouble in any direction. There were many visitors to the town, and they stayed both at hotels and in private houses.

The Hon. E. M. Davies: That was not the only attraction you had, surely!

The Hon. L. A. LOGAN: Of course not, but the 10 o'clock trading was an added attraction. The people staying in private houses, particularly, were able to go to the lounges and beer gardens of the hotels and stay with their friends until 10 o'clock, instead of having to leave the hotels at 9 and take bottles home with them. The sale of bottled beer for that particular week, taking everything into consideration, must have dropped considerably. If we could reduce the sale of bottled beer as the hotels close, we would be doing something worthwhile for the community. Those of us who knock around, and who know what goes on in the community,

realise that it is the bottled beer which is sold when the hotel is about to close at 9 p.m. that causes a good deal of trouble. It is at the bottle parties, which begin after the hotels close, that the trouble starts.

I believe that we would be doing the community, as a whole, a service if we permitted the hotels to remain open until 10 o'clock at night. There is an amendment on the notice paper dealing with a referendum. Any remarks I have to make about that aspect will be made during the Committee stage. The parliamentary committee which inquired into the Licensing Act went to a lot of trouble, and Mr. Heenan even went to the Eastern States and interviewed Judge Maxwell. A comprehensive report was presented dealing with many aspects of the liquor trade, and I would like to take this opportunity of congratulating the committee.

Admittedly the report was not a unanimous one in regard to some aspects. But surely, on an issue such as this, we do not expect to get unanimity on every point! There are many people, and many different groups in our midst who have different ideas. I suppose if one went around with a sheet of paper and asked different persons their views on the liquor question, both in regard to hours and everything else, one would get a thousand and one different answers. I believe this is the place to decide the issue.

Mr. Jones said that he hoped people would not be fleeced by restaurant keepers charging exorbitant prices. Once again, I say that if people know they are being overcharged, and they go back to the same restaurant, it is their own fault. There is no compulsion about it; they do not have to go there. Those restaurant keepers who are granted a license will be forced to provide a menu showing the prices of the liquor and the prices of their meals. Whether we like it or not, eating in restaurants of this type is becoming an accepted way of life in Western Australia, and throughout the rest of the world. We are reaching a stage in this State where our tourist trade is increasing; and it must increase if Western Australia is to progress. The tourist trade is probably one of the best money spinners any country could have; and we have to induce tourists to come to this State. To do that we have to provide the same facilities as are provided elsewhere, and we must have the same sound liquor laws which are in existence elsewhere.

The Hon. E. M. Davies: What induces tourists to go to South Australia?

The Hon. L. A. LOGAN: Probably the tourist trade in Western Australia is greater than it is in South Australia; or maybe South Australia has some natural resorts. But in any case, one can still get liquor after hours in South Australia.

The Hon. E. M. Davies: You can get it here.

The Hon. L. A. LOGAN: That is so; but we do not want any hole-in-the-corner drinking. That brings me back to Sunday trading, which one or two members did not believe in. Before Sunday trading was legalised, it was not uncommon for hotel-keepers to have secret sessions in their lounges, every Sunday morning and evening, at which their friends were entertained and were able to get liquor. But if a person was not a friend of the licensee he was not able to get anything. I think that applied throughout Western Australia; and, at least, the granting of a morning and an evening session for country hotels did away with the secret sessions, and gave those people who wanted a drink on Sundays an opportunity to get one. But I say again there is nothing compulsory about it; they do not drink if they do not want to.

I was not over-happy with Mr. Bennett's contribution to the debate. He implied "We're all right, so never mind about you." That was because there is 11 p.m. closing on the Goldfields, and it has worked very well. It has not caused any trouble; and, because of that, Mr. Bennetts, who represents those areas, is quite satisfied and does not want anybody else to have the same facilities. I say that, because he said he would oppose the Bill. Surely we should not adopt that sort of parochial attitude! If it is good enough for the Goldfields to have 11 p.m. closing, surely it is good enough for the rest of the people of the State to be able to get a drink in a hotel up to 10 p.m. if they want it. I hope the second reading of the Bill will be agreed to.

Question put and passed.

Bill read a second time.

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.

Clauses 1 to 12 put and passed.

Clause 13—Section 51 amended:

The Hon. H. K. WATSON: Among other things this clause provides that the requirements of sections 51 and 51A of the principal Act may be over-ridden by the Licensing Court. Section 51 provides that hotels within the City of Perth and the City of Fremantle shall have 12 bedrooms, and so on; and that hotels outside the City of Perth and outside the City of Fremantle shall have bedrooms to the number of six, and so on. It may have been all right in 1922 to take the City of Perth and the City of Fremantle and regard the intervening cities or towns of little importance.

But in 1959 the discrimination between large hotels on the one hand, and small hotels on the other, ought to be more

explicit. Rather than confine this aspect to the City of Perth and the City of Fremantle, we would make a proper discrimination if we said that hotels within a radius of 15 miles of the G.P.O. should have 12 bedrooms, and those outside that radius should have six bedrooms. I do not propose to move an amendment, but merely to make those few remarks for the record. The suggestion could well have been included in the amendment to section 51.

The Hon. L. A. LOGAN: I appreciate the point raised by Mr. Watson. I think it has some merit. He was good enough to mention it to me last night. We thought of a possible amendment, but found it would be rather difficult. I will place a note of the honourable member's views on the file, so that when this matter is brought forward again it can be given consideration.

Clause put and passed.

Clause 14—Sections 51A and 51B added:

The Hon. R. THOMPSON: I have circulated an amendment I propose to move.

The Hon. A. F. Griffith: Why didn't you put it on the notice paper?

The Hon. R. THOMPSON: I circulated it in plenty of time.

The Hon. A. F. Griffith: You have had the Bill for a week.

The Hon. R. THOMPSON: It is not necessary under Standing Orders.

The Hon. A. F. Griffith: Don't be too sure about that.

The Hon. R. THOMPSON: I move an amendment—

Page 17, lines 36 and 37—Delete the words "two hundred and fifty" and substitute the word "five."

When the publican or occupier can prove he has tried to raise capital to improve his property and has failed, the Treasurer on receipt of a certificate, will be authorised to render financial assistance to him; and it could be to the tune of £250,000. That is out of all proportion. One could build a brand new hotel for that amount. I consider that £5,000 would be sufficient for renovations, etc. This session we had a Bill which dealt with the disposal of State hotels; and this provision could mean that the Government would be up for a considerable amount of money to bring one or more of those hotels up to the required standard.

The Hon. L. A. LOGAN: If the honourable member desired to achieve his objective he should have moved to delete the entire clause. It would not be possible to build a lavatory and a wash-house for £5,000. The amount of £250,000 is to apply in the aggregate to all hotels, not to a single hotel. It could be that ten hotels in the State could apply to the Treasurer for assistance, which could be given after

a certificate had been issued to the Treasurer. It is silly to imagine that it is proposed to spend £250,000 on one hotel. We must have a reasonable figure to work on in the interest of the tourist trade and the hotel-keepers of the State.

The Hon. H. K. WATSON: I agree with the Minister that Mr. Thompson's amendment should logically be to delete proposed new section 51B. I would have supported Mr. Thompson in that, because I feel it is not part of the Treasurer's duty to risk public money, either by advances or by guarantees to private enterprise, whether it be for a Canterbury Court or for a private hotel. The proper person to raise money for a hotel or a city building is the owner of the property himself. It should not be competent for him to go to the Treasurer and be guaranteed for probably 50 years—as was done in the case of Canterbury Court—with repayments on the never-never. I support the amendment.

The Hon. G. C. MacKINNON: It is easier for me to understand Mr. Watson's opposition to this provision than it is to understand Mr. Thompson's opposition to it. It is difficult to understand Mr. Thompson's opposition because of his Party's dislike of monopolies. Obviously any hotel proprietor in difficulty would approach the brewery, which at present owns a considerable number of hotels. I would have expected the Labor Party to be in favour of this clause, and to sponsor such a clause had it not been in the Bill. This provision will make it easier for hotels to be independent.

The Minister pointed out that alterations and additions are extremely costly. Toilet requirements can run into £20,000 to £30,000. The sum of £250,000 mentioned in respect of this provision is not very great, when spread over all the hotels.

I think Mr. Watson was confused in this question before us. Under the Industry (Advances) Act, very few safeguards are provided in respect of the amounts advanced to industry. In recent years such advances have reached an alarmingly high figure. Members here, who are now prepared to deny an advance of £250,000 to all freehold hotels in the State, were prepared to permit the Government to guarantee an advance of £250,000 for the construction of a far greater risk proposition, which will not increase the tourist accommodation in this State. That is the car park in course of erection at Canterbury Court. Those members are inconsistent in their approach. There is some logic in Mr. Watson's suggestion that we should adopt the same principle towards all Government guarantees. In some cases licensees who wish to retain their licenses must comply with the requirements of the Licensing Court. If it is required, the Government should advance such hotel

proprietor the required sum. In all, these advances will not amount to more than £250,000. I support the clause as it stands.

The Hon. E. M. HEENAN: I also support the clause. We are all imbued with the idea of improving the standard of hotels. The following was contained in the report of the parliamentary committee which inquired into the Licensing Act:—

The fundamental purpose of an hotel is to serve all and sundry with accommodation, meals and liquor. An hotel is a public house and it has to comply with certain rigid requirements of the Licensing Act which nowadays, especially, frequently involve the expenditure of large sums of money. Furthermore, it is under the strict supervision of the Licensing Court and the Police Department. All this is as it should be, because the function of an hotel is to cater for the general public whose interest should be safeguarded in every way. Its role in the community, therefore, is an essential one. In these days, also, when the tourist trade is assuming such significance, it is of vital interest to any State to give constant care and consideration to the provision of hotels of increasingly better standards, because apart from its other functions, the hotel of the future will play an important part in the economic sphere of the State.

That was the unanimous view of the members of the parliamentary committee, after giving this matter careful consideration. It is true to say that, in view of the enormous increase in building costs today, few hotel proprietors are able to spend out of their own pockets the required money for improvements to their hotels.

If we want the improvements to be carried out; if the financial resources of the majority of hotel-owners in this State will enable the improvements to be effected without assistance; if the hotels here play a vital role in the life of the community; and if we want better facilities in our hotels, then I cannot see anything wrong with the Government being given the power to advance money for improvements, on safe security and reasonable rates of interest, in the same way as the Government renders assistance to farmers and others who are prepared to establish industries in this State.

We complain about the standard of our hotels. Last year £10,000,000 came into Australia from overseas tourists. That volume of trade will increase in the future. If this State is to get its share of this trade, it is necessary to provide increased and greatly improved accommodation for tourists.

The clause before us is an important and meritorious one. I hope the majority of members will be guided by the strong remarks of the parliamentary committee.

That committee stressed the fact that if hotel premises and accommodation could be improved, half of the abuse which makes the hotels and liquor industry into objects of criticism would largely disappear. If we can provide good hotel accommodation, the public will benefit almost as much as if the Government had assisted a small factory to be established in the State.

The Hon. H. K. WATSON: In answer to what Mr. Heenan has said, the amount stipulated in the provision under consideration is £250,000. Such an amount is utterly inadequate to enable all the improvements to the hotels to be carried out.

The Hon. A. F. Griffith: It is £250,000 at any one time.

The Hon. H. K. WATSON: My approach to this question is logical. Mr. MacKinnon pointed out that the clause does not provide that the maximum advance to any hotel proprietor shall be £250,000, but that it provides that the maximum amount to be advanced to all proprietors at any one time shall not exceed £250,000. I am not satisfied with this provision for this reason: If the Treasurer is able to assist a factory or a mine by advancing £5,000, and then to guarantee a city property to the extent of £250,000, what is to stop him from advancing £200,000 under this legislation to one hotel, and the balance of £50,000 to the rest of the hotels?

The Hon. R. THOMPSON: Too much importance has been placed on this aspect. I am sure that no member here will suggest that the proprietor of any hotel could not raise the required money to carry out the additions and improvements requested by the Licensing Court. The money which the Government is asked to advance should be advanced in respect of premises which are not calculated risks. If moneylenders or building societies are not prepared to advance money to a hotel, why should the Government be asked to take a calculated risk in advancing a required amount?

There is a danger in advancing money to a hotel in, say, the North-West. It has been pointed out in this Chamber that some towns have closed, and the population has drifted away. Yet if there is a tourist potential in such centres, the Government could be asked to advance the funds to improve an existing hotel or to erect a new one. The Government could, in such cases, be left with another State hotel.

If it is desired to make advances, I prefer to see the advances being made to establish industry in this State, whereby the State would derive greater economic benefit than if the money were advanced to build a hotel in the outback.

I suggest that the maximum of £5,000 is an equitable sum to advance to any hotel for the purpose of improvements. If a hotel proprietor enters into a contract for the improvement of the hotel, and building costs should rise in the interim before completion of the job, the Government could be asked to advance the further sum required. The State would then have a sufficient security.

The Hon. F. R. H. LAVERY: I believe that this proposed new section 51B could well be deleted. Mr. Watson submitted a very good case for this action. It is a fact that the Government has given, and will give, assistance to industries; and no-one can deny that the liquor trade in Western Australia is a very big industry; and, although I must disagree with my co-member, I say that any extension of repairs to buildings for the liquor trade will create more employment in the building trade. This provision states that the Treasurer may guarantee money for these renovations. When the Applecross Parents and Citizens' Association requested a guarantee of £5,000 to build a hall, it was told that the Government could not provide the guarantee, although the association had raised £2,000 on its own. I submit that builders would have been able to obtain jobs if that guarantee had been granted.

It is the bank's job to guarantee this money, and I would not be surprised if the banks were behind this provision, because I am sure they would not be happy about supplying funds for the alteration of hotels. Although I believe that many of the clauses in this Bill are welcome and are overdue, I feel that Mr. Watson has to be supported in his contention that it is not the Government's job to provide finance. The banks can well afford to do that.

It must be remembered that a lot of these hotels are owned by breweries, and the breweries should have to do the same as I would have to do if I bought a tractor, and that is to pay interest on the borrowed money.

The Hon. G. BENNETTS: I agree that the lending of this money is an insurance responsibility, or that of a moneylender or other individual who has money to lend. The money could very well be borrowed from the Government in order to improve the bar and lounge accommodation, and not to improve the house accommodation. If this were the case, the tourists would not receive any benefit. One particular part of my district has a great potential for tourists, but the accommodation there is of a very poor standard. If money is going to be lent, it should be on the condition that accommodation is to be improved for the benefit of tourists. I oppose this clause and feel it should be deleted.

The Hon. C. H. SIMPSON: I am supporting the Minister in regard to this particular provision. It was recommended by the committee which dealt with the Licensing Bill; and this committee did a very honest and good job. The obvious purpose of the provision is to enable assistance to be rendered in those cases where the Licensing Court feels it is necessary to bring the hotels up to the required standard.

The Hon. L. A. Logan: It could be a community hotel seeking assistance, too.

The Hon. C. H. SIMPSON: If the hotel requiring assistance is owned by a brewery, this provision would not apply. It applies only where the person ordered or requested to do a certain job is unable to borrow money for the purpose. If this is proved, the loan will, no doubt, be made. The total amount to be provided is £250,000, which is probably the amount the Treasurer felt would meet the demand. It is necessary on occasions, when making a budget, to put a limit on some sums. I feel that this is a commonsense provision and I support it.

The Hon. J. G. HISLOP: I cannot see the difficulty about this clause. It is perfectly straightforward. Mr. Lavery need have no worry about it, because breweries have power to borrow money; and this provision only applies when that is not the case.

The Hon. F. R. H. Lavery: The parents and citizens' association to which I referred could not obtain it.

The Hon. A. F. Griffith: That is convenient political stuff.

The Hon. J. G. HISLOP: This measure has the effect which Mr. Thompson desires. The total amount to be allocated is £250,000, which would allow only £5,000 to be paid to 50 hotels; and from what I know of them, there would be 50 needing that assistance. When it is realised what £5,000 will do in the way of repairs and alterations, it could be viewed in the proverbial term of "chicken feed." It would probably not build one bar, and it would certainly not build more than five bedrooms with the necessary toilet facilities. Therefore we are not going to be lending the hotels a great deal. As Mr. Simpson said, we would only be lending the money in cases where the Licensing Court said the conditions required the spending of it.

The Hon. A. F. Griffith: Even then it does not necessarily follow that the amount would be granted. The clause states that the Treasurer "may."

The Hon. J. G. HISLOP: I take it that the Licensing Court would not order such alterations or repairs to be made unless it was of the opinion that it was possible for the hotel to repay the loan by the increased

earning capacity which would result. The court has a business sense; and it will have a responsibility in regard to the Treasury funds put aside for this purpose. Therefore I see no difficulty about this matter. The money will be lent to private enterprise, certainly, but for a public utility; and surely that is wise. We desire to have visitors here; and in 1962 there will be a large number, many of whom will stay on after the games. Surely we do not want them to be faced with accommodation of the standard which exists in most of our country hotels and in some of the city hotels. For this reason I support the Minister.

Amendment put and negatived.

Clause put and passed.

Clauses 15 to 19 put and passed.

Clause 20—Section 72 amended:

The Hon. J. G. HISLOP: This clause is not very clear to me, and therefore I am seeking information. It states that a restaurant license will be £25. I take it that that will be in addition to fees in accordance with the amount of liquor which is sold. When section 72 (2) is read in conjunction with this clause, it appears to provide that £25 will be paid for the license plus a percentage on the liquor sold.

The Hon. F. J. S. Wise: I think that is made clear in subsection (1).

The Hon. J. G. HISLOP: I think that is possibly so, but this clause does not make it clear.

The Hon. L. A. Logan: That is the position.

Clause put and passed.

Clauses 21 and 22 put and passed.

Clause 23—Section 121 amended:

The Hon. F. J. S. WISE: This clause contains a very vital principle in regard to all the amendments in this Bill. Many of the provisions in the measure have been adequately reported and commented upon by the committee which inquired into these matters.

This clause contains a very important principle associated with trading hours. I did not take part in the second reading debate; but some members have criticised the amendment appearing in my name on the notice paper. When I move that amendment I will be ready to answer any criticism, whether fatuous or otherwise. The question of the extension of trading hours is one of the pulse points of the Bill. Just as happened when the control of liquor sales by law was first introduced, it has been the custom for the people to express their opinion in regard to any drastic amendment of the law; and a referendum in this instance would not be a question of passing the buck.

In other countries of the world, also, it has been considered the right of the people to have a say in the trading hours associated with the sale of liquor; and that is still the law in other States of Australia, as it was here until not many years ago. The Bill proposes that in the districts specified in section 121 of the parent Act, hotel trading hours shall be altered from 9 a.m. to 9 p.m. to 10 a.m. to 10 p.m. So far no strong reason has been given by the Government for the proposed change; but anticipating the need the Government has decided to make this alteration—

The Hon. L. A. Logan: That is not right. The Government said that the altered hours should apply only for six months of the year, but another place decided that they should apply all the year round.

The Hon. P. J. S. WISE: The Bill presented to us proposes the alteration I have referred to, without any qualification as to summer or winter periods; and if a referendum is not agreed to by the Government and strictures are placed upon my moving an amendment to provide for a referendum, I propose to test the matter in another way, and move to delete paragraph (a) of this clause. If agreed to, that amendment will mean that the *status quo* will remain in all parts of the State.

The report of the parliamentary committee which inquired into the Licensing Act sums up the situation. On page 11 of the report of the committee we read—

- (a) They are not convinced that there is any strong agitation by the general public for a change.
- (b) Though the U.L.V.A. officially favours extended trading hours for hotels there was evidence that quite a number of licensees including some members of the U.L.V.A. oppose it. The union of employees covering this trade also strongly opposes any extension of hours.
- (c) With household refrigeration so general today people can now make adequate provision in their own homes.
- (d) Extending the trading hours of hotels would not stop swilling. Many people would continue to do this irrespective of the closing hour.
- (e) An extension of closing time to 10 p.m. would induce many people who now go home at 9 p.m. to remain drinking for another hour. In the case of parents with young children this would no doubt mean that the children would be left unattended at home or outside the hotel in motor cars until a very late hour.
- (f) It is feared that any extension of hours would mean increased drinking with a resultant increase

in abuses and excesses. It would therefore be detrimental to the public well-being and to road safety. In particular it would make future inroads on family life with consequential youth problems.

- (g) They are convinced that experience in those States which have 10 p.m. closing is such that it should not be followed in W.A. A recent public opinion poll in N.S.W. taken since the change to 10 p.m. closing shows that public opinion has changed. Of those who voted for 10 p.m. closing a decrease of 2 per cent. was shown while there was an increase of 2 per cent. in those who voted for 6 p.m. closing.
- (h) Whilst agreeing that there should be more uniformity in hours as between clubs and hotels they are unwilling to achieve this by any extension of hotel hours.
- (i) They believe that a large majority of the people oppose any extension of hours of trading. If, however, any extension is proposed the issue should be submitted to the people by referendum in accordance with democratic principles. The people should be asked whether they prefer closing at 8 p.m., 9 p.m., or 10 p.m.

I do not think I need elaborate on that. I move an amendment—

Page 22—Delete paragraph (a) in lines 28 to 31.

The Hon. C. H. SIMPSON: I hope the Committee will not agree to the amendment, as I believe the majority of informed opinion favours the provision contained in the Bill for the hotel trading hours to be from 10 a.m. to 10 p.m. I believe most hotelkeepers would agree that the period from 9 a.m. to 10 a.m. is practically dead, as very few people desire to drink at that time of day. I can recall the time when hotels were open until 10 p.m. or 11 p.m., and it was usual for the patrons of various entertainments to have a drink at the nearest hotel during the intermission period.

Under the National Security Regulations during the war the Premier closed the hotels at 6 p.m.; and later the trading hours were extended until 9 p.m. I think we all realise that much of the pressure at present being brought to bear in an effort to resist any alteration of hotel trading hours, comes from the Barmaids and Barmen's Union; but I think the time has come when all who give service to the community, whether employees or management, must make it their first objective to meet the needs of the people they serve.

In Victoria there is 6 p.m. closing, with the consequent blind rush to the hotels in an endeavour to drink as much as possible before closing time; with the result that many men go home in a quarrelsome state of mind and disturb the atmosphere of the home.

In Sydney, on the other hand, where the hour of closing is later, there is not that intense desire to consume as much as possible before the hotels close. Very often a person will go home before he has a drink, with the intention of leaving his drinking until after dinner. When that time is reached, the desire to have a drink is not so great and very often such a person does not leave his home. From that point of view, the principle of extended trading hours has, instead of increasing the consumption of liquor, proved to have the opposite effect.

Strange as it may seem, the more the opportunities to do something are restricted the more anxious we are to avail ourselves of those opportunities. If the trading hours are extended it may be found that people will not guzzle as much liquor as they do when there is only a short time available to them, but will drink rationally and, most likely, will not avail themselves of the privilege of drinking until a later hour. That is only commonsense; and we should gradually adapt our drinking laws to the civilised habits—as they have been termed—in many parts of the world where the restrictions on drinking are not nearly as severe as those in this State, and where the cases of drunkenness are very few. I hope the Committee will leave the clause as it is.

The Hon. H. K. WATSON: I am one of those people who consider that the fundamental duty of Parliament is to legislate and that, therefore, it is the duty of this Parliament to deal with this measure without the aid of a referendum. In Switzerland it is part of that country's system of legislation to hold referendums, but the long history of the British parliamentary constitution is such that it is the responsibility of Parliament to legislate.

On the other hand, there is much to be said for the amendment. The reasons given in support of it have been put with lucidity and great force in the extract from the report of the parliamentary committee on this subject that was read by Mr. Wise. That honourable member said there was nothing he need add in support of his claim other than to read what was set forth in that report. There is another point that may be advanced in support of the amendment and that is that we have already agreed to a clause which permits the restaurant portion of a hotel to remain open until midnight.

That is a wide extension of the Act. By permitting liquor to be sold in that portion of the hotel until midnight, it is sought to meet the requirements of the drinking public. However, no arguments have been advanced to show why the bar should also remain open until midnight. For that reason I will support the amendment.

The Hon. E. M. HEENAN: I am going to oppose the amendment because in the report submitted by the parliamentary committee on licensing I announced my view on this question and subscribed my name in favour of the extended trading hour. One of the unanimous opinions expressed by members of the parliamentary committee appear on page 1 of the report and it reads as follows:—

It is the considered opinion of your Committee that remedies to most of the problems associated with the liquor trade lie not so much in the realm of restrictions and prohibitions, but rather in the realm of wise laws which should be revised from time to time in the light of research and experience; improvements to premises and amenities and the cultivation by means of education of a healthy public outlook and attitude on the subject.

On that, I agreed with Mr. Roche and Mr. Cornell, who were members of the parliamentary committee. I have studied this question carefully, and I have the greatest concern for the growth of alcoholism and for the easy access to intemperance which our past laws and administration have made available to young men and women. I hope we are about to commence a new era. As I pointed out, and as I hope, if 10 p.m. closing is agreed to, it will be the duty, not only of the police but also of the licensees and the general public, to ensure that this privilege is not abused. I have spent most of my life on the Goldfields where the people enjoy the most liberal trading hours in the State. Yet, in the majority of cases, those people drink wisely, and we do not experience the troubles and problems that were experienced in Perth, especially during the war years. The Goldfields police can bear me out on that.

It was proved that young Goldfields men were very amenable to discipline when they joined the forces; and schoolteachers will always claim that the Goldfields students are amongst the brightest scholars in this State. The extended trading hours will not harm anyone. In the past 10 years the number of clubs has been doubled. The clubs have had an economic impact, particularly on hotels, and especially at this stage of our history when we are fostering the building of better hotels and are demanding better conditions than were observed in the past.

On page 10 of the report by the parliamentary committee on licensing, paragraph 7(b) of the conclusions and recommendations reads as follows:—

At the present time people who belong to clubs can drink till 11 p.m. whereas the general community who patronise hotels cannot obtain a drink after 9 p.m. This state of affairs has created a trading advantage in favour of clubs and calls for adjustment in some degree at least. The obvious solution would appear to be to make some effort in this direction by an extension of hotel hours to 10 p.m.

That is the opinion of Mr. Roche, Mr. Cornell and myself. However, on page 13 appears the unanimous view of the parliamentary committee. This part of the report reads as follows:—

Similar concern about the present-day position has been voiced by the Licensing Court of this State and by the licensing authorities in practically every other State of Australia, who fear that unless the trend is checked it will become increasingly difficult to raise hotels to the standard required today, or to encourage the building of new, modern-type hotels which are so necessary to replace many of the obsolete structures now in existence.

On the same page the committee reports unanimously as follows:—

Earlier in the report your Committee has expressed the view that, as far as it is possible to do so, the trading hours of hotels and clubs should be brought more into line. It is realised, of course, that there are many difficulties in the way of achieving total uniformity.

However, your Committee is of the opinion that as the law stands at the present time, particularly with regard to hours of trading, there is a pronounced advantage on the side of the clubs, with consequent detriment to hotels. Apart also from the aspect of trading as between hotels and clubs, it has to be remembered that the individual citizen who belongs to a club receives preferential treatment to the one who is not a member. This state of affairs is hard to justify.

I honestly think it is. We obtained evidence on a number of occasions in small towns where there was one hotel and one club; and we were told that when the hotel closed at nine p.m. the people continued drinking in the club until 11 p.m. I do not think that makes sense. I cannot agree with the amendment.

The Hon. A. F. GRIFFITH: When we were discussing clause 23, I think it is safe to say that every member of the committee expected Mr. Wise to move the amendment on the notice paper in his name,

but instead of doing that, he talked about it. He said it was the vital clause in the Bill; that it was the clause that would bring about 10 a.m. to 10 p.m. trading; and that in an issue of this nature the people should decide.

No referendum was carried when the hours on the Goldfields were increased to 11 p.m.; no referendum was carried when the North-West was given its trading hours; and no referendum was carried when Sunday trading was inaugurated in this State. Yet the honourable member suggests that there should be a referendum when the trading hours are altered from 10 a.m. to 10 p.m.

Having spoken about this amendment on the notice paper, the honourable member proceeded to move something entirely different. If his amendment were successful it would give the people no right to do anything.

The Hon. F. J. S. Wise: Nothing of the sort; if the provision for a referendum were also included.

The Hon. A. F. GRIFFITH: We might come to that; but I suggest the honourable member might have had another look at it—

The CHAIRMAN: The Minister should confine his remarks to the question before the Chair.

The Hon. A. F. GRIFFITH: I think the honourable member might have decided to move this amendment because the one on the notice paper would have been out of order because it imposed a charge on the Crown.

The Hon. F. J. S. Wise: I mentioned that.

The Hon. A. F. GRIFFITH: If the honourable member desires that the question of a referendum shall be decided by the Committee, it is reasonable to suggest that it should be discussed. I say to members that if this amendment is carried, we will revert to 9 a.m. to 9 p.m. trading hours; then, if the Committee desires, we can write in the amendment to bring about a referendum. In respect of 10 a.m. to 10 p.m. trading hours, I wish to state that they are sensible. I agree with Mr. Heenan that on the Goldfields and in the North-West one does not see the drunkenness which occurs in other parts, because the people there have a sensible approach to their licensing hours.

I have visited other parts of the world, where one can purchase bottled liquor at almost every grocer's shop. The people in those places have acquired a sensible approach to drinking. I believe the trading hours of 10 a.m. to 10 p.m. are a step in the right direction.

The Hon. J. G. HISLOP: I rise in fear and trepidation lest Mr. Wise should regard my remarks as fatuous. This is a problem which has been open to debate,

as so many are in this Chamber. I agree with the Minister that there have been others matters which we might have decided by way of a referendum. For instance, a referendum in regard to where a certain pool should go might have had a very different result from what was decided by another place. On the other hand, if we had had a referendum on a matter which was dealt with last night, the decision may have been the same as that of the House.

Those of us who listened to Professor Saint last week must have come away with a clear realisation which many of us in the medical profession hold—I think sincerely—that chronic alcoholism is quite independent of hours of trading or the strength of alcohol. It is a problem which we must face as something inherent in the Australian way of life. It may, to a large extent, be caused by many factors such as loneliness, inability to use one's hours of recreation, or domestic social discord; and there could be an inherent psychological factor in the make-up of the Australian.

There are many countries in the world where they do not have a restriction of hours, while there are other countries where they do. I would not like to see exist in this State the same conditions as are experienced at Vancouver where, if one is staying at a hotel and desires alcoholic liquor, one has to get the steward to go to one of the alcohol shops and bring a bottle back; provided one first of all obtains a certificate. That is the sort of thing that prevails in many parts of Canada. Once, when travelling from one State to another, a negro waiter told us that we were approaching a prohibition State; and our glasses containing alcoholic liquor were taken from us for a short period.

The consumption of alcoholic liquor is a subject which seems to have elicited great difficulties in every English-speaking country in the world. At Boston there was a beer shop not very far away from the hotel where we were staying. We wanted a beer before retiring on a Sunday evening, and we went down to this place because we saw a light burning in the shop. We found that the seats of the stools had been taken off. The stools were provided because everyone must sit while drinking there. We asked if we could get a drink. The barman said we could, and we asked why the seats were off the stools. He said the law of the State did not allow for drinking on a Sunday; but he said that if we went three feet away into a cubicle we could be served. I think the arguments put forward by Mr. Heenan, Mr. Roche and his third colleague are good ones to discuss in regard to this matter.

I would like to see all of us who indulge in wine—beer is heavily taxed—pay 1d. per bottle into a fund for research into aid for chronic alcoholism. I believe that if

some skilled medical men, psychologists and the like were to devote their time to the curing of alcoholism when it occurred we would reach the stage when it would not matter when the hotels closed.

The money could be given to the Alcoholics Anonymous Foundation, which has done such marvellous work, or it could be made available to provide scholarships for research into the basic conditions of alcoholism. Those are the methods by which we should approach this problem.

When we are discussing the question of whether hotels should be open from 9 a.m. to 9 p.m., or 10 a.m. to 10 p.m., we are not dealing with the matter of extended hours, but merely with the proposition for an increase in the evening hours; and this raises objections in people's minds. But the commencing hour of 9 a.m. raises certain objections in my mind because I do not think anyone requires a drink of alcohol at that early hour. Even if men start work early in the morning, they can become dangerous if they drink to excess at 9 a.m. I have no desire to assist the chronic alcoholic on his downward path; but some hotelkeepers have had, perforce, to provide alcohol at an hour earlier than 9 a.m. Personally I would not mind if hotels did not open until 4 p.m., and then remained open until midnight or later.

I cannot see that we will be endangering the public if we increase the hours. In the future we might decide to provide for a later opening hour in the morning, say 10 o'clock, and we might decide to make the closing hour 10 p.m. or even later.

A grave mistake we make is that we allow the provision of bars where men congregate, whereas in many other parts of the world there are shops where food is provided as well as alcohol. Those are the circumstances which mitigate against alcoholism, because when alcohol is taken with food it is not nearly the menace it is when it is taken without food. In the future we may have to alter our bar conditions. Irrespective of what the hours might be, one of the real matters for consideration is whether to allow bars to continue or whether we should, as so many more cultured countries do, insist that a person shall not drink while standing.

I believe that the individual who sits at a table and chats with his fellow-men has much less chance of absorbing too much alcohol than has the man who rushes into a bar and consumes as much liquor as he can before the bar closes. I do not think the question of whether the hours are from 10 a.m. to 10 p.m., or from 9 a.m. to 9 p.m. has any real significance in the control of alcohol.

The Hon. J. M. A. CUNNINGHAM: I stress the misstatement that has been made by most speakers in addressing themselves to the Bill. Repeatedly members have referred to an extension of drinking hours. No extension is contemplated.

The Hon. E. M. Davies: Do not split hairs.

The Hon. J. M. A. CUNNINGHAM: At present we have a 12-hour drinking period from 9 a.m. to 9 p.m., and the Bill merely proposes to reduce the daylight period by one hour and to increase the more leisurely evening period by one hour. There is no suggestion of extra drinking time. I come from that portion of the State—the Eastern Goldfields licensing district—which has, I think, the most leisurely or extended hours within the whole Commonwealth.

The hours on the Goldfields have been proved to be sane and sensible; and I believe that any district is entitled to have the conditions that we have proved to be satisfactory for those who partake of the amber fluid. I, myself do not drink. I suggest that if a referendum is taken, and it includes the Goldfields, there will be a suggestion put forward that the hours be extended to 11 o'clock, because the Goldfields have seen the hours of 9 a.m. to 11 p.m. in operation, and they feel those hours are the best.

The Hon. R. THOMPSON: I support the amendment. We should implement the good provisions in the Bill that have already been passed, and the others that will be passed; but let us keep the present hours of 9 a.m. to 9 p.m. No doubt this matter could come up for review next year. The Licensing Court could come forward with recommendations based on the experience of the licensed restaurants and how the public reacted to them. The court could also consider area trading, which was mentioned by Mr. Jones. The court could say whether the hours of 9 a.m. to 9 p.m. should apply in some areas, and 10 a.m. to 10 p.m. in others, and so on.

Another matter is the possibility of closing hotels for the tea break between 6 p.m. and 7.30 p.m. The Licensing Court could also deal with the question of hotels providing lounges where children could go with their parents, so that we would have saner drinking, and there would be something in the way of education in connection with alcohol. I think we all agreed with Professor Saint in respect to the causes of alcoholism, and the cure which has to be faced in the future.

Mr. Cunningham pointed out that no extension of the trading hours has been suggested. Let us implement the advances made by the Bill, and then let us review the Act at the end of 12 months. We might then be able to stipulate for some areas the hours of 9 a.m. to 9 p.m., and for others the hours of 10 a.m. to 10 p.m.

Amendment put and negatived.

The Hon. F. J. S. WISE: In dealing with the clause, in a general sense, in spite of the remarks of the Minister for Mines, there is still every opportunity to

debate the effect of the decision that the Committee has just made. My previous amendment gave the Committee an opportunity of expressing its views, which obviously were, in the majority of cases, in favour of the amendment contained in the Bill. That being so, the 10 a.m. to 10 p.m. provision now provided for is the opinion of this Committee; and it is likely, therefore, to be the opinion of this whole Parliament. It will be necessary to test this matter, when the opportunity is appropriate, to ascertain whether these hours are the ones which the majority of the people favour.

It is perfectly true, as the Minister for Mines suggested, that my amendment was moved in an endeavour to get an opinion expressed in this Chamber in case my suggestion for a referendum is considered, at some stage of the proceedings, not to be in order.

The Hon. L. A. Logan: You could have got that, without this.

The Hon. F. J. S. WISE: That is so. But if that suggestion is considered to be in order, the Chamber will have a different sort of vote to that on a motion suggesting it is not in order. With the fullest respect to the contentions raised in opposition to my other amendment, the decision of the committee, which inquired into this matter, was fifty-fifty that a referendum should be held if there is to be an alteration in the trading hours. That is not necessarily my whole reason for moving the amendment, but that is expressed at page 11 of the committee's report.

Whichever way we move, and in whichever State we travel, opinions differ. The practices are different in four ways in the six States of Australia. Because there is such a diversity of opinion, in my view the people should decide by way of a referendum what hours they want. The amendment on the notice paper is perfectly clear and, if it is agreed to, the hours set out in the Bill will not come into operation until a majority of Legislative Assembly electors have approved of them.

The Hon. A. F. Griffith: It is perfectly clear.

The Hon. F. J. S. WISE: Yes, but some doubts were raised about it in debate and I had to clarify them. I move an amendment—

Page 22—Add after paragraph (b) a new paragraph to stand as paragraph (c) as follows:—

(c) by adding a proviso to subsection (1) as follows:—

Provided the hours which were set out in this section immediately prior to the issue of the proclamation of the Licensing Act Amendment Act, 1959, shall continue to operate until a

majority of Legislative Assembly electors voting in the districts covered by this section approve of those hours being superseded.

Point of Order

The Hon. L. A. LOGAN: I ask for your ruling, Mr. Chairman: Is this amendment in order, or will it mean a charge upon the Crown?

The CHAIRMAN: I will leave the Chair until the ringing of the bells.

Sitting suspended from 9.32 till 10 p.m.

Chairman's Ruling

The CHAIRMAN OF COMMITTEES: I have given consideration to the point raised by Mr. Logan as to whether the amendment moved by Mr. Wise is in order, and have come to the following conclusion:—

To determine whether an amendment is a "charge" upon public funds there are certain tests. One of these is that the expenditure must be "effectively imposed." I consider the proposed amendment does not make it mandatory to conduct a referendum, and that further authorisation would be necessary for such a purpose. The amendment does not, in my opinion, effectively impose any charge upon public funds; and I therefore rule it to be in order.

Dissent from Chairman's Ruling

The Hon. L. A. LOGAN: Then I must dissent from your ruling.

[The President resumed the Chair]

The CHAIRMAN: I have to report, Mr. President, that Mr. Wise moved an amendment concerning the holding of a referendum on the question of trading hours. I ruled the amendment was in order, and the Minister for Local Government objected to my ruling.

The Hon. L. A. LOGAN: My reason for disagreeing with the Chairman's ruling is that this House, during the Committee stage on the Bill to amend the Licensing Act, agreed to a change of trading hours of hotels from the period of 9 a.m. to 9 p.m. to the period of 10 a.m. to 10 p.m. That was the decision of the Committee. Mr. Wise moved an amendment as follows:—

Provided the hours which were set out in this section immediately prior to the issue of the proclamation of the Licensing Act Amendment Act, 1959, shall continue to operate until a majority of Legislative Assembly electors voting in the districts covered by this section approve of those hours being superseded.

If the amendment is agreed to, the wishes of this House cannot be put into effect without a referendum being held. Therefore I say the amendment will impose a charge upon the Crown.

The Hon. F. J. S. WISE: The reasons as given by the Chairman of Committees would be the only reasons to support the contention that my amendment is in order. In essence those reasons are that the expenditure may never have to be exercised. In section 46 of the Constitution Acts Amendment Act, the responsibilities of the Legislative Council are clearly set out in regard to money Bills. It shows very clearly that matters affecting the revenue of the State cannot be initiated in this House; that we may not amend Bills which impose taxation; and that we may not amend a Bill so as to increase any proposed charge or burden on the people. But the interpretation of those words, as shown by the Chairman of Committees, certainly upholds the contention that this amendment is in order, because it does not directly impose any additional burden on the Crown.

The Hon. A. F. GRIFFITH: Without a doubt, the Committee decided that the trading hours of hotels within the specified districts as laid down by the Licensing Act, shall be from 10 a.m. to 10 p.m. That was decided without a division being called for. Having moved the amendment, Mr. Wise did not call for a division. Then he said to you, Mr. President, that the expenditure may never have to be provided. With that remark I agree; but I think you will agree when I say that the objects of this House and of the Legislative Assembly—those objects when combined together are the objects of the Parliament of this State—will be defeated by the inclusion of the words which the honourable member has moved to insert into the clause, because it will not be possible to carry out the intentions or the will of the Parliament of this State, unless a referendum is held. Therefore I say that a charge upon the Crown will be imposed. It must be imposed if the Government or the Parliament of Western Australia is to be given an opportunity to put into effect that which has been said should be put into effect. I join with my colleagues in asking you not to uphold the ruling of the Chairman.

The Hon. H. K. WATSON: I submit with respect that the ruling of the Chairman is sound. This Committee arrived at a decision with respect to the point raised. The Committee has not yet decided that clause 23 shall stand as amended. It is true that an amendment to delete a certain part of that clause was defeated, but the Committee has not yet decided anything in respect of clause 23.

The question before the Committee is that clause 23 stand as printed. Until the Committee has given its decision on that question it cannot be said that the Committee or the House has arrived at any decision.

The Hon. J. M. A. CUNNINGHAM: Despite what the last speaker has said, this House has declared by a majority in favour of the trading hours being changed to 10 a.m. to 10 p.m. That is a liberalisation of the drinking hours in this State. It implies the easing of a restriction or burden. I draw your attention to the actual wording of section 46 (3) of the Constitution Acts Amendment Act which states as follows:—

The Legislative Council may not amend any Bill so as to increase any proposed charge or burden on the people.

It does not mention any financial burden. The first word used, "charge", implies finance. The definition of "burden" in *The Concise English Dictionary* is very clearly set out as follows:—

That which is borne or carried; a load; that which is grievous, wearisome, or oppressive; to lay a heavy load on; to encumber with weight; to oppress with anything grievous; to surcharge; weighing like a heavy burden; grievous to be borne; causing uneasiness or fatigue.

It appears that a burden can be anything oppressive. This House has expressed a clear decision. The effect of the amendment will be to impose a burden on the State, as well as a charge. I suggest the word "burden" up to now has not been interpreted by the Act.

The Hon. J. G. HISLOP: It seems to me that if the mover of the amendment moved it on the basis that a referendum, which he desires, need not be held, then his amendment is a negation of what has already been agreed to. If he moved the amendment on the basis that by so doing he could reach a situation in which a referendum would never be held, then by that means he has negated the paragraph in the clause which has been agreed to.

If the other aspect is taken into consideration—that a referendum is necessary to enforce the decision of the Committee—then it is a financial burden on the community. The point that interests me is that by the passing of the amendment there need never be a referendum on the proposed hours of trading. Therefore, it is a complete negation of what we have agreed to.

The Hon. R. F. HUTCHISON: We are hearing a good exhibition from spinners of words.

The PRESIDENT: The honourable member has no right to express that opinion.

The Hon. F. R. H. Lavery: Why has she not?

The PRESIDENT: It is a reflection on the members of this House.

The Hon. R. F. HUTCHISON: Surely I can say that speakers are spinners of words without reflecting on the House. I cannot understand Mr. Cunningham's objection to the inclusion of the words.

The Hon. A. R. Jones: Are you a spinner?

The Hon. R. F. HUTCHISON: All we have heard is from spinners of words. Surely in the ultimate the people of the State control the Parliament of the State. In the ultimate the wishes of the people should be heeded when there is a dispute. There is a dispute here and—

The PRESIDENT: Order! The honourable member must confine her remarks to the question before the Chair.

The Hon. R. F. HUTCHISON: In my opinion, the Chairman's ruling is right; and I think those who have spoken against it were on the wrong track. I think Mr. Cunningham must have had a very old-fashioned dictionary; and I cannot agree with his remarks.

The Hon. A. L. LOTON: A little while ago the House decided to agree to the proposal that the hours of trading in hotels should be from 10 a.m. to 10 p.m., and not 9 a.m. to 9 p.m. Mr. Wise's amendment proposes that the present hours shall continue until a majority of Assembly electors voting in the districts covered by this section approve of those hours being superseded.

The Hon. A. F. Griffith: But only in certain districts, and not including Kalgoorlie.

The Hon. A. L. LOTON: The amendment says, in effect, that no change shall be made until a referendum is held; but as a referendum would involve the Crown in expense, I maintain that the ruling of the Chairman of Committees is not in order.

President's Ruling

The PRESIDENT: I have given serious consideration to this question and I clearly understand what Clause 23 states. It proposes to extend the hours of hotel trading—which are at present from 9 a.m. to 9 p.m.—to 10 a.m. to 10 p.m.; and that has already been decided on by the decision of the House. I contend that the amendment moved by Mr. Wise is still under the control of the House. There is no appeal to the electors until after the House has either agreed to or rejected the proviso; and it is in the hands of the House to decide whether or not it accepts that proviso. It is a matter for decision by the House. If the amendment is rejected, there is no further argument. I think it is a matter that is in the control of the House.

The Hon. A. F. GRIFFITH: We are asking you, Mr. President, whether the amendment moved by Mr. Wise is in order to be proceeded with; and, with the greatest respect, you have not indicated whether it is in order.

The PRESIDENT: I uphold the Chairman's ruling, and so the responsibility is on this Chamber as to whether the amendment is agreed to or not.

Committee Resumed

[The Chairman of Committees (the Hon. W. R. Hall) took the Chair.]

The Hon. A. F. GRIFFITH: I move—

That the amendment be amended by deleting the words "which were" in line 1.

If this is agreed to, I propose to move to delete the word "immediately" in line 2, and then to delete the words "prior to the issue of the proclamation of the Licensing Act Amendment Act 1959" in lines 3, 4 and 5. If those amendments are agreed to the proviso will read, "Provided the hours set out in this section shall continue to operate until a majority of Legislative Assembly electors voting in the districts covered by this section approve of those hours being superseded." Mr. Wise's amendment seeks to defeat the purpose of the Committee, as already decided.

Hotel trading hours on the Goldfields and in the North-West differ from those in the metropolitan area, but Mr. Wise's amendment does not seek to do anything about that. If my amendment, and those I have foreshadowed, are agreed to, the 10 a.m. to 10 p.m. trading hours will apply unless a referendum decides otherwise, and the situation on the Goldfields and in the North-West will remain unchanged.

The Hon. F. J. S. WISE: As they all form part of the one purpose, is it competent for me to debate not only the amendment moved by the Minister, but also those foreshadowed?

The CHAIRMAN: I think it would be in order.

The Hon. F. J. S. WISE: My amendment would give people living in the districts where the hours would be affected by the Bill, the right to vote for or against any alteration to the trading hours. My amendment asks those people who are enjoying different trading hours from those applying in the rest of the State to refrain from saying what should apply outside their areas; and it is the right and the prerogative of the people who are to be affected by the altered hours to say whether they think the *status quo* should be maintained, or whether any other trading hours should be implemented.

The Hon. A. F. GRIFFITH: The Licensing Act has been amended on 36 occasions; and never before has it been suggested that

the question of an amendment to the Act should be made the subject of a referendum. It has never been before suggested that Parliament did not have the right to decide the question without recourse to a referendum.

I agree with Mr. Watson that Parliament has the right to make the decision. We have had 74 Bills introduced this session and not once has there been a suggestion made for a referendum to be held on any of them; and I do not see any necessity for a referendum to be held on this question. Should the Committee decide that it is necessary to hold a referendum to decide, against the view of Parliament, that the trading hours should be extended to 10 p.m., well and good, but we will not agree to a motion that will defeat the object of this Committee.

The Bill seeks trading hours from 10 a.m. to 10 p.m., but the amendment seeks to retain the existing trading hours. It is reasonable to look at the matter from the other point of view and agree to the motion that will give us the trading hours that have been agreed to up until now, and to say that, if there is going to be a decision made, it shall be made by referendum. At this stage I am prepared to vote against the whole clause if the amendment is accepted by the Committee.

The Hon. H. K. WATSON: The Minister says he agrees with me, yet, by his deeds, he disagrees with me.

The Hon. A. F. Griffith: I said I agreed with the honourable member when he said that Parliament had the power to make a decision.

The Hon. H. K. WATSON: Yet by the amendment the Minister is, in effect, stating that Parliament should not have power to alter the clause except by referendum.

The Hon. A. F. Griffith: Oh, no!

The Hon. H. K. WATSON: That proposal is just as objectionable as a referendum held on any other subject. The Minister said he would vote against the clause, but I presume he meant that he would vote against the amendment. However, I am prepared to divide the Committee on the clause if the amendment is carried.

Amendment on the amendment put and negatived.

The Hon. A. F. GRIFFITH: I move—

That the amendment be amended by deleting after the word "electors" in line 7 of the proviso the words "voting in the districts covered by this section."

If this amendment is carried it will mean that a referendum will be carried over the whole State.

On page 18 of its report the Parliamentary committee made this recommendation—

On the other hand Messrs. Andrew, Manning and Toms, M's.L.A. hold the view that any proposal to change the

existing hours of trading involves an important principle and the views of all people in the State should be obtained by referendum.

It is reasonable that all people in the State should resolve the question by referendum, and that is why I move the amendment.

The Hon. F. J. S. WISE: The Minister's argument, to say the least of it, is a 50-50 one because only half the committee agreed on that recommendation.

The Hon. G. C. MacKinnon: But the honourable member used that argument at great length previously.

The Hon. F. J. S. WISE: I left it to the Committee to decide on arguments not necessarily my own. I used this report to test the Committee on the 10 a.m.-10 p.m. proposal, and I quoted the arguments advanced by those on the Parliamentary Committee who supported that proposal. The Minister, however, is emphatic that the argument is unanswerable; but it is not because it is a 50-50 proposal.

The Hon. J. G. Hislop: It has been beaten once.

The Hon. F. J. S. WISE: No, it was never beaten. We must not get confused on this point and debate aspects which are not in question. Mr. Watson has clearly indicated the rights of this Committee because he agrees with me, and I strongly support his contention. However, I cannot support his contention when he says he is going to vote against my proposal. The position is extremely clear. Although the rights of this Committee have been upheld in regard to its ability to move for the holding of a referendum, surely we can say that we are entitled to vote on the proposal if we so desire!

I suggest to the Minister that it would be far better, as a means of determining the whole issue of a referendum, to have a motion moved by him to decide the issue.

The Hon. A. F. Griffith: Will you withdraw your amendment?

The Hon. F. J. S. WISE: No; nor will I support the right, at any stage, of those who are not involved in the proposal, having the power to decide what other people will do; and that will be the position if the amendment on the amendment is agreed to.

The deletion of the words in question would circumscribe entirely the rights of a certain section of the community by having the wishes of others imposed upon them. On this issue it is important that we give only to those people who are concerned the right to vote in a referendum. I oppose the amendment.

The Hon. A. F. GRIFFITH: I have moved the amendment as a safeguard because I believe that if there is to be a

referendum on the licensing hours, all the people in the State should have a say. What is the use of depriving a man on the Goldfields from having a vote because it is possible that he may be on the Goldfields today but tomorrow he may be residing in Perth? A referendum should be held on a State-wide basis.

The Hon. C. H. SIMPSON: The position is becoming a little confused and it should be made clear. Therefore, it would be desirable if the Minister were to withdraw his amendment and allow the amendment moved by Mr. Wise to go before the Committee to be defeated; because I think that will be the ultimate decision.

Amendment on the amendment put and negatived.

Amendment put and a division called for.

The CHAIRMAN: Before the tellers tell, I give my vote with the ayes.

Division taken with the following result:—

Ayes—11.

Hon. G. Bennetts	Hon. G. E. Jeffery
Hon. E. M. Davies	Hon. J. D. Teahan
Hon. J. J. Garrigan	Hon. R. Thompson
Hon. W. R. Hall	Hon. F. J. S. Wise
Hon. E. M. Keenan	Hon. W. F. Willesee
Hon. R. F. Hutchison	(Teller.)

Noes—15.

Hon. C. R. Abbey	Hon. G. C. MacKinnon
Hon. J. Cunningham	Hon. J. Murray
Hon. L. C. Diver	Hon. C. H. Simpson
Hon. A. F. Griffith	Hon. J. M. Thomson
Hon. J. G. Hislop	Hon. H. K. Watson
Hon. A. R. Jones	Hon. F. D. Willmott
Hon. L. A. Logan	Hon. R. C. Mattiske
Hon. A. L. Loton	(Teller.)

Majority against—4.

Amendment thus negatived.

Clause put and passed.

Clauses 24 and 25 put and passed.

Clause 26—Section 168A added:

The Hon. L. A. LOGAN: I move an amendment—

Page 23, line 27—Insert after the word "are" the word "resident".

This and the following amendments in my name are consequential to amendments made in another place.

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

Clauses 27 to 30 put and passed.

Clause 31—Section 186 amended:

On motions by the Hon. L. A. Logan, clause amended as follows:—

Page 25:

Lines 24 and 25—Delete the words "by adding the following subsections".

Line 25—Add the following paragraphs—

(a) by adding after the passage, "Court," in line one of subsection (1), the word, "or";

- (b) by deleting the passage, "or the Clerk of the Court" in line two of subsection (1);
- (c) by adding after subsection (3) the following subsections—

Page 26:

Line 7—Add after the word, "Court" the words, "or the stipendiary magistrate".

Line 10—Add after the word, "Court" the words, "or the stipendiary magistrate".

Clause, as amended, put and passed.

Clauses 32 to 36 put and passed.

Clause 37—Section 247A added:

The Hon. H. K. WATSON: I move an amendment—

Page 29, lines 28 and 29—Delete the words "the evils of over-indulgence in liquor, and the effects of alcohol," and insert in lieu the word "alcoholism".

This is not an amendment of great moment. It is more of a drafting amendment which will tidy up the clause. This clause relates to the question of the Minister for Education arranging with headmasters of schools for tuition in alcoholism. The one word used in my amendment is preferable to the group of words used in the clause to denote the same thing.

Alcoholism is a scientific term. Members may recall that Dr. Saint used that term as the heading of his address. It is a well-known phrase and connotes the true meaning of the provision in the clause.

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

Clauses 38 and 39 put and passed.

Title put and passed.

Bill reported with amendments and the report adopted.

NEW BUSINESS—TIME LIMIT

Suspension of Standing Order No. 62

On motion by the Hon. A. F. Griffith (Minister for Mines) resolved:

That Standing Order No. 62 (limit of time for commencing new business) be suspended during the remainder of the session.

STAMP ACT AMENDMENT BILL (No. 2)

Second Reading

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [10.56], in moving the second reading, said: I thank members for agreeing to the suspension of Standing Order No. 62. I did intend to

move this motion much earlier in the day, but the debate on the previous measure took a considerable time. With five minutes to spare I have managed to get the Bill under consideration to the House before 11 p.m. It is not my intention to keep the House any longer tonight than is required for me to move the second reading.

The Hon. H. K. Watson: Why not get on with some work?

The Hon. A. F. GRIFFITH: We have had a fair go today. This Bill is the fourth Bill introduced this session dealing with betting taxes. I am moving the second reading at this stage so that members can consider this, together with the other three Bills already on the notice paper, before the second readings are resumed. Tomorrow we will be able to deal with the four Bills.

The purpose of this Bill is to increase the present rate of duty on betting tickets so as to require off-course bookmakers to pay duty of 1½d. where the consideration for the bet does not exceed £1, and 3d. where the consideration exceeds £1. The present duty is one penny on all bets, irrespective of the amount of the bet.

An alternative to the proposed increase in stamp duty would have been the imposition of a more severe scale of tax on bookmakers' off-course turnover than is now contemplated. However, after giving the matter a great deal of consideration, the Government came to the conclusion that the best course would be to limit the turnover tax to the rates set out in the Bookmakers Betting Tax Act Amendment Bill, and to increase the present duty payable on betting tickets.

The proposed scale of stamp duty on betting tickets has been framed to match the investment tax so that only two types of tickets will be needed.

On one of these, stamp duty of a 1½d. and investment tax of 3d. will be denoted, and on the other, 3d. stamp duty and 6d. investment tax.

Both charges will be paid by the bookmaker to the Commissioner of Stamps when the bookmaker purchases the tickets; but he will be able to recoup the investment tax from the punter when a bet is placed.

The increase in stamp duty on betting tickets should increase collections under this heading from £102,000 in 1958-59 to £156,000 in a full year of operation, which represents an increase of £54,000. This sum will be paid into Consolidated Revenue.

On motion by the Hon. A. R. Jones, debate adjourned.

HIRE-PURCHASE BILL

Assembly's Message

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

TRAFFIC ACT AMENDMENT BILL (No. 4)

First Reading

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

ADJOURNMENT—SPECIAL

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines): I move—

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

Question put and passed.

House adjourned at 11.1 p.m.

Legislative Assembly

Wednesday, the 18th November, 1959

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The **SPEAKER** took the Chair at 5 p.m., and read prayers.

QUESTIONS ON NOTICE

1. *This question was postponed.*

SUBURB OF BEELOO

Change of Name

2. **Mr. GRAHAM** asked the Minister for Lands:
 - (1) Are endeavours still being made at ministerial level to alter the name of the suburb of Beeloo to Wilson, Burton, or some other name?
 - (2) Has the move to alter the name been considered by the Nomenclature Committee?
 - (3) If so, what was its decision?
- Mr. BOVELL** replied:
- (1) A suitable name for the area mentioned is under consideration.
 - (2) Yes.
 - (3) The Nomenclature Committee's opinion is that the name of "Beeloo" should be retained. However, the decision will be made at ministerial level.

- 3 and 4. *These questions were postponed.*

COMMONWEALTH-STATE RENTAL HOMES

Transfer of Amortisation as Deposit

- 5A. **Mr. EVANS** asked the Minister representing the Minister for Housing:

Is it permissible for a tenant of a Commonwealth-State rental home, after a certain number of years of