Legislative Council

Tuesday, the 14th September, 1965

CONTENTS

The PRESIDENT (The Hon. L. C. Diver) took the Chair at 4.30 p.m., and read prayers.

QUESTIONS (6): ON NOTICE

RAILWAY BARRACKS AT YELLOWDINE

Air Conditioning: Installation

1. The Hon. J. J. GARRIGAN asked the Minister for Mines:

   (1) Is it the intention of the Railways Department to install air-conditioning at the Yellowdine railway barracks, and employees' quarters?

Electric Fans: Supply

   (2) If the answer to (1) is "No", will the department arrange for a supply of electric fans at this centre?

The Hon. A. F. GRIFFITH replied:

(1) No.

(2) Installation of a fan in the dining room of the barracks has already been approved and it is expected that this will be effected next week.

HOSPITAL IN ROCKINGHAM DISTRICT

Planning and Construction

2. The Hon. C. R. ABBEY asked the Minister for Health:

   As the need for an adequate hospital has become increasingly urgent in the Rockingham-Safety Bay-Kwinana-Medina district, due to the rapid expansion of the Kwinana industrial area, will the Minister advise—

   (a) What stage has the planning of a hospital for Rockingham reached?

   (b) When can a start on the construction of this hospital be expected?

The Hon. G. C. MacKINNON replied:

Due to the rapid expansion of the Kwinana industrial area and the changed residential pattern of this district, further consideration has had to be given to the matter of a suitable site for this hospital. The location of such a site is being actively pursued and a decision should be reached soon. Until this is resolved no indication can be given as to when a start can be made on planning and construction.

CHARITABLE APPEALS: STREET COLLECTIONS

Number, and Applications Rejected

3. The Hon. R. H. C. STUBBS asked the Minister for Health:

   With reference to street appeals in Perth and country centres—

   (a) How many have been conducted yearly in each of the preceding three years?

   (b) How many applications have been rejected in the preceding three years?

Balance Sheets: Production to Department

   (c) Is the production of a balance sheet for each appeal required to be submitted to the department?

Collectors: Payment

(d) Do paid or commission collectors participate in each appeal?

(e) If so, what is their remuneration?

The Hon. G. C. MacKINNON replied:

(a) Year ended 30/6/1963 — 57
30/6/1964 — 58
30/6/1965 — 53

(b) Two—others may have been unsuccessful because of late application.

(c) Yes.

(d) and (e) Paid organisers are used occasionally, but not in each appeal, and remuneration allowed varies in accordance with the size and nature of the appeal.

FLASHING LIGHTS AT RAILWAY CROSSINGS

Pemberton and Manjimup: Installation

4. The Hon. V. J. FERRY asked the Minister for Mines:

(1) Has any decision been made regarding the installation of flashing warning lights on the level crossings situated—

(a) on the north end of the Pemberton railway station;

(b) on the south end of the Manjimup railway station; and

(c) on the north end of the Manjimup railway station?

(2) If flashing warning lights are to be installed at any of these level crossings, by what dates are they expected to be in operation?

The Hon. A. F. GRIFFITH replied:

(1) (a) Yes.

(b) Yes.

(c) Yes.

(2) Work will start within two weeks on the installation of flashing lights at the level crossings north and south of the Manjimup railway station. It is expected that they will be in operation by January, 1966. The installation of flashing lights at the north end of the Pemberton railway station will then be commenced. This work will be completed and the lights will be in operation by early March, 1966.

VERMIN: AERIAL BAITING

Cost

5. The Hon. R. H. C. STUBBS asked the Minister for Mines:

(1) What has been the cost of aerial baiting yearly for the previous three years in Western Australia?

(2) What are the main items of expenditure in each year?

Approval of Pastoralists Association

(3) Does the Pastoralists Association fully approve of this method of baiting?

Areas Covered and Success of Scheme

(4) What concrete evidence is there to measure the success of this scheme?

(5) What were the areas covered in this project?

The Hon. A. F. GRIFFITH replied:

(1) Costs to the Agriculture Protection Board were:
1962—£6,527.
1963—£7,841.
1964—£8,572.

(2) 1962—Aerial baits—£3,990.
Flight charter £2,267.
1963—Aerial baits £4,900.
Flight charter £2,726.
1964—Aerial baits £5,600.
Flight charter £2,741.

(3) It is understood the executive committee of the Pastoralists & Graziers Association is in favour of aerial baiting, but some individual branches have expressed criticism of local details.

(4) Although the main baiting is in remote or inaccessible places where observation is difficult, sufficient wild dog carcases have been found following aerial baiting to indicate its success. Considerable benefit has been claimed by vermin boards in local campaigns.

(5) Eastern Goldfields, Wiluna, Meekatharra, Ashburton, Upper Gascoyne, and Pilbara.

WORKERS' COMPENSATION: SILICOSIS CLAIMS

Number and Total Payments under 1964 Amendment

6. The Hon. E. M. HEENAN asked the Minister for Mines:

Whereas last session Parliament passed an amendment to the Workers' Compensation Act, whereby those miners suffering from silicosis, previously debarred from recovering compensation because of the three years' limitation period under the Act, have since become eligible for compensation—

(a) How many such claims have been admitted?

(b) What is the total amount of such claims?

The Hon. A. F. GRIFFITH replied:

(a) Fifty-five to date.

(b) £81,200 at present, but the potential liability is at least £192,500.

FISHERIES ACT AMENDMENT BILL

Introduction and First Reading

Bill introduced, on motion by The Hon. G. C. MacKinnon (Minister for Fisheries and Fauna), and read a first time.

BILLS (3): THIRD READING

1. State Government Insurance Office Act Amendment Bill.

   Bill read a third time, on motion by The Hon. A. F. Griffith (Minister for Mines), and passed.

2. Sale of Human Blood Act Amendment Bill.

   Bill read a third time, on motion by The Hon. G. C. MacKinnon (Minister for Health), and transmitted to the Assembly.

3. Education Act Amendment Bill.

   Bill read a third time, on motion by The Hon. A. F. Griffith (Minister for Mines), and passed.

ARCHITECTS ACT AMENDMENT BILL

Second Reading

THE HON. L. A. LOGAN (Upper West —Minister for Local Government) [4.49 p.m.]: I move—

That the Bill be now read a second time.

The Architects Act makes provision for the registration of individual architects. There is, however, a tendency in the profession for architects, together with businessmen, to launch companies with a view to strengthening their operational potential and to achieve a greater degree of stability in their enterprises. The purpose of this Bill is to permit the registration under the Act of corporate bodies handling architectural pursuits.

The Architects Act was passed to ensure that only persons having sufficient qualifications to carry out their duties adequately as architects should benefit from the advantages and protection accorded registered architects under the Act. It is, of course, equally important that a company engaged in architectural work should be composed of fully qualified persons and that they should be entitled to registration.

Provisions are made in the Bill that no less than two-thirds in number of the directors of such a corporate body shall be qualified architects and, as such, registered under the Act. So the operations of any corporate body dealing with architectural matters may be regarded as safely in the hands of qualified men.

It is further provided that the remaining one-third of the directors shall be persons belonging to one or other of the following organisations:—

The Institution of Engineers, Australia;
Australian Planning Institute Incorporated;
The Institution of Surveyors, Australia; or
Institute of Quantity Surveyors (Aust.).

The benefits of including in the corporate body members of allied professions who represent an integral part of a well set-up architectural business organisation will be readily appreciated.

Provision is further made for the architectural members of the board to have no less than two-thirds of the voting power, thus giving the professional architectural element a major voice in board decisions. This is considered essential.

Professional responsibility for negligence will not be lessened in any way through the passing of this measure. In fact, people dealing with an architectural firm will know that the company is operated by a group of persons the majority of whom are qualified architects.

Members will be interested to know that the amendments contained in this measure have been discussed with the Architects' Board of Western Australia. The board is in agreement with the provisions in this Bill and, furthermore, it is understood they are similar to measures operating, or contemplated in, other States.

Under the provisions in this measure, when a member or employee of a body corporate incurs any liability by reason of his negligence in the course of carrying on the practice of architecture as such member or employee, liability for such actions must be accepted. This holds good when the body corporate, at the time the liability is incurred, uses the words "architect" or "architectural" as part of its name, and describes itself as carrying on the practice of architecture. In these circumstances, the member or employee, by reason of his negligence, the corporate body, and also each member of the corporation who is registered as an architect under the Act, become jointly and severally liable for the amount of the liability incurred. The public is accordingly well protected.

Debate adjourned, on motion by The Hon. F. J. S. Wise (Leader of the Opposition).

BREAD ACT AMENDMENT BILL

Second Reading

THE HON. G. C. MacKINNON (Lower West—Minister for Health) [4.53 p.m.]: I move—

That the Bill be now read a second time.

The first amendment to which I will refer is that concerning some of the ingredients permitted to be used under the Act in the

making of Vienna bread. The variety of shortening materials which may be used are restricted to butter, lard, or margarine; but, at the present time, there are other edible fats which are quite suitable. On the other hand, the minimum milk content is not precisely defined in the parent Act. It is proposed, under this measure, to allow the ingredients for Vienna bread to be prescribed by regulation. One advantage which will result will be the flexibility of the regulation-making power, which can be applied from time to time in accordance with the then existing current practice; and this will also allow greater precision in the definition and the fixing of standards which can be checked by analysis.

The proposal in the Bill is along similar lines to that made in the amendment to the Bread Act in 1962, which provided for "dietetic bread" and "milk bread" being produced in accordance with the standard or formula prescribed in the regulations.

There is another aspect also concerning Vienna bread and this relates to the size of the loaf. Under the Act, this type of bread may be made in two sizes—the half-pound and the one-pound size. It is proposed to replace these two sizes with an intermediate three-quarter pound size. It has been found there is little demand for the larger size Vienna loaf, while the small one is considered to be rather close in size to the Vienna roll. Those in the business consider the medium size will meet more appropriately the public demand.

It is necessary also to alter the description in the Act of shops where bread and Vienna bread may be sold during extended hours. This is to bring the Act into conformity with the classifications now applied under the revised Factories and Shops Act in the matter of exempted shops, privileged shops, and small shops.

The industrial award or agreement applying to the baking of bread specifies the hours of baking, and these are incorporated in the Bread Act as affecting an area within a radius of 28 miles of the G.P.O., Perth, and of a radius of eight miles of the Kalgoorlie Post Office. Delivery hours in these areas are specified in section 13.

The Minister charged with the administration of the Act may, however, extend these hours or substitute other hours for those specified for the baking or delivery of bread in any district or place, under such conditions as the Minister may determine, in order to cope with any exceptional or unforeseen circumstances which have arisen or are likely to arise.

This provision allows the Minister to grant permission to a baker or bakers to commence operations at an earlier hour than those fixed in order to meet the contingency of a breakdown in a bakery or the possibility of a breakdown in the normal bread supply due to other causes. There is, however, no similar provision made for the Minister to take such action in respect of baking or delivery hours in areas outside those already mentioned.

The conditions which are applicable in other parts of the State are set out in section 14. They prohibit the baking of bread before 5 a.m. and after 8 p.m. on any one day, and also the selling and delivery of bread before 5 a.m. on any day. The delivery of bread on Sundays or any bakers' holiday is also prohibited.

There is a provision in this part of the Act for these hours to be varied within any district, so long as such variation is agreed to by the employers engaged in the baking industry and the industrial union of workers operating in the particular district. In the case of disagreement between these parties, application may be made to a board of reference under the provisions of the Industrial Arbitration Act for a variation in hours.

Under the terms of the award, the number of bakers' holidays may be reduced from 10 to 4 and an extra week of annual leave granted in lieu. Employers taking this action are required to notify the union.

There is, however, no provision in the Act for making either the parties to an agreement or the board of reference responsible for notifying the Chief Inspector of Factories of any variation made in baking hours or holidays in a particular district. This has proved most unsatisfactory and is detrimental to the smooth administration of the Act, for it is considered the chief inspector should be fully informed as to hours of baking in all areas. It is proposed therefore, to amend the Act by the insertion of a provision placing responsibility on the parties to any agreement or action under the bakers' country award, or the board of reference, as the case may be, for notifying the chief inspector and the municipal council of the district affected of any change of hours.

A baker in a country district who does not employ labour is bound by the times in the Bread Act, if he is the only baker in the district and is not covered by the relative parts of the award or Arbitration Act which provide for a board of reference. This is an anomaly. He may not bake bread legally before 5 a.m. or after 8 p.m. To do so, with a view to fitting in with local transport or other conditions peculiar to the district, would be a breach of the Act. A case in point has arisen where the bakers in one district have been able to vary the hours to allow them to start baking at 3 a.m. or 4 a.m. to meet local conditions, while in a closely adjoining district, where the same conditions prevail, a baker with no employees is required to observe Bread Act hours, there being no provision for him to seek their alteration.

It followed that those working under the varied hours had the advantage of starting early and being able to deliver fresh bread at an earlier hour in the adjoining district as well as their own. In order to remove this anomaly, the Bill contains an amendment to empower the Minister to vary or substitute hours in country areas in the same way and to the same extent as he may do in the metropolitan and Kalgoorlie areas. It is considered particularly important that this provision be made, and it will permit the Act to be used to the advantage of all concerned when holdups occur in baking operations due to alterations or breakdowns in a particular bakery in the country.

The bakers' metropolitan award authorises the Industrial Registrar to grant permission for work to be done outside award hours in the case of rebuilding operations and alterations to plant, but there is no such provision in the bakers' country award. Under the amendments now proposed in respect of the variation or substitution of hours of baking and delivery of bread, the Minister will be enabled to correct anomalies with a view to ensuring the supply of bread in country areas is maintained on a basis satisfactory to both the customer and those engaged in the trade.

Debate adjourned, on motion by The Hon. J. Dolan.

COAL MINE WORKERS (PENSIONS) ACT AMENDMENT BILL

Assembly's Amendment

Amendment made by the Assembly now considered.

In Committee

The Chairman of Committees (The Hon. N. E. Baxter) in the Chair; The Hon. A. F. Griffith (Minister for Mines) in charge of the Bill.

The CHAIRMAN: The amendment made by the Assembly is as follows:—

> Clause 4, page 3—Delete all words after the word "the" in line 19 down to and including the word "sixty-four" in line 20 and substitute the words "date of the commencement of the Coal Mine Workers (Pensions) Act Amendment Act, 1965."

The Hon. A. F. GRIFFITH: I am going to ask the Committee to agree to this amendment, and in doing so I feel I owe Mr. Willesee some explanation. I think it was when we dealt with this Bill at the third reading stage that I indicated I was of the opinion that the tribunal, at least by a majority anyway, would not change its attitude on this date, and I felt the decision was one the tribunal should not be required to make, but that I should accept the responsibility.

The next day the tribunal had another meeting and I received information to the effect that the company's representative and the union representative resolved that I be asked to alter the proposal in the amending Bill to provide for the extension of time to be three years from the 23rd December, 1965.

I am not terribly happy about this, frankly; but, in view of the situation, I am prepared to accept the amendment. I feel unhappy because I opposed the suggestion made by Mr. Willesee, but now find myself in the position that I am going to accept it, and I ask the Committee to accept it. I am explaining this to the honourable member in order that he may know there is nothing untoward about the situation. The fact remains that the tribunal had a meeting the next day and the majority made this decision. The chairman did not share this view. Because of this situation I move—

> That the amendment made by the Assembly be agreed to.

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

Report

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

LAND ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 8th September, on the following motion by The Hon. L. A. Logan (Minister for Local Government):—

> That the Bill be now read a second time.

THE HON. F. J. S. WISE (North—Leader of the Opposition) [5.7 p.m.]: I have been guilty of speaking at great length on amendments to the Land Act, but sometimes to very little purpose. This very small Bill is, in particular, to amend one section only—section 143—which deals with the transference of land which has been leased under conditional purchase, and which places certain strictures upon the transference of that land. Indeed, section 143 also has an affinity with section 47 and other sections of the Act.

I think it could be said that in recent years a number of the properties allotted by a land board—not necessarily the same board—have changed hands very quickly after allocation, many of them without the requisite conditions having been honoured. There has been in recent times a very strange development in this connection.

An announcement was made a few months ago by the Minister for Lands that there was to be a tightening up in the approval given to land transfers. Members may have noticed in the Press recently advertisements describing in

detail conditional purchase leases. These advertisements stated that certain improvements had been made and that ministerial approval was available. They were not singular instances. I have many such cuttings.

Apparently, therefore, some land agents have been able to ascertain from the Lands Department, or the Minister, whether certain properties have complied with all the requirements of sections 143, and 47, and others that interlock; and, if a transfer is submitted for approval, they know it will be granted. I do not intend to, but I could give to the House my records of the description of advertised properties that do not in any way conform with the requirements of the Land Act.

I would point out, too, in connection with some statements concerning land settlement and allocations that the present Government is not the only Government during whose term 1,000,000 acres or more of Crown land has been made available for agricultural purposes. That statement is being repeated so often that one would think this Government is singular in that regard. Ministers for Lands of other days have at least achieved that total of acreage allocation.

It could also be safely said that exploitation has occurred under the agriculture section, part V of the Land Act, very soon after the allocations have been made. It will take much more, in my view, than this amendment to rectify many happenings and anomalous conditions in the handling of land allocated by land boards in this State. I am quite worried about some of the decisions of land boards.

There was, for instance, the case of a very hard working young man with an acknowledged uneconomic area which he was improving. It was costing him all that he could earn, plus the capital of his family. He desired to have an area adjoining his property added to it. He received every encouragement and was told that was the reason a redesign and a resurvey of the location had been made. Several other allocations went before the board at this time, but, strange to say, when the allocations were made, the young man who was assured that the redesign was made to meet his particular circumstances did not get the block. The block was traded by the allottee to someone else within two years of the block being allotted to him.

That sort of thing is going on still. It is going on in the South-West Land Division, and in many other districts represented by members in this Chamber, almost month by month.

This Bill, so it is said, is to tighten up a circumstance of abuse in the generous terms the Crown gives the landholders in this State. There are those who intend earnestly to improve land, and there are very many people who struggle along to comply with the Land Act. They spend large sums of money and they also comply with the residential provisions. However, there are many who do not. It is not very important whether 1,000,000 acres or 2,000,000 acres a year are made available. That is not the criterion. It is how that land is being developed within the generous terms of our Statute that really matters. The giving away of 1,000,000 acres does not matter a fig. It is how that 1,000,000 acres is treated by the recipients that matters much.

I cannot see how this Bill will do very much good, but I do know of many sections of the Land Act which require a strict overhaul. You would not permit me, I am sure Mr. President, to digress—I can see you are going to anticipate me so I shall not digress—but I could make some caustic and serious comments on the unmoral act of the present Government in connection with pastoral leases. However, I will not do so, because you would not allow me.

The Hon. L. A. Logan: You have already said it, so it is all right.

The Hon. F. J. S. WISE: I hope that the section which this Bill amends will be rigidly enforced and properly applied in regard to all current leases, including those being advertised in the daily Press. This State can advance only if the people who receive land accept the responsibility to use it, and do not abuse it. Therefore, I feel that although the measure is just a snap of the fingers, compared with what is required in connection with the Land Act as a whole, one cannot oppose it; but at the same time I stress very strongly the greater need for a complete look at what is being done and the abuses being perpetrated under the Land Act.

THE HON. N. E. BAXTER (Central) [5.17 p.m.]: I feel somewhat like Mr. Wise does in regard to this measure. When one studies the Land Act, and particularly part V, one realises that the whole of the Act requires an overhaul to prevent abuses to its sections. These days when blocks are put up for selection there are about ten times as many applicants as there are blocks available; and, in many cases, the people applying for blocks are not genuine farm applicants. Many of them are speculator applicants and, unfortunately, over past years, and particularly since there has been a land boom in this State, some of these smart speculators have found loopholes in the Act, inasmuch as they can quickly improve the properties which are allotted to them and then sell them and make a handsome profit.

These people have been cashing in in two ways; they have been cashing in on the taxation allowance which they receive because of the money spent in developing

their properties, and they have been cashing in when they sell those properties and make a handsome profit. Unfortunately, irrespective of the provisions in the Land Act, the Minister, as the Act now stands, cannot refuse the application of an allottee to transfer and sell his property. I discussed this matter with one of the departmental officers, and he assured me on that point. I had taken the matter up to see if something further could be done in addition to making the term five years instead of two, and to alter the other part of section 143.

It appears that there have been cases where some allottees have been granted conditional purchase blocks but have not had sufficient finance to carry on, and somebody else has financed them and has finally taken over the properties. Those people have the power to do that without having to obtain the Minister's consent. In other words, transfers have been effected in that way. In my view, where a settler cannot carry on with his property, because of some unforeseen circumstances, that property should revert to the Crown and be reallotted by the Land Board, the new allottee having to pay the cost of the improvements effected either to the Crown or to the person who forfeited the property to the Crown. That would be the fair way to do it instead of allowing people, through a loophole in the Act, to make large sums of money out of these land transactions.

I hope the amendments contained in this small Bill will have the desired effect; but, as I said, I agree with Mr. Wise in that I am rather fearful that they will not have the full effect that the Minister anticipates. In view of all the circumstances I believe that part V of the Act should be thoroughly overhauled and amended to tighten it in such a way that the abuses we have mentioned will not continue. It looks to me as though section 143 is not as tight in its operation as we thought it would be and therefore that section, too, wants to be thoroughly overhauled and placed on a proper basis. I support the measure.

THE HON. H. C. STRICKLAND (North) [5.21 p.m.]: In my view, the faults that have been mentioned do not always lie with the provisions of the Land Act but more with the selection of the settlers. That applies in many cases. In others, unfortunate settlers, after one or two years on the land, find that because of physical, medical, or financial difficulties, they are unable to carry on; and, unless the Minister is sympathetic and uses the prerogative which he has under the Act to provide relief the settlers concerned find themselves in serious trouble. That sort of thing does happen.

It seems rather anomalous that some cases are rejected by the department when improvements as required under the Act have not been fully carried out and the leases have to be forfeited, and at the same time we read in the Press that Americans —not New Australians but Americans— can come to this State and take up millions of acres of land. The areas of land which are on occasions forfeited are small in comparison with the millions of acres held by overseas companies; and so it does not matter what we write into the Act, there is always some way around its provisions. For some there are always ways of getting around the Act, but for others many hurdles are placed in their path. Because of this I think a much more careful selection should be made of the original settlers to make sure that they are genuine and intend to work the land for themselves.

As Mr. Wise said, there is an affinity between section 143 and section 47. Section 47, of course, applies to conditional purchase land. I know of a case where, not long ago, the department wrote to a settler and pointed out to him that he had not fully complied with one section of the Act, in that he had not boundary-fenced his holding. That was true; he had not put a boundary fence around his holding, but he had erected enough fencing on the property to go around the boundary two or three times. As he cleared and developed an area he fenced it, but the Act requires that the boundary be fenced instead of allowing a discretion in regard to fencing.

In that case I believe the Act itself is at fault. If a person clears and develops an area of virgin land and fences it into several paddocks, crops it, and stocks it, surely he is doing a better job than a man who simply takes up an area and puts a boundary fence around it, and does only the minimum amount of improvements required under the Act to his property and then sells it for a profit.

If a person has complied with the requirements of the Act, even though he may not have carried out the improvements of cropping and stocking his property, he can sell his land. Therefore, I believe the requirements of the Act should be tightened up. However, it does not matter what we write into the Act; a tremendous amount depends upon the Minister and those who advise him, including the Land Board. Therefore more care should be exercised when selecting new settlers.

THE HON. A. R. JONES (West) [5.27 p.m.]: I agree with other members that this is an amendment which we must pass because it will improve the existing situation. Also, like other speakers, I express the view that this Bill does not go far enough; and even at this stage I hope that before the end of the session another Bill will be introduced further to tighten up the Act and make it more workable.

Mr. Strickland mentioned that one of the requirements of the Act is that the boundary must be fenced; but it need not be a fence which would be of any use where small stock were concerned. If a man fenced the whole of his property he might be fencing in acres and acres of poison, and the land would be useless until the poison had been eradicated. Sometimes even that cannot be done, and it is better to leave that country outside the property altogether. Therefore I do hope the Minister will introduce another Bill to cover the aspects that have been mentioned, because it is evident that there are professionals in this game of land selection and land purchasing.

These people are experts and I have had an experience of them. A person came to me to buy land which I held, and the lies he told and the trumped-up evidence he produced as reasons why I should sell my land were much the same as are put up to the Land Board by these people who are really professionals.

In my opinion the method of selection should be changed, as should the taking of the evidence at these Land Board inquiries. At the moment if there are 50 applicants for a block they can all be sitting in the one room listening to the evidence as it is produced, and in my view that is completely wrong. It has been proved in recent times that people can produce sufficient evidence to convince the board, and land is allocated to them. They tell the board they have so much money and sufficient machinery; but, when it is all boiled down, we find that the money has been borrowed—only until the land is allotted—for the purpose of convincing the board that the applicants have sufficient to improve the property. When the board has made its decision it is found, not infrequently, that the applicant has insufficient money and machinery to develop the property. We certainly should do everything possible to tighten up the Act and prevent that sort of thing from continuing.

THE HON. J. M. THOMSON (South) [5.30 p.m.]: I rise to support the Bill, but, like previous speakers, I feel it does not go far enough in covering what we all know requires attention. We are all very conscious of the trafficking that is carried on from time to time in this matter of land which is allocated. Too frequently we find that land is allocated to people who consider it as an investment and who, after a few years, sell it to their advantage. That may not be a very bad thing, but it frequently keeps out the young settler who is desirous of developing that land and making of it a farm and a living. He is denied the opportunity of doing this.

The Bill does not go far enough in its efforts to guard against that aspect. I would like to see written into the Act something along the lines referred to by Mr. Baxter a few moments ago, whereby a lessee of a conditional purchase lease who has not fulfilled the complete terms and conditions of the lease is not permitted to dispose of the land except by returning it to the Minister for Lands.

The PRESIDENT (The Hon. L. C. Diver): Is this a proposed amendment?

The Hon. J. M. THOMSON: No, Mr. President.

The PRESIDENT (The Hon. L. C. Diver): I would like the honourable member to keep to the Bill.

The Hon. J. M. THOMSON: These are my notes on the Bill.

The Hon. W. F. Willesee: You would be better off without them.

The Hon. J. M. THOMSON: That may be so. I would like to see written into the Act a provision whereby a person who is forced to release a property would have the right to equitable compensation for his outlay. To prevent the trafficking that goes on in the transfer of such conditional purchase land, the Minister should have the right to reallocate it on a fair and equitable basis, taking into consideration the improvements on the land.

I am sorry I was not able to pursue the course I had intended, but perhaps the change I have mentioned may be provided for, and it is possible I will have an opportunity to present this aspect at some other time.

THE HON. L. A. LOGAN (Upper West —Minister for Local Government) [5.34 p.m.]: I thank members for their general acceptance of this measure, though in every case they have accepted it with qualifications. They think it does not go far enough. I will not argue that point, except to say that this is an attempt to stop the trafficking in land which has been proved to be going on throughout Western Australia.

The suggestion made by Mr. Thomson would still not get over the problem, because it is one that we have today, where the settler himself eventually fulfils the qualifications necessary, but does not do so with his own money. He fulfils these qualifications with somebody else's money. Somebody else lets him have the money to carry out the necessary improvements, after which he goes to the Minister and says, "I want to sell. All the improvements I am bound to do under conditional purchase have been carried out." Under the Act the Minister has no right to refuse the transfer of that land. That is why the reference to two to five years has been

included in the amendment, which also includes the word "himself." It would then read—

> Except in special case to be approved by the Minister, no holding under Part V. shall be transferred or sublet until after the expiration of five years from the commencement of the lease or occupation certificate, and then only if the holder has himself expended on the land, in prescribed improvements, the full amount required to be expended during that period.

This Bill is an attempt to tighten up the position. I realise, as everybody else does, that there will be those who will try to get away with it; that there will be the individual who will want to get out and who will find some way to get the money and spend it himself.

I was not aware of the advertisements referred to by Mr. Wise, but here again it is obvious that the people concerned have been aware of the flaw in the Act; and they know that providing the improvements have been made the Minister cannot refuse the transfer.

Mention was also made of the question of allocation. I have been a member of Parliament for 18 years, and I have heard similar complaints; indeed I had the same experience in my earlier days. The point is that nobody has yet come up with an answer to the problem. Some attempt has been made to overcome it. I think it will be found that wherever any land is being allocated under conditional purchase conditions in Western Australia there will be a local representative on the Land Board. Having local knowledge he will be able to advise the board, particularly with regard to any local people who may have made application. This is done so that the board may have local knowledge of the position. I do not know how much further we can go to help the board in this respect.

In regard to the case referred to by Mr. Wise, I would say that unless one made an investigation into all the ramifications of land allocation, one would not get a complete answer. The members of the board are only human and, like the rest of us are prone to make mistakes.

Mr. Strickland mentioned the question of fencing. If he has a look at section 59 he will see that the Minister has power to put the cost of the fencing on to any other improvements of prescribed value. I know that on many occasions the Minister has given approval for a subdivisional fence to be erected to take the place of portion of a boundary fence. Whether this should be incorporated in the Act or not I am not prepared to say; but I do know that the Minister has, in the past, allowed subdivisional fences and other prescribed improvements to take the place of a boundary fence. I think this is right, because, after all is said and done, a man who is improving a 5,000 acre property cannot improve it all at once; he must do it gradually. If he wants to carry stock or keep out vermin he naturally must fence.

The points raised in connection with certain aspects of the Land Act will be conveyed to the Minister for Lands and, I have no doubt, he will give further consideration to any proposed amendments that might be suggested to the Act in accordance with the wishes of members.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

MARKETING OF EGGS ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 8th September, on the following motion by The Hon. A. R. Jones:—

> That the Bill be now read a second time.

THE HON. J. DOLAN (South-East Metropolitan) [5.42 p.m.]: At first glance the Bill seems as though it is one of those small measures about which no-one should worry. But I am often reminded of the old saying that the best of goods are very often made up in very small parcels. This is one of the occasions where that happens to be true.

This Bill arises from, and is complementary to, three Acts passed in the last session of the Federal Parliament, namely, the Poultry Industry Levy Act, the Poultry Industry Levy Collection Act, and the Poultry Industry Assistance Act. This is the first time to my knowledge that an attempt has been made on a Commonwealth-wide basis to stabilise this very important industry.

In previous years, when an attempt has been made to introduce what one might call a Commonwealth-wide acquisition scheme, there has been opposition from South Australia. The former Premier of South Australia was always opposed to any Commonwealth-wide marketing Act in relation to the poultry industry.

When the Labor Government took office some months ago and was in favour of a scheme for egg marketing on a Commonwealth-wide basis, it made possible the introduction of such legislation as we have before us today. The Bill will also, to a certain extent, control the unscrupulous poultry farmer who, for many years, has wanted to take the cream of the local market without bearing his share of the comparative losses incurred in the export trade of this industry.

I suppose if one looks at it from the poultry farmer's angle, one of his main problems is the hen itself. A hen is a very cantankerous bird; she gets enthusiastic during spring and summer and will lay eggs to further orders, but then she gets moody, like some other females—perhaps of the human species.

The Hon. R. F. Hutchison: I will raise an objection in a minute.

The Hon. J. DOLAN: In the autumn hens do not respond so well, and the poultry farmer is forced to keep more hens than are really necessary. I think the first poultry farmer who can get the hen to really play ball will go a long way towards solving the problems in this industry.

So that members can understand in very simple terms the disabilities under which this industry has laboured for so many years, I wish to refer to the report of the Australian Egg Board for the year 1963-64, which contains the latest figures I could find. The total production in 1963-64 was 111,000,000 dozen eggs; the consumption in Australia was 85,000,000 dozen eggs; and the export figure then was 26,000,000 dozen eggs. The figures themselves refer to eggs or their equivalent in egg pulp. By eggs, I mean eggs in the shell.

The estimate of eggs not received by the board in that year was 30,000,000 dozen, which is a terrific number; and it indicates the extent to which the unscrupulous producer has been dodging his share of the export trade losses. Working that figure out at, say, 6d. per dozen eggs, the amount of levy dodged would be £750,000. That is the amount some poultry farmers have dodged in one year; and I would say it is a very moderate estimate of the loss sustained as a result of their actions. Because of that, the legitimate egg producers have had to foot extra levies.

There are two items with which I wish to deal. The first is in regard to exports. There is, in this industry, a necessity for markets to be found overseas; and this is a problem which will have to be faced in the future. The export market for eggs is gradually declining, and I trust I can give members some examples to show that the egg producers of the Commonwealth will have to look a little bit further ahead in the next 10 or 15 years, otherwise they will find they have no markets at all, or markets that one might say will absorb only a small portion of the surplus eggs that we will have.

We used to have markets in many British Commonwealth countries. Britain once used to be a great market for the export of our eggs, but due to the fact that the British Government introduced a subsidy scheme, the industry there was put on such a basis that it was not many years before the country had a surplus of eggs and ours were not required, and we had to look further afield. We had markets in other British Commonwealth countries. Ceylon was once a good market for our eggs, but that market has gone and there is a reason for it: one of that country's most noted geneticists, Dr. Amarahsinge—

The Hon. F. J. S. Wise: Did you say "amorous"?

The Hon. J. DOLAN: I said, "Dr. Amarahsinge." This doctor changed the deficit of 40 per cent. of eggs in Ceylon to a 10 per cent. surplus in a matter of three years. So, from our point of view, that market has gone. In India, there is a South Australian scientist (Mr. McArdle) who is working with similar excellent results, and it will only be a matter of time before that market has gone also.

We can expect, as time goes on, that the markets in the South-East Asian countries will be lost also, and we will be left with the markets which are our best today. I refer to the markets of the Arabian countries where, because of climatic reasons and because of the nature of the country itself, poultry farming is almost a non-existent industry. To give an example, in the 1963-64 season, Kuwait took over 1,500,000 dozen eggs from Australia; Saudi Arabia took 810 thousand odd dozen; Qatar took 216,000 dozen, and Bahrein in the Persian Gulf, 200,000 dozen.

In that year, Western Australia was the second largest Australian exporter of eggs, despite the fact that she produced only about 7.5 per cent. of the total production of Australia. Of the total production of eggs in Australia 88 per cent. is consumed on the local market; and I feel that is the market to which egg producers in the future will have to look. It looks at present as if there is an almost insurmountable problem. How are we going to get the people of Australia to consume that extra 12 per cent. of our egg production? It hinges, possibly, on one thing—correct promotion of egg sales.

When speaking in the House on decimal currency two sessions ago I mentioned an egg promotion scheme in Victoria where the Victorian Egg Marketing Board set about a promotion scheme for selling pullet eggs. The board opened it with what it called Humpty-Dumpty boxes, which are special egg containers with Humpty-Dumpty labels on the outside and cardboard decimal currency in the inside. By excellent promotion during the period of the promotion scheme the board raised this particular egg consumption from 48,000 dozen per week to 90,000 per week. This is an example of what can be done with good promotion.

I would say the poultry farmers of Australia have probably suffered because their promotion of egg consumption is not good enough. For example, the promotion of breakfast foods is one of the reasons why the sale of eggs has fallen. Anyone who follows advertisements on TV or radio will know the continuous sales

promotion that is conducted for breakfast foods. These have had a marvellous effect on our young people. In these advertisements they use the words "Snap-Crackle-Pop"; and every second kiddy knows this and insists on these things.

We have to find some way in which we can promote the sale of our eggs. Let me give an example. In 1946 the egg consumption in Australia was 255 eggs per head of population. In 1949-50, the consumption went down to 236 eggs per head; in 1950-51 it again went down, to 229 eggs per head; and today it is only 210 eggs per head of population per year. By comparison, in America the consumption per head of population is 360 eggs per head per year. If we had a consumption rate like that the poultry farmers of Australia would not have one worry at all. If we had a ready market for all the eggs produced, it would simply mean keeping prices stable so the poultry farmers could enjoy the fruits of their labours.

The Hon. A. F. Griffith: You are posing this idea without thinking that perhaps some more poultry farmers might go into the industry if it was lucrative enough.

The Hon. J. DOLAN: There is the possibility that that might happen, as it did in England because of the action of the Government in subsidising the industry. Egg production became so profitable that more people entered the industry and eventually killed it.

The Hon. F. J. S. Wise: How does this Bill measure up to the Government's idea of free marketing?

The Hon. A. F. Griffith: Hens are free to lay as many eggs as they like.

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. J. DOLAN: Thank you, Mr. President. When I sit down the others can take over. The egg industry is the fourth most important one, in respect of production, in Australia, exceeded only by the wool, wheat, and dairying industries. Its annual value is £70,000,000. It is all very well for us to bring down a Bill which contains one item that is to be amended and think that is the end of our troubles, or that the Bill is not important. We are dealing with one of the most important primary industries in Australia.

I feel we have an excellent case to put to the Commonwealth Government for it to provide some money each year for the promotion of egg sales. Take the dairying industry by way of example. It receives £13,500,000 per year as a subsidy; and this year under the stabilisation scheme the wheat industry can expect about £10,000,000. The wool industry receives £7,500,000 each year for promotion, and the poultry industry receives nothing. So surely an industry which is the fourth largest in value in production in the Commonwealth has a special case to put to the Commonwealth for a promotion grant each year.

It should not be hard to promote a product like eggs, which are palatable and enjoyable; and they can be put up in dozens of ways which are attractive to consumers.

The Hon. R. F. Hutchison: They are very expensive.

The Hon. J. DOLAN: I will discuss the expense side later on. I recall as a lad that eggs have even been used by people to show disapproval of politicians. They used eggs that were a little on the turn, or, perhaps, sometimes half way up the straight, to hurl at some politicians. I remember one of our Prime Ministers at Warwick, Queensland, suffering from what he called cowardly eggs—those that hit you and run!

As a product, the egg contains 10 times more vitamin A than milk and twice as much vitamin B. If one looks at every school in the State, one will find that all kiddies are supplied with free milk. Cannot we evolve the same sort of scheme and absorb the surplus eggs by giving them to kiddies? They could have milk shakes, egg flips, or something of that nature. I say we can use these eggs in such a way that we will receive value; and by doing that we can help this industry.

The Hon. R. Thompson: We can run the *Egg and I* serial as well.

The Hon. G. C. MacKinnon: Would you exclude the brandy from the egg flip?

The Hon. J. DOLAN: I feel this legislation has the support of all genuine poultry producers in the Commonwealth. The legislation in the Commonwealth sphere was promoted and produced by a body known as the Council of Egg Marketing Authorities, and has the support of every egg marketing authority in the Commonwealth.

In regard to the local scene, I think that when the Bill was before the Federal House, one of the members from Western Australia who spoke on the Bill received a telegram from the egg producers of Western Australia saying that the organisation here gave the legislation its full support. When the full support of the people in an industry is obtained, one can say that the legislation must be acceptable to them.

One of the difficulties, of course, so far as eggs are concerned is the fact that they do not keep nearly as well as other products. For example, milk in various forms, such as condensed or powdered, can be kept for years. Anyone who has had experience with eggs in the Army will know that some of the ways used to cook powdered eggs were not too good. The best of cooks were often called other names.

However, that position may not always apply. I have in mind the work carried out by scientists at Cornell University in the United States of America. That University perfected a process for keeping eggs fresh and ensuring the natural state of the

egg for up to two years. The method has been patented and the University feels that with the money obtained through the patent it will be able to carry out further experimentation in that particular field. Probably there is no limit to what we can expect in the future so far as keeping eggs in their natural state is concerned. No matter in what form eggs are served, there is no egg so welcome as the fresh egg.

There are all kinds of problems associated with the implementation of this Bill. I read a short while ago that poultry farmers in Kalgoorlie were upset over it because for years they have not come under the Egg Marketing Board of Western Australia, have been able to market their eggs locally, and have paid no levy. They probably have got a case for not wanting to pay the amount of this levy. I have always felt that although those people might growl and might have a case for reducing the amount of 7s. per hen, over the years they have benefited from the fact that the Egg Marketing Board has kept the price of eggs up. Those people have been prepared to accept that price, and they did not supply the local market at a low price. They did not say, "We did not have to pay the levy for overseas marketing, so consequently we feel it is reasonable that we should at least pay our share now."

I feel there could also be a case for the poultry farmers at Esperance and Carnarvon, where the local markets have been supplied. I feel that some consideration should be given to them.

There is also a problem associated with what might be called breeding hens. Those hens are used to keep up the standard of the hens used in the poultry industry. I will read part of an article which appeared in the *Egg and Fowl*, for July, 1965. It is a plea for consideration for the men who keep breeding hens. The article was written by Mr. Norman Bell, who is very well known in the industry. I think his poultry farm is at Guildford.

The Hon. A. F. Griffith: Mr. Norman Bell is at Kewdale.

The Hon. J. DOLAN: The reference is as follows:—

> One unfortunate victim of the Plan is the breeding hen used for producing the commercial flocks which provide the poultry farmers' livelihood. Although the major portion of her eggs are used for hatching and do not go to human consumption she has nevertheless been subject to full tax without rebate.

Mr. Bell gives some detail about those particular hens. In order to keep up the standard the hens have to be forced to a certain extent so that they produce eggs of a better quality. However, they stop laying sooner than ordinary laying hens. The consequence is that the full rate would have to be paid when the hens are not producing eggs commercially. To continue quoting from the article—

> That a suitable rebate system could be applied is evident from the fact that the plan has provided for a rebate on broiler breeders' hens to the extent which their eggs are used for hatching. A rebate system would obviate the need for an Australia-wide increase in chick prices.

Further on in the article it is stated—

> In the second laying season the rate of lay is considerably lower, which means a higher pro rata levy per dozen eggs.
>
> In W.A. any fertile eggs from breeding hens which have to be sold through the Egg Board are already penalised by (a) not qualifying for any export quality bonus, (b) being subject to a fertile egg levy at periods of the year; last summer this was 1s. per dozen.
>
> Breeding hens also incur a cost for compulsory blood testing.

I would like to refer to the levy which, to the ordinary public, appears as a levy of 7s. per hen placed on flocks of 20 or more commercial hens. That seems a terrific amount to the ordinary member of the public, but to the commercial producer, who knows that very often in the past the levy has been as much as 9d. per dozen on the eggs he produces and which he sends to the Egg Marketing Board, it does not work out quite as expensively as it would seem.

I think that an efficient poultry farmer would average at least 16 dozen eggs per hen per year. Last year, for the whole of Queensland, the average was 17 dozen, and the expert producers got something like 18 dozen per hen. Worked out at 9d. on 16 dozen, the amount comes to 12s. So, in comparison with the former levy, there is a considerable saving. Another matter which has to be considered is how to count the hens. The rate will be paid at so much per hen, fortnightly, and reliance will have to be placed, to a certain extent, on the poultry farmer to state how many hens he has. The hens have to be six months old or more. Perhaps Mr. Jones, when he is replying to the second reading, will tell us how the age of the bird can be determined.

The Hon. F. J. S. Wise: It will be determined by our teeth.

The Hon. J. DOLAN: That is one way, but hens' teeth, indeed, are a rarity.

The Hon. F. J. S. Wise: We will have to tell by our teeth.

The Hon. J. DOLAN: I have seen hens running on some poultry farms, and I do not know how they will be counted. Perhaps the method of counting sheep could be applied: count the legs and divide by four! With hens we would have to count the

legs and divide by two; but it is a difficult problem. However, we have State Acts to make sure that that will not cause much of a problem.

With regard to the fixing of the levy of 7s., it might be asked how this figure was arrived at. The C.E.M.A. sets out 14 different classes of costs which have to be covered by the levy. These are some of them—

1. Losses of realisation from the sale of eggs surplus to local requirements.
2. Cost of growing and handling these eggs.
3. Cost of cartage of surplus eggs to pulping plants.
4. Cost of wharf charges and dues.
5. Packing materials for shell eggs and pulping.
6. Freezing and storage.
7. Freight, insurance, and shipping expenses.
8. Administration costs of Australian Egg Board.

So, it can be seen that the fixing of 7s. was not a stab in the dark. A number of sums were not thrown in together and one picked out. I understand that the Commonwealth Minister for Primary Production (Mr. Adermann) has promised that the 7s. levy will remain for 12 months and that he does not expect it will amount to more than 10s. within the next few years. Even at that figure the efficient producer should not have much to worry about.

Another question which has been asked applies to the effect the levy will have on those who produce broilers. Those are the chickens we buy from the supermarkets and foodstores for cooking. The producers of those birds felt they would be hard done by in having to pay the levy. They felt it would be completely unjust, because they are not producing eggs which are going to interfere with the market price of eggs. The Minister has assured those producers that they will not be affected in any way whatsoever. The levy will not apply before the chickens are six months old.

Sitting suspended from 6.12 to 7.30 p.m.

The Hon. J. DOLAN: Now that we are fresh and happy as a result of the little break during the tea suspension, it might be appropriate if I put the poser to which I could not find the answer in my researches. Mr. Jones might be able to tell the House later which came first, the chicken or the egg.

There are just a few matters in connection with this subject to which I wish to refer before concluding. I might remind the House that the purpose of the Bill is to ensure that all egg producers come within the operations of the Act. Over the years some of the biggest producers in Australia—those that produce eggs in hundreds of thousands of dozens each year—have been by-passing the boards by taking advantage of section 92 of the Commonwealth Constitution, which allows free trade between States. That has not affected Western Australia, because the desert has been a sufficient barrier; but as between South Australia and Victoria, and Victoria and New South Wales, and so on, these people have had an open go.

By getting at them at the source—by putting the levy on the hens and not the eggs—they have to come into the scheme, and in that way I feel that the poultry producers—or poultry farmers—and egg producers in the Commonwealth will reap the benefit.

I notice that recently the New South Wales Government introduced legislation making compulsory the grading of all eggs, irrespective of whether they are produced in New South Wales or whether they are brought into the State. That will mean that if eggs are brought from South Australia or Victoria into New South Wales, by the time the board operates and grades those eggs, the charges will be such that they will be an effective damper to those who still want to engage in that line of trade.

Lots of farmers other than poultry farmers have been worried when they have been producing eggs only for their own use, their family's use, or to give to friends in the city or elsewhere. These are not subject to the levy. If, however, those people want to engage in the commercial marketing of eggs, they cannot have it both ways. If they want to be poultry farmers as well as wheat and sheep farmers, and so on, they will have to pay the levy; and I think they will realise the justice of that. Some people keep hens for show purposes and also breed them for show purposes Seeing they are not engaged in commercial egg production, they are not affected.

There is a wider problem: the production of day-old chicks. This is a valuable side of the industry as it affects egg production. I understand producers in New South Wales sell nearly 1,000,000 chicks a year, and engage in markets in places such as the Phillipines, where they have to compete with nations like Japan. I feel that people such as these deserve some consideration; and that is a matter on which Mr. Jones might well give us some information.

All egg marketing organisations in Australia support this measure. It has been introduced in the Commonwealth sphere by the Council of Egg Marketing Authorities; and it has been introduced for the industry; and, of course, it is now up to the industry to make sure that it works.

I conclude with the by no means original remark that the egg producers have made their nest and now they can lay in it. We support the Bill, because we feel it will benefit an industry which is of great value to Australia.

THE HON. N. E. BAXTER (Central) [7.36 p.m.]: When Mr. Jones introduced the Bill he pointed out that it was an amendment to the Marketing of Eggs Act to authorise the Egg Marketing Board in Western Australia to act as an agent for the Commonwealth in respect of the collecting of a levy. Actually the Bill is complementary to only one of three pieces of legislation passed in the Federal Parliament—the legislation dealing purely with the collection of the levy. The other two Acts passed by the Federal Parliament are machinery measures dealing with the right to institute this levy and to reimburse the States from the levy when collected. So it gives the State Egg Marketing Board the right to collect the levy imposed under this particular Act.

As Mr. Jones said when introducing the Bill, negotiations between the representatives of the various egg marketing authorities have been going on since 1962. A rather difficult position was created in respect of interstate trading because one State in particular sold only a fifth of its egg production overseas. That State was rather reluctant to come into the scheme under these conditions because it meant that its producers could enjoy a better home market price as a result of having only a limited quantity of eggs to sell overseas; and they could also, at the same time, sell, under section 92 of the Commonwealth Constitution, over their borders to the other States and so escape payment of any levy at all. Some producers, I believe, have themselves to answer for the problem associated with the marketing of their product.

Actually the measure only varies the charge in that it will be somewhere about 5½d. or 5¾d. a dozen as against the old levy of a small fraction over 9d. a dozen. The producers will still have to pay the administrative and handling charges of the State Egg Marketing Board.

The Hon. J. G. Hislop: What is the total charge?

The Hon. N. E. BAXTER: I could not estimate that at present.

The Hon. J. G. Hislop: Would it be 1s. 9d.?

The Hon. N. E. BAXTER: I would not know what the figure will be as a result of the new levy. The producers will still have to pay the charges. There is always the possibility, unless the scheme works perfectly, that the hen levy may have to be raised at a future date. This will raise the total levy per dozen. I do not think this measure is, by a long shot, the full answer to the problems of the industry.

In portion of the notes that Mr. Jones read he dealt with the scheme which has been put forward to provide for all State egg marketing boards to sell eggs overseas through one central authority. That would create the impression that it was mandatory that the egg marketing authority in each State would sell through one egg marketing authority. This is not so. At the present time there is really a gentleman's agreement for twelve months that the export sales will be made through one marketing authority. This, of course, could break down.

It is unlikely that once agreement has been reached, which is not embodied in legislation, some of the States may withdraw from it. It depends on the situation in the various States and the markets they can obtain overseas; and there is a possibility, of course, that if the authority in one State can get an advantage it might withdraw from the agreement before the expiration of twelve months. This is something in respect of which we will have to wait for the final result.

That is all I wish to say on the Bill at the present time. I repeat, however, that it is not an answer to all the problems; and I think that to put the industry on a sound footing much more has to be done than just rely on the hen levy.

The Hon. F. R. H. Lavery: What suggestions do you make?

The Hon. N. E. BAXTER: At this stage I am not prepared to make any suggestions. It is considered at the present time that a marketing scheme should be introduced to stabilise the industry so as to put it on a sound footing.

I am not prepared to make any remarks on that point at the moment, but I believe it can be done if the matter is approached in the right manner; because if we take the varying percentages produced in each State over and above what is required for the home market, they can have a big bearing on the amount that the State marketing boards will be reimbursed from this hen levy fund. If one State were to reduce its production considerably, then, as far as the export of eggs is concerned, it could be contributing substantially to another State. This is quite an involved proposition and there could be quite disturbing effects if anything of that nature occurred.

I support the Bill, and I think it is a move in the right direction. I did hope that this State might introduce a system of registration of every person who owned more than 20 hens, so that the policing of the people concerned would be more convenient; but the definition of "commercial producer," as stated by the Minister for Primary Production (Mr. Adermann), is not very clear, and I do know that Victoria adopted a scheme of registration of

all persons who own over 20 hens. But this State has only adopted a practice of the registration of commercial producers; in other words, people who sell eggs have to be registered.

When we have a situation such as that, we are not in very fine touch with the people who possess the required number of hens for the policing side of the matter, I think that makes it difficult to overcome the blackmarket that can operate, and has been operating, in the State in the past. I think quite a few moves could be made under the Act to clean up some of the anomalies that occur. I support the measure.

THE HON. N. McNEILL (Lower West) [7.45 p.m.]: In speaking to the Bill I do not wish to delay the House for more than a few moments. I welcome the opportunity to say a few words, particularly on some of my activities in the past in connection with this plan. Some few years ago I was in the position in another place altogether, to make a good deal of representation on behalf of Western Australian growers and the representatives of the Council of Egg Marketing Authorities to the Commonwealth Minister and others as to the possible implementation of this very plan. Therefore it will be quite understandable when I say that I welcome this moment in the House tonight of being given the opportunity to voice my approval to one small amendment to the parent Act in this State.

This is a Bill which virtually seeks authority for the Western Australian Egg Marketing Board to act as agent and to handle the levy to be imposed by the Commonwealth Act. The measure is also tantamount to a ratification of the Commonwealth legislation and plan, and I give the legislation my wholehearted support. Mr. Dolan, from his treatment of this particular subject, has apparently made a most extensive survey of it. One could well wonder on which side of the House he happened to be after he presented his arguments on the Bill, because he seemed to be so completely in favour of it, and most understandably so, too.

We all support his move despite the interjection by Mr. Wise that this might conflict with private enterprise. Let us face it! This is nothing more nor less than a Bill to bring about orderly marketing, which is a result of the representations made on behalf of growers and responsible people in all the States. It is not something which is being inflicted on the growers and producers of Western Australia, or Australia as a whole, but rather it is something which they themselves have requested and have sought over a long period.

The background to the plan has also been covered by several speakers. Let me say that the origin of this plan arose, fundamentally, from the embarrassing situation in which Western Australia—and other States, too—were placed as a result of the export market situation. As has been pointed out, Western Australia did enjoy very favoured markets for a certain time and then had to suffer the mortification of seeing other States with a much greater egg production than ours virtually taking the export markets over with rather disastrous results to the producers of Western Australia.

Of course, it served to instil a great deal of enthusiasm in the Western Australian representatives of the egg marketing authority to have this plan brought into being which, in the first place, sought—and is now achieving—co-operation between the States of Australia in the overseas marketing of our surplus egg production. We can perhaps get a rather erroneous picture. As Mr. Dolan has said, the Western Australian production would be approximately 7 to 7½ per cent. of the total of the Australian egg production; and, of that production, somewhere in the vicinity of 12 to 15 per cent. would be the surplus which is marketed overseas, and which is proving very embarrassing to the entire industry.

The State of New South Wales, which is by far the major Australian producer, has also been embarrassed by a surplus of about 14 per cent. of its egg production. I would make it clear that 14 per cent. of the egg production of New South Wales is a vastly different figure from the 12 per cent. or the 15 per cent. of our production which goes to export. I think that should be brought to mind in view of some of the comments that have been made on the possibilities of this plan. The effect of this Commonwealth Egg Marketing Authority plan will be to stabilise the egg industry. By way of the levy it will do away with the necessity, firstly, for the equalisation charge in each of the State organisations, and possibly will permit of an increase in returns to individual growers. In other words, the net return to each grower will be somewhat improved. It is confidently anticipated that this, in turn, will lead to a greater degree of prosperity among those engaged in the industry.

I am a firm believer in orderly marketing, and I feel there is no industry in Western Australia which is more deserving of a period of prosperity than is the poultry industry of Western Australia, which has not enjoyed much prosperity for many years. I therefore hope that by this legislation there will be introduced stability within the industry and a measure of prosperity among the growers.

We must also face the question—and this follows along the lines of the interjection made by the Minister for Mines, I think—that if these things are achieved, will they constitute encouragement towards greater production; and, with greater production, what then will be the situation for the industry throughout the Commonwealth? Are we to return to the situation that growers have been placed in during the

past couple of years? This is a real possibility, so I suggest that we must look further towards correcting whatever deficiencies there are in the entire industry.

Mr. Dolan has, to some extent, pinned his faith on promotion. I regard this as a most interesting observation and I certainly believe there is some foundation for it. The honourable member quoted figures which would seem to indicate that our annual egg consumption per person is considerably less than it is in other countries, and surely this indicates that something could be done to promote sales. I agree that possibly something can be done, but, by the same token, I do not believe it will achieve, in the ultimate, the desired result. I do not believe that this is the complete answer by a long chalk.

I notice that Mrs. Hutchison interjected several times whilst Mr. Dolan was speaking by referring to the retail price. I do not believe that even this will produce the answer, for the simple reason that I think we have statistical evidence, departmental surveys, and the like, to indicate that when prices are down—as happened very recently—there is no material alteration in the consumption of eggs in Western Australia. The sales do not alter very much to result in greater returns to the growers, and so apparently the retail price level is not the highly significant factor that one may think. Tied to that we can say that we could arrive at a hypothetical figure to show that a reduced price will increase sales; but what price are we to select which will keep poultry farmers in business?

I think it is interesting to refer to some of the background literature; and in the course of reading of some of this I referred to the report of the Royal Commission in 1954 and the evidence which was tendered before it. One of the features which was dealt with rather extensively was the question of price and the determination of a price. That is, the price charged by the egg board, or the price paid by the egg board on the cost of production figure to keep the grower in business. I think this became too complicated. Either the members of the Egg Marketing Board were in no position to indicate what the cost of production figure might be, or the growers themselves were unable to give a figure. Reference was made to a Commonwealth survey of this very question—a very cursory survey, I think—and the figure arrived at was somewhere in the vicinity of 47d. per dozen.

If we accept this cost of production figure of 47d. per dozen, we find it is somewhat in excess of the price paid to the producers by the Egg Marketing Board, even including its administration charges, which are minimal, and its equalisation charges. The difference between all the charges and the retail price is the net return to the growers. Therefore it is my opinion at this moment that that is not the answer; there is still something more to be achieved. By the same token I am of the opinion that the Commonwealth legislation, with which we are dealing in this Bill, will serve to stabilise; to bring a greater degree of uniformity among the States. We hope it will tend to standardise production as to quality and the like. Perhaps it may even, eventually, achieve a certain uniformity in price.

One would imagine that this could be so if there is to be a complete cessation between the States of this legal dumping which has been the bane of the industry for so long. Perhaps when this plan has been in operation for a while and achieves the degree of stability which will be brought about in the industry, that may well be the time to see what the position is by reviewing the situation. In the interim it is probably one of the most advantageous steps that the industry throughout Australia has yet taken. I welcome the Bill and, on behalf of those engaged in the poultry industry, I look forward to a period when the growers will enjoy a greater degree of prosperity than that which has been their misfortune to experience in the past. I have much pleasure in supporting the Bill.

THE HON. C. R. ABBEY (West) [7.58 p.m.]: This small Bill has brought forth a great deal of debate—much more, I am sure, than Mr. Jones ever envisaged when he first introduced the measure. Personally, I think this is an excellent move because the growers of Western Australia, and particularly the representatives of those engaged in the industry, have been concerned for many years over the possibility of Western Australia losing its export market. It took approximately four years of negotiating to achieve the C.E.M.A. plan, and during that period the Western Australian representatives were of the opinion that it would not be possible to reach full agreement on the plan, particularly because of the opposition to it of South Australia and New South Wales.

Mr. Dolan was not quite right in placing the full blame on the South Australian Government, because before there was a change of Government the representatives of New South Wales were not prepared to agree to the plan. This is rather an interesting observation.

The membership of the Council of Egg Marketing Authorities of Australia comprises 39. On it are the representatives of the State egg marketing boards and the Department of Primary Industry. Of the 39 members, 25 are actively engaged in some form of egg production, and this would lead us to believe that those representatives are firmly of the opinion that the proposal in this Bill is a great step forward. I also hold that view.

The exports from the States of the Commonwealth for 1963-64 ranged from 16 per cent. of the production in Queensland, to .5 per cent. of the production in South Australia. Perhaps the small exports representing .5 per cent. indicate the reason for the lack of interest on the part of South Australia. We know that in the Eastern States during flush periods of production there is the opportunity for the eggs from one State to be pushed over the border to another.

I hope we will reach the point in the history of egg marketing in Australia when, because of co-operation between the States and the Commonwealth, the eggs from all States will be exported through a central authority. I hope this will become a permanent feature in the industry, and not only as an agreement for 12 months. The situation requires close watch by the Agricultural Council which, on behalf of each of the States, should be able to negotiate a long-term agreement to enable the export of eggs to be handled properly.

It is a sad commentary that States are competing against each other for the overseas export markets. In the past the quantity of eggs exported from Western Australia did not contribute very much to the export income of the State. As I recall the figures for the last financial year, egg exports returned about £180,000. If action should be taken in the future to bring about a reduction in the export of eggs, it will not be very serious to the export income of Western Australia.

I hope that in the future we will be able to see a rationalisation of the egg industry in all States so that this section of the community may become a prosperous one. I am sure we all agree that is a desirable objective. As was the position last year, because of the over production of eggs—as a result of which 19.1 per cent. of our production was exported—the producers received an average of only 3s. 3½d. a dozen.

The Hon. R. F. Hutchison: Why was not the price to the consumer reduced?

The Hon. C. R. ABBEY: The reason was that the export price came down to as low as 9d. per dozen, and that had to be balanced against the local retail price.

The Hon. R. F. Hutchison: I cannot work out the economics.

The Hon. C. R. ABBEY: I believe that regular egg production throughout the year is possible, and evidence is available to prove this point. If that is the case then periods of over production, as existed in the past, should not be experienced. With the introduction of the levy on hens, under the C.E.M.A. plan, many small egg producers will be discouraged from continuing in the industry. They will not regard it as worth while to submit a return each fortnight showing the number of hens being kept and pay a levy on them.

In the country districts in particular much of the existing production will cease. In my own district I know that the wives of some farmers consider it is not an economic proposition to submit a return and pay a levy each fortnight. There could be some other side effects to this legislation. I think the small producers will tend to leave the industry, and that will make it a much better proposition for the commercial producer to remain in it.

THE HON. J. G. HISLOP (Metropolitan) [8.7 p.m.]: I am not an authority on eggs, or on egg marketing. I am only a one-egg-a-morning man.

The Hon. J. Dolan: Make it two.

The Hon. J. G. HISLOP: On the advice of the honourable member I shall do so. Certain aspects of this subject interest me. I have a number of friends who are poultry farmers, and I have discussed this situation with them on many occasions. I was interested to learn from Mr. Dolan of the proportion of eggs which are exported, and the miserable price that is received for them. It does not appear to be of very great importance if the export of eggs is reduced; if it is, then the charge against the poultry farmer will be reduced.

Only last year when eggs were in plentiful supply, several of my friends complained that the price of eggs to the public was not lowered. They felt certain that if the price had been reduced, many more eggs would have been purchased. From the younger members of my family, who in turn mix with people of their own age group, I have learnt that they cannot afford eggs at the price at which eggs are sold.

The Hon. R. F. Hutchison: That is absolutely true.

The Hon. J. G. HISLOP: If we could do away with a large proportion of the exports, and so bring down the local price, it would be advantageous to the public financially. Another interesting aspect is that at times of over production of eggs, a bonus has been paid by the board to poultry farmers for eggs with a more golden tint in the yolk. For years one of the drawbacks of the commercially-produced egg was the pale colour of its yolk. Since the introduction of the bonus the colour has improved. When I was a child I remember being given eggs with a deep golden yolk for breakfast. With the introduction of mass production in the poultry industry, and with the need to grow large acreages of green feed to supply chlorophyll to the flocks, the colour of the yolk became paler.

The Hon. R. F. Hutchison: Have you seen a modern poultry farm being run?

The Hon. J. G. HISLOP: Yes I have. In these days the yolk has become paler, because, generally, the poultry farmer cannot grow sufficient green feed to supply the hens with sufficient chlorophyll. For that reason chlorophyll additives have been mixed with the feed. Within the last few months we have seen a considerable improvement in the colour of the yolk. No harm would be done if the colour were deepened to a greater degree, because it would be an attraction to the housewife. Even though chlorophyll is said to make no difference to the food value of the egg yolk, a deep-coloured yolk has a psychological effect on the purchaser and the consumer of the egg.

In various ways alterations of a considerable nature can be made, but I was amazed to hear Mr. McNeill say that the price does not mean anything. At the present time the price of foodstuffs means everything to those who have a family to feed. If the present prices of eggs were reduced I am certain more would be used. The poultry farmers that I know are unanimous in their claim that if the prices were reduced in times of glut, there would be an increase in consumption by the public. This is an aspect which should be looked into by the board.

The proposals contained in the Bill will prove to be of very great benefit to the industry, although what I have been referring to is not included in it. The idea of having a central control of the industry should certainly produce results; and different thinking in relation to the price aspect has been introduced.

I am totally in accord with this measure. I think it will prove to be of very great benefit to the industry. If the levy per hen is reduced, then the cost of production will be correspondingly reduced. Some consideration should be given by the board to extend the benefit of such reduction to the public. I support the measure, because it contains very sane thinking in relation to the sale of eggs.

THE HON. R. F. HUTCHISON (North-East Metropolitan) [8.14 p.m.]: It was not my intention to speak on this measure, so my speech will be very short. From my study of the Bill I thought it was one measure which the people regarded as right, and I go along with it. However, when I take into account the facts, and when I hear the remarks of some members relating to the economics of the marketing of eggs, it amazes me that men cannot think of the home front which applies to their families and to their children.

The Hon. F. J. S. Wise: Some men!

The Hon. R. F. HUTCHISON: Yes; I correct myself. I find that many men do think in those terms. When I was young the egg was of very large moment in the food supplied to children. Now, at the retail price, it is a difficult problem for the housewife. Today I hear many women lamenting the fact that they cannot get eggs, and when they do get them they say they are of poor quality. I am not in a position to say whether they are or not, because the yolk has scarcely any colour at all. We always liked a deep colour yolk in the eggs.

It seems to me to be a strange kind of reasoning when men will draw up all sorts of figures on imports and exports and try to increase their exports, when the people of their own country, which produces the eggs, cannot purchase them. It is perfectly true that many families today do not have eggs; and if anyone doubts me I will take him to my own constituency and introduce him to some of them. They will tell him that they do not have one dozen eggs per month. These days when more babies than before are fed artificially, they require this commodity. I just cannot be interested in the economics of a commodity when the people of one's own country are denied it. They cannot get good fruit and eggs and yet there is always plenty of the best to be sent away, and it is sold for far less than we here are expected to pay.

Why do we export eggs for 9d. a dozen but expect the housewife here to pay 6s.? That does not seem commonsense to me. Members can use any other word they like, but "commonsense" is a pretty good old-fashioned word to use. I have seen the best of our produce and our fruit exported, and yet it is not possible to buy a decent apple or a decent bunch of grapes here to give to the kiddies.

If economics are more important than giving our own people healthy food in order to build a healthy nation, I say it is time we changed our thinking. I have seen the treatment animals and birds are given in order to force them to produce more, and it is horrifying. If some of the men who are at the moment only interested in economics were to take their wives and daughters to see it, they would soon have an opinion different from that which they now hold.

Money is only a means of exchange. What does it matter if we get less, providing the value is there? That is the way I look at it. We must remember that a large proportion of our workers are on the basic wage. Of what use to them is an increase in the basic wage? As soon as there is one there is an immediate rise in the economics of the country and they are no better off. In fact they are poorer. These days the working man's wife works, as does his daughter; and why? To keep up the family income because they cannot live on one wage.

We probably have a higher standard of living. If we do not, it is our fault. However, eggs are a basic household necessity and they should not be the price they are. I do not think it is the grower who gets

the price. The situation is the same as with an orchardist or a vegetable grower. It is the middle man who receives all the money. For this reason I say there is something wrong with our sense of proportion in our economics. I suggest members give that some thought. I support the Bill.

Debate adjourned, on motion by The Hon. A. R. Jones.

PETROLEUM PRODUCTS SUBSIDY BILL

Second Reading

Debate resumed, from the 8th September, on the following motion by The Hon. A. F. Griffith (Minister for Mines):—

> That the Bill be now read a second time.

THE HON. N. E. BAXTER (Central) [3.20 p.m.]: When introducing this Bill the Minister advised us, as I think we all know, that the Prime Minister undertook in his 1963 policy speech to look into the burden placed on rural dwellers by the higher prices of petroleum products in the more remote areas. He proposed that he would endeavour to bring the prices of petroleum products in the remote areas somewhere not exceeding 4d. a gallon above capital city prices.

We know that all political parties claim to have a policy of uniform prices throughout Australia, but in this respect, up to 1963, nothing substantial had been attempted by the various Governments, until that statement was made in the Prime Minister's policy speech. One has to wonder whence this emanated when it was incorporated in the Prime Minister's speech. Bearing in mind that all political parties claim to have this policy, it firstly could not have come from the Labor Party platform, because, if it had, it would not have been included in the Prime Minister's speech.

The Hon. F. J. S. Wise: He will pinch those ideas you know.

The Hon. N. E. BAXTER: At the same time, I do not remember it appearing in the policy speech of the Federal Labor Leader (Mr. Calwell) during the 1963 election campaign. Therefore this Bill we have before us tonight could not have been because of the efforts of the Labor Party in its policy.

We go further to the other two parties—to the Liberal Party and the Country Party. To what extent did the Liberal Party pursue this particular matter? It has had every opportunity over the years since 1947 when it had a majority in the composite Government of Australia to bring something like this into being, but I am afraid it could not have pushed the matter very far; because, had it done so, it would have come into being, in my opinion, much earlier.

However, I do know that this is a matter that has been continually raised by the Country Party in Australia and also spearheaded by the Federal Country Party Leader (Mr. John McEwen). The following is contained in a report made by the State President of the Country Party in July, 1963:—

> Life in the country and industry in the country are affected tremendously by the cost of petroleum products, petrol, power kerosene and distillate.
>
> We strongly support the declarations of our Federal Leader, John McEwen, in favour of equalisation of the prices of all petroleum products.
>
> The proposal he has brought forward that nowhere should petroleum products be more than 2d. per gallon dearer than the price at capital cities would be a very important step in this direction.

I have since been given to understand that it was at the instigation and insistence of Mr. John McEwen that this was included in the Prime Minister's policy speech in 1963. So I can only conclude that this Bill is now before this House as a complementary Bill to the Federal one as a result of the Country Party's efforts; and I speak in this vein because Mr. Strickland, when speaking on this Bill the other evening, followed very closely in his speech an article written by Mr. Peter Ellery, which appeared in *The West Australian*. It suggested that the scheme had failed to meet the pledge made by the Prime Minister.

Mr. Strickland really went further than Mr. Ellery, when he called the Federal Bill a thimble-and-pea trick put over the people. I would not like to think that the honourable member was implying that the Prime Minister and his Federal Cabinet deliberately set out in the policy speech to put a thimble-and-pea trick over the people. I do not think any of us would imagine that was intended when this policy was announced. I would like to suggest to Mr. Strickland that he consider how a scheme of this nature could be developed and yet be perfect—a scheme that would ensure a difference right throughout Australia of 4d. a gallon between the price in capital cities and the price in remote country areas.

I wonder whether the honourable member, when he was speaking or drawing up his notes on this matter and suggesting the idea that this should have been done through the retail section of the industry, considered what the administration cost would have been had this scheme been handled through the retailers. If members will study clause 8 of this Bill they will realise that where authorised officers are appointed it shall be their duty to examine each claim for payment. It must be realised that if the retailers make claims a big volume of work will be entailed in handling them, because there are many

retailers throughout Australia. Therefore the costs would create a huge overhead on top of the subsidy paid out by the Federal Government, which is estimated to be something like £6,000,000 annually. Mr. Strickland stated that it would cost only another £600,000 throughout Australia.

The Hon. A. F. Griffith: No—throughout Western Australia.

The Hon. N. E. BAXTER: I thought he was referring to the whole of Australia.

The Hon. A. F. Griffith: No; I think you will find it was only Western Australia.

The Hon. N. E. BAXTER: I will check that because I thought he was referring to Australia.

The Hon. A. F. Griffith: He said £600,000 for Western Australia and—more appropriate to the last Bill—he said that was chicken feed.

The Hon. N. E. BAXTER: I remember he referred to it as chicken feed. Yet, at the time, the W.A. Automobile Chamber of Commerce suggested in the article of Peter Ellery's that the cost would be £100,000 additional. I do not know whose figures are right and whose are wrong. There seems to be a huge discrepancy between the two. However, they both refer only to the extra subsidies required, overlooking the fact that there would be a huge overhead created by the number of authorised officers required to deal with all the claims put through retail dealers. I feel that could be a huge sum to add to the already generous payment that the Commonwealth Government is making in this connection—and one cannot describe it as anything else but generous, because the Government is paying a subsidy to the producers and not to the oil companies.

I should now like to refer to a statement made by The Rt. Hon. J. McEwen in respect of this matter and as to why the scheme was introduced in this way. Part of the statement made by the right honourable gentleman reads as follows:—

> The development of a practical scheme for giving effect to this undertaking has required a great deal of study by the Commonwealth Departments concerned and long negotiations with the oil industry and discussions with State officials.

The idea was broached to the oil companies some years ago by our own party, with no success. It meant that something had to be done on a Commonwealth basis, and it has been brought about by Commonwealth legislation and the complementary Bills which are being passed, or have been passed, in the various States.

I cannot understand why Mr. Strickland should say that in his opinion one of the reasons for the introduction of the scheme by the Commonwealth Government was the pressure from the oil companies because they would derive the greatest benefit from it. Where do the oil companies derive a benefit from this scheme? Will they sell more petroleum products because the price of petrol will be only 4d. a gallon, or a little more, above the capital city prices? I cannot imagine country people buying any more fuel because its price is only a little above the price paid in capital cities and it is a little cheaper in the country than it has been in the past.

Country people will still buy their normal requirements, and I cannot see how this legislation will boost oil companies' sales. The companies will not get the subsidy money; it will be taken from producers' costs, and so I do not think the honourable member's statement was soundly based.

I applaud the measure because it is bridging the gap between city and country prices; and, although I am not a great believer in subsidies, it is often necessary to use this method to bridge the gap that exists, particularly in relation to primary producers; because, after all, it is the primary production of Australia that controls our overseas income, and provides the wherewithal, and most of the taxation, that goes into the Commonwealth's coffers and is returned to the States to enable this country to continue with its development.

For that reason I think the subsidy scheme is as near perfect as a scheme could be made at the present time. I do not say it is absolutely perfect, but I do know that no attempt was made to hoodwink the public. It was merely a case of putting up a scheme which was mentioned in the Prime Minister's policy speech and putting it into effect in the best way possible. I believe a good job has been done in this direction. It is not an easy task, because of the huge country we have and the conditions under which we have to operate.

I think this Bill warrants the support of every member; and I noticed that Mr. Strickland naturally gave it his support because it will be of benefit to his constituents, even though every place in his province will not be able to sell petrol at a price only 4d. a gallon dearer than city prices. However, some promises in this respect have been made and the position will be reviewed in three years' time.

Like other legislation of this type it is not perfect and anomalies will be found to exist. However, those anomalies can be ironed out when the scheme gets on to an even keel. As time goes by we will be able to introduce amendments to it and then we will have something which is really worth while and which will bring the prices of petroleum products on to a sound basis, and only slightly above capital city prices. I support the measure.

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [8.36 p.m.]: I explained this Bill when I introduced it as complementary legislation to the Commonwealth Bill to subsidise petroleum products. I do not know which wing of the Federal Government was

responsible for the legislation, and I do not think it really matters. The fact remains that the Bill with which we are dealing is here for our consideration because of the necessity to introduce legislation complementary to that which the Commonwealth Government has introduced.

As a matter of fact, if we were to give credit to anybody for the introduction of this legislation I think we might come fairly close to Western Australia because, if my memory serves me correctly, some 10 years ago a Select Committee was appointed to study the practicability of a uniform price for petrol throughout Western Australia. I may be wrong, but I think that was the purpose of the appointment of a Select Committee at that time; and if Mr. Baxter checks, he will probably find that it was about the year 1956.

The Hon. F. J. S. Wise: I remember the report being read to this House.

The Hon. A. F. GRIFFITH: It was found that there were real practical difficulties in the way of this being done; and so it goes back not to 1963 but to beyond that year—about 1956.

The Hon. N. E. Baxter: That was in the early stages.

The Hon. A. F. GRIFFITH: I do not know which wing of the Commonwealth Government should be given credit for this, but it is a Commonwealth measure, and that is all I am concerned with. We are dealing with complementary legislation.

It has been correctly stated that a great many people will benefit as a result of the introduction of this measure. Maybe all will not benefit to the extent that some of us would like them to benefit —and here perhaps I could address myself to Mr. Strickland, through you, Sir. Mr. Strickland made the point that the resellers' margin should be the basis of the subsidy instead of the financial arrangements which are provided for in this measure being adopted. Mr. Baxter made reference to the sum of £600,000 which Mr. Strickland said it would cost in Western Australia—additional to the money already being provided—if the suggestion he made, that the resellers' margin be subsidised, were adopted; but apparently the Automobile Chamber of Commerce, as Mr. Baxter said, took the view that the cost would be £100,000 additional. I do not know which figure is accurate, but I do think it is reasonable to conclude that it is a situation that could get well and truly out of control, because the cost could be very great indeed.

Suffice to say I am glad of the support that the Bill has received, and I am also glad to know that we are going to be able to pass it in its present form. We have very little option because, I repeat, it is complementary legislation to give effect to the Commonwealth's undertakings prior to the election. I do not think there is any necessity for me to say any more except to thank members for the support they have given to the measure.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

HAIRDRESSERS REGISTRATION ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 8th September, on the following motion by The Hon. F. D. Willmott—

That the Bill be now read a second time.

THE HON. W. F. WILLESEE (North-East Metropolitan) [8.44 p.m.]: We have been advised that the main object of this Bill is to protect the public from incompetent hairdressers, and thus it has a laudable objective. However, I often wonder whether or not this question of protecting the public, through legislation which protects individuals within a corporation, is not a little bit of one-way traffic. For instance, whoever gives any thought to the poor unfortunate person who, over the years—and I see one of this type not far from me at the moment—

The Hon. G. C. MacKinnon: Careful!

The Hon. W. F. WILLESEE: —who has not as much hair upon his head as might be necessary—

The Hon. G. C. MacKinnon: Do you think we should pay proportionately?

The Hon. W. F. WILLESEE: —to warrant his always paying full price. So whatever the situation might be with regard to protecting the public, these things should be looked at from a two-way angle.

The Hon. G. C. MacKinnon: Would you consider an amendment for our benefit?

The Hon. W. F. WILLESEE: I would definitely support the under-dog in this issue. However, the Bill generally implies that there shall be an end to part-time and weekend operators, which is to the good, because today the art of hairdressing is at a very high level. The hygiene factor is a very important one, and needs careful policing because, in the case of women's hairdressing, a considerable degree of efficiency is brought to the art.

The original Act covered the application by the board to a 25-mile radius from the General Post Office of Perth. It is now

intended by proclamation to extend the application of this Act to the larger country towns. So one can envisage very shortly towns like Geraldton, Bunbury, Albany, Kalgoorlie, and others having the benefits that obtain under this Act extended to their areas.

It is noted that there is protection for those people who have operated in country areas over a period of time. They can apply to be registered under the Act; and where they can show, as a result of their business activities, that they are competent and capable, they will be registered and will operate on the same basis as those in Perth.

I had hoped that some consideration might be given in such legislation, particularly with the scope being widened, to the zoning of areas on a population basis, whereby there could be so many shops per head of population. This is something that could be implied in the general provisions of the Bill while not being incorporated in the Act. There is a tendency to find too many of these types of businesses, in clusters as it were, while in quite large areas of considerable population there are no such shops at all. If this were implied in the legislation some thought could be given later to writing it into the Act. I do not refer to the city block so much, because this is governed by the law of supply and demand, and there would be no need for restriction. But some thought should be given in the case of the outer suburban areas to the regulation of shops per head of population.

The other important feature of the Bill is the fact that the definition of apprentice will be changed. This amendment is intended to bring it into line with that which now obtains with regard to the award before the arbitration court. It surprised me to notice that apprentices in this particular trade have to pay a registration fee. These fees are part of the Bill, and the registration fee for apprentices will be raised slightly in accordance with other fees with which they are associated. It is somewhat unusual to find an apprentice having to pay a registration fee. While it is apparently the practice within this profession for a registration fee to be paid, it does seem a bit unusual; and if it were dropped it would be more in keeping with other forms of apprenticeships in all trades, not only in Western Australia but in Australia as a whole.

The period of time for apprenticeship in this trade has been lifted from four to five years. This surprises me, because I should have thought that four years would be ample time for an apprentice to absorb the principles of this profession; particularly is this so in these days when we are enjoying a rapid growth within the community, and where all types of professional people are developing to the point of being in great demand, and rather scarce. In such circumstances I should have thought it would be of benefit to maintain a four-year period rather than introduce a five-year period of apprenticeship. However, it is apparently acceptable to the powers that be and I merely comment on the situation.

There has been written into the Bill a right of appeal in the case of any person who has not been approved by the board, where the board might not consider such person to be of good character. The benefits of a right of appeal are clearly covered, and if a person were done an injustice in the first instance an opportunity would be given subsequently to see that justice was done.

In the case of people who leave the industry for a period longer than eight years, it is proposed that when they re-enter the profession they shall be subject to a subsequent examination. The reason given for a subsequent examination is that a profession of this nature would probably change its techniques in eight years and that it would be in the interests of the public for an examination to be conducted on up-to-date lines. This seems reasonable. After all, a person who leaves the industry for a period of eight years would not be likely to re-enter it.

There appears to be a practice being established in Bills which appear before us of fees being set by regulation. The fees will not be set by Parliament; they will be prescribed by regulation from time to time depending on the circumstances and the situations which arise. In allowing regulations to set a scale of fees it is necessary to remove from the Act the limitation placed on the fees that could be paid up to a maximum of £50. This will be removed by the Bill, and the registration board will, in future, set fees from time to time by regulation. Apparently this is a common trend, although I do not like it myself. I feel that we should look at these things in Parliament. A simple amendment would be all that was necessary, and it would be agreed to wholeheartedly by Parliament. At least we would not be ceding the right in open forum to look at the rights and wrongs, and pros and cons, of matters of this nature.

I know the registration board is a fairly comprehensive body, the personnel of which consists of a Government representative as chairman, a member of the Master Ladies Hairdressers' Industrial Union of Employers, a member of the Master Gentlemen's Hairdressers' Association of W.A., and two members nominated by the Metropolitan Hairdressers Employees' Union of Workers. From the remarks made when the Bill was introduced I am advised that the measure has their unanimous support and complete commendation. In the circumstances, and in view of the amendment passed in another place, I support the measure.

THE HON. F. D. WILLMOTT (South-West) [8.57 p.m.]: I thank Mr. Willesee for his remarks in support of this Bill. I feel that a couple of his statements require some comment from me. He referred to the period of time for apprenticeships being raised from four to five years. That is simply the subject of an industrial agreement under an industrial award. I do not know whether the honourable member is aware of that. So the Government has no option but to accept it.

The Hon. J. G. Hislop: Does that apply to both males and females?

The Hon. F. D. WILLMOTT: Yes.

The Hon. J. G. Hislop: Does it take five years to teach a male?

The Hon. F. D. WILLMOTT: Apparently.

The Hon. W. F. Willesee: It does not take five years to teach him, but you hold him for five years.

The Hon. F. D. WILLMOTT: It is a matter of an agreement under an industrial award. Mr. Willesee also referred to the question of fees being fixed by regulation, and the limit of £50 that can be paid to a board member in any one year. I do not agree with the honourable member that it would be better to fix these fees in the Act rather than by regulation. It is seldom done by Act of Parliament, as the honourable member would be aware.

The Hon. W. F. Willesee: This is the second time we have done it in a week.

The Hon. F. D. WILLMOTT: It is not correct to say that Parliament is ceding this right. To bring down a small Bill to alter the fees would be like using a 25-pounder to shoot a sparrow. Regulations are tabled in the House and are subject to disallowance. So Parliament still has control. There is not likely to be any alteration in the matter of fees, and this is highlighted by the fact that there has been only one alteration in 19 years. The fees which I think were gazetted on the 23rd July of this year were the same as those laid down in the Act at the moment. So there is not likely to be much alteration in the matter of fees.

In regard to the lifting of the maximum amount which could be paid to any member of the board, it is fixed in the Act at the moment at a maximum of £50. That provision will be taken out of the Act and there will be no fixed limit. I think that is necessary because at the moment the chairman of this board is a Government employee, and the parent Act provides that where the chairman or any member is a Government employee, he is entitled to three guineas maximum for each meeting; but if at any time the chairman of that board is a person who is not in Government employ—and that can happen at any time—then that fee rises to five guineas.

As the operation of this Act is to be extended beyond the 25-mile radius of the G.P.O., it is reasonable to think that in the future this board could hold slightly more frequent meetings than in the past. If members will think for a moment they will realise that if only one meeting per month is held, at five guineas per meeting that would be very much in excess of the present £50; and it is quite reasonable that the present fixed limit should be taken out of the Act.

I do not think there is any intention whatever of boosting the payment to the chairman or to any other member of the board; it is just the fact that at any time the chairmanship of this board can pass from a Government employee; and under the Act at present, the fee would be lifted to five guineas for somebody else, as against the three guineas now paid, as the present chairman is a Government employee.

I think those are the only matters raised by the honourable member which needed any comment. I thank him again for his support of the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

POLICE ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 8th September, on the following motion by The Hon. A. F. Griffith (Minister for Mines):—

That the Bill be now read a second time.

THE HON. F. J. S. WISE (North—Leader of the Opposition) [9.5 p.m.]: There are two matters contained in the proposed amendments to the Police Act, the principal intention being to increase the penalties on persons who pass valueless cheques. Section 64A of the Police Act, which has dealt with the matter in the past, confined the question to the point that, provided a person had reasonable grounds for believing the cheque would be paid in full on presentation, very little could be held against him if he had no intent to defraud.

There has been quite a lot of activity by persons who have the very bad habit of signing cheques and presenting them with no money in an account, and it has affected particularly the small business people in outlying areas of the State. I refer to people who come into a district, apparently *bona fide* representing some firm or firms, pretending to be selling something, and being paid by householders for that service; living on the community as they can; and paying a publican, a

storekeeper, or someone else by means of a cheque which ultimately proves to be valueless.

The proposal in this Bill is to apply a certain penalty within a certain ratio of proportion of money; and if a person does utter a valueless cheque for £50 he will be liable to a fine of £50, or to a term of imprisonment for six months. However, if he gets more ambitious and tries to cash a cheque for an amount exceeding £50, he is then liable to a fine of £250 or imprisonment for a term of 12 months. I wonder what would happen to him if he passed four cheques of £50. Would he be liable only for the lesser fine?

The Hon. A. F. Griffith: They would be cumulative offences if they were separate charges.

The Hon. F. J. S. WISE: For the life of me I cannot see how we are going to cure this bad habit of persons who, with a full knowledge of their liability at law to a fine and imprisonment, take the risk. A fine and an increasing period of imprisonment will not, in my view, deter these people from doing anything.

The threat of a fine of £500 or a term of imprisonment for an additional 18 months will not cure people who knowingly sign cheques with the only purpose of robbing somebody. They know the cheques are valueless when they put their signature to them, but they take the risk. These people go from town to town and from State to State. Before Christmas I had occasion to be in the Wyndham district and I met a man—a presentable person—who was taking photographs of families and collecting money as deposits —one of the age-old rackets. He could not deliver the photographs because he did not have some particular crystals with which to develop the particular type of film. I understand a little about photography, and I let him tell me all this.

I met him early in the year in Derby and I asked him whether he got the crystals all right, but he did not have them; they had only to come from Darwin. However, he collected a lot of money; and in February, while I was in Broome, I found the gentleman was in gaol. He had presented just one too many valueless cheques to the publican, and the trail went right back into the other States of Australia. He knew the liability at law for his behaviour—for his robbing of people; stealing—and I think if we altered this to a fine of £500 or two or five years imprisonment, it would not be worth the snap of a finger as a deterrent.

What could be a deterrent? I would make the liability at law the repayment of the cash, no matter how and when it was paid. It would be a debt, against the man who passed the cheque, owing to the person he had wilfully defrauded and robbed of hard cash. In law, these fines and penalties seek to ensure that a person will be more responsible for his actions. But what happens to that type of person? It does not affect him one scrap to be in prison for this coming Christmas or the one after; because as soon as the same circumstances arise when he returns from the gaol to normal life, he will do the same thing again. It will not hurt his hip pocket enough. There is no pressure on it; but there is pressure on the person whom he defrauds or steals from.

When introducing the Bill the Minister stated these added penalties will be likely to provide a deterrent to this criminal act. But they will not have any effect at all on the person; they will not enlighten him or induce him to mend his ways. He will continue with the same habit. He will pay no more than the penalty he risked having inflicted on him by his action. He will not be hurt in a financial sense at all.

The second principle in the Bill deals with the fine which is to be a deterrent to persons who insert, or attempt to insert, in any slot machine something that is not a coin of the realm. When he replies, I would like the Minister to tell me how the coin I put into a machine can be identified or looked at after it is inserted as against the one the Minister for Health or anyone else puts in. He might put in a washer worth 2d. a dozen, but how would anyone know his washer is his washer, and my coin is my coin? How will the person and the coin be identified together after the insertion?

The Hon. A. F. Griffith: I think it will be a case of being caught in the act.

The Hon. F. J. S. WISE: Yes. A person shall not insert. But how can he be stopped inserting it?

The Hon. A. F. Griffith: Obligation of proof is on the police.

The Hon. F. J. S. WISE: That is so. And who is this going to protect?

The Hon. A. F. Griffith: It is designed to deter people from doing this type of thing.

The Hon. J. F. S. WISE: One could insert a 6d. worth 7½d. and not be in conformity with this Act. I think there is an interesting point here. Without any presumption, I would like to draw the attention of all new members to something worth realising. I think they will find on looking at this clause that a person may not insert anything other than a coin made and issued under the authority of the law of the Commonwealth. I refer to clause 3.

The word "Commonwealth" does not mean the British Commonwealth. It does not mean I could insert a 6d. of New Zealand or Great Britain. It means, the Commonwealth of Australia, although it does not say so in express words at that point.

If members will have a look at their Standing Orders they will find on page 197 the Interpretation Act. It is a very important Act; and I say this without presumption: It is very important for members to study that Act in conjunction with their study of Bills. On page 202 of the Standing Orders members will find—

> "The Commonwealth" means the Commonwealth of Australia.

I raise that point as a matter of passing interest to members who have not come across such verbiage in the legislation so far presented this session. Much worthwhile information can be found in the Interpretation Act.

I repeat: Even if I were to place a coin of Great Britain—a 6d. where a 6d. is needed—and therefore I would be putting in the equivalent of 7½d., that is not a coin of the Commonwealth. It is a coin of the Biritish Commonwealth and does not come within the prescribed conditions of this Act.

The Hon. A. F. Griffith: You would have to refer to the other question you asked about the proof of putting in that coin.

The Hon. F. J. S. WISE: That is right. Once the coin was inserted it could not be proved by whom it had been inserted. So I think it is a tiddley-winking sort of thing. A child might try his luck with an ordinary washer or something that will fit, but I do not think the Bill will affect very many people. Most people insert the appropriate coins in slot machines.

In short, I think this Bill is not of much use at all. It will not deter the person of criminal instinct from doing this unlawful act of robbing someone of hard-earned money by cashing a valueless cheque if he has only to serve a term of imprisonment—which such a person usually becomes accustomed to, usually repeating the offence at the first opportunity. I do not think that increasing the amount of the fine, which will add to the term of imprisonment, will deter the criminal from his normal pursuit. But in case the Bill may do some good, I intend to vote for it.

THE HON. J. G. HISLOP (Metropolitan) [9.18 p.m.]: It does me good to feel that I am no longer alone. In the past I have protested that fining an alcoholic was not justifiable. That man is a sick man—mentally sick—and he usually does not have the money to pay a fine, and must go to gaol if found out. It would be very much better if this Bill were to give that type of man a term of psychiatric treatment. I have heard it mooted that we could stop an alcoholic from driving a motorcar by increasing his penalty to £250, which he usually has not got. If he has to try to find the money his family has to starve.

That is not the way to treat those people at all. We should realise that such a man goes around miserably, knowing quite well that he cannot stand up to the conditions to which he is submitted. He knows that if something is going to impede him it will act like a stumbling block. He may serve a term in gaol, but he will only go to another State of the Commonwealth and start all over again. He is suffering from a mental disease, and I would like the Minister to have a look at this Bill from that point of view.

I think we have to work around to the stage of recognising such mental disorders and realising that in these days a good deal of treatment is available. If this Bill were altered to a term of psychiatric treatment I would applaud it most heartily. Like Mr. Wise, I am not going to vote against the Bill, but I do realise that this is not the way to meet the problem. A fine is not the answer to the problem of disorderly people.

The Hon. R. F. Hutchison: Why vote for the Bill? I will vote against it.

The Hon. J. G. HISLOP: What is the use of throwing it out? We have multitudes of laws of the same kind. Apparently, it is a sort of recognised idea that if somebody commits some sort of crime because of a mental disorder, the only way to punish him is to increase the fine.

I have protested against this time after time during the 24 years I have been here; but never before have I heard anyone else agree to such a proposition that we should not recognise this as an adequate means of punishment. It is of no avail to punish an individual who has a warped outlook on life and a mental disorder. The only way to look at him is as a sick individaul, and provide him with necessary treatment, and submit him to the hands of psychiatric departments. In that way I think we would make a step forward never contemplated in this State before. It would do something to help those poor creatures recover.

THE HON. V. J. FERRY (South-West) [9.23 p.m.]: I support the Bill, but will confine my remarks to section 64A, which deals with the issuing of fraudulent cheques. I find that I do agree, on this occasion, with Mr. Wise in that penalties do not deter, and in this matter Dr. Hislop also concurs.

I feel this attitude, of course, applies to any type of offence. In this instance we are endeavouring to deter offenders from issuing cheques for which funds are not provided or arrangements made. With regard to the suggestion that offenders should have psychiatric treatment, my goodness, we would have to have a terrific staff to which to refer every type of offender for treatment along the lines suggested. There is merit in what has been said; but in practice, unfortunately, it might not be possible to implement.

I might say, in speaking of the issuing of cheques, that banks—from my experience—take every precaution possible to ensure that when a person opens an account, particularly a new account for a person who might have just come to the area, every inquiry is made before a cheque book is issued and the services of a current account are provided.

It can be said that there is healthy competition between banks, and this is so. In the pursuit of customers, and in healthy competition, it is sometimes said that risks are taken. I say here that if any risk is taken it is a calculated risk based on research into a person's character and well-being before banking facilities are granted, and this healthy competition is in no way affected.

I know it is the custom and policy—and it is put into practice by bank staffs—that every endeavour shall be made to ensure that cheque forms are not misused. Such forms are not generally given out without due inqury. It has been said in some cases, by members of the public, that banks should restrict the issue of cheque books. This does not overcome the problem of people issuing dud cheques. Goodness me, how many cheque forms and cheque books are stolen throughout any period! It happens quite regularly, unfortunately, that cheque books or cheque forms are stolen from vehicles. On occasions, a form is given to a person under certain circumstances, and that person might not be very well known.

It is no answer to say that banks should restrict the issue of cheque books; because anyone who wishes can obtain a cheque form. It is rather like trying to keep a burglar out of a house; we all know that a lock on a door or a bolt on a window only keeps honest people out, because anybody who wants to get in can do so. The same applies to any offence—car stealing and other offences.

The Bill does not, in my opinion, deter those who wilfully issue cheques without providing funds or making arrangements with the bank before they issue the cheques. Although it may not deter, I do feel that it is a step in the right direction and a measure which is perhaps overdue.

I understand that in the issuing of cheques below the value of £50 the passing of each valueless cheque will be treated as a separate offence and the penalties will be cumulative. I feel this is correct, because the issuing of each such cheque is, in my opinion, a separate offence. There is no doubt about that.

We have heard it said that traders are caught, and I refer particularly to traders who are caught for large sums. I have full sympathy for all traders, in any occupation, who are placed in the unfortunate circumstance of having in their hands a worthless cheque, whether it be small or large. I do make the point that it is rather beyond my comprehension that any trader or person could accept a cheque from another person without some knowledge of the background of that person, or without due inquiry.

I have no sympathy for a person who, without due inquiry, accepts a large cheque in payment for some purchase of goods. With our commercial system today it is easy to have a confidential inquiry made of a person presenting a cheque. If the traders cannot take advantage of this facility, I feel they are leaving themselves wide open and deserve very little sympathy.

We all know, of course, that cheques are accepted universally as a means of currency, and I suggest we could not do without them. They are used in all walks of life, particularly by housewives.

Speaking of the volume of cheques, I have estimated, although figures are not readily available, that on the average between 140,000 and 150,000 vouchers pass through the Perth clearing house each day. I use the word "vouchers" because it covers all types of drawing instruments that pass from one bank to another. I would suggest that of the 140,000 to 150,000 vouchers that pass through the clearing house each day at least 130,000 would be cheques. The balance would be made up of inter-bank vouchers of various types and other instruments used in the commercial world.

It is interesting to note, although this has no direct bearing on the number of items handled by banks, that the volume of funds passing through the Perth clearing house is quite tremendous. For the week at the end of August last, the figure was £38,319,233. For the four weeks' period at the end of August last year, 1964, the amount that passed through the Perth clearing house was £132,140,704; and for the four weeks ended in August of this year, 1965, it had gone up by approximately £15,000,000 to a figure of £147,769,313.

These figures lend a little weight to the volume of transactions which the banks handle today. I have only spoken of the Perth clearing house, and it would certainly clear the bulk of the cheques and drawing instruments used in the banking system; but it does not handle all drawings, because the banks, in their own local areas, do conduct exchanges amongst themselves. For example, the banks in Kalgoorlie exchange cheques drawn on each other either daily or twice daily as the case may be; and this applies to other towns in Western Australia and, indeed, Australia—but I am talking of Western Australia particularly—and most of the suburbs in the metropolitan area. So members can readily see that the figures I have quoted of the Perth clearing house represent only a portion of the volume which is handled by the staffs of the various trading banks.

I pay tribute to the staffs of the trading banks, who, in my opinion, give outstanding service to the community. When we reflect on the volume of transactions, and particularly the number of cheques handled in the daily commercial round, and when we consider that figure together with the number of fraudulent cheques that are issued, I think we, and any other fair-minded persons, will agree it is a very small proportion. I am not supporting the issuing of fraudulent cheques; what I am trying to do is to illustrate the fact that the staffs by their vigilance and efficiency are, in the carrying out of their daily duties, suppressing this type of offence.

It is not possible to control the issue of cheques by the efficiency of staffs. I would say also that it is not in the interests of the staffs of the banks, or the banking companies, or the commercial section of our community, or any other section of our community, to have fraudulent cheques passed in any form. The trader who gets a fraudulent cheque is out of pocket; and, not only that, but fraudulent cheques create doubt and suspicion in the minds of the traders to whom they are presented, and they tend to lose faith; and who would not in those circumstances?

This does not help our system; it does not help the traders to give service to the community; and it does not help the easy customer-retailer relationship. The issue of fraudulent cheques does not assist in any manner the bank staffs, because, apart from the extra work, they are involved in a great deal of worry. Very often when a fraudulent cheque has been passed the staff of the bank concerned is put to a great deal of worry and trouble, long before the matter reaches the court stage, in order to rectify the position. It is of no advantage to a bank to have fraudulent cheques floating around the country. No bank wants a cheque drawn on it to be floating around and being quoted in the courts. That is bad advertising for the bank. So members can see that on every count a fraudulent cheque helps nobody.

I have full sympathy for anybody found holding a worthless cheque, and the penalties outlined here are, in my experience, the minimum that can be applied. I know that if those who issue fraudulent cheques are chronically sick then no penalty will deter them; but I do feel that many will be deterred, and the risk minimised, by increasing these amounts. I thoroughly support the measure.

THE HON. E. M. HEENAN (Lower North) [9.39 p.m.]: I have a few comments to make because there might be some misapprehension about certain aspects of the measure. I will preface my remarks by saying that I think we are all in agreement that nowadays, especially, it is incumbent on every member of the community who writes out cheques and obtains goods and services in return to see that the cheques are honoured. I think cheques are used far more these days than they ever were previously.

Up till 1959 there was nothing in the Police Act concerning valueless cheques. If a person wrote out a valueless cheque, as many people unwittingly did, and overdrew his account because he expected money to be paid in, or something, as long as he did not do it fraudulently, nothing could be done about him, except from a civil point of view. He could be summonsed and made to pay the amount he owed; and, of course, that is still the position. On the other hand, if he were a trickster and wrote out what we commonly call dud cheques the remedy against him lay under section 409—there might be other sections too—of the Criminal Code. And that position also exists.

So the trickster who just writes out valueless cheques can be dealt with under the Criminal Code at this very moment, and in the majority of cases that is how tricksters are dealt wtih.

The Hon. A. F. Griffith: In that case has the judge the power to order restitution of the amount involved?

The Hon. E. M. HEENAN: Yes, offhand, I should think he has. But whether a judge orders restitution or not, there is the civil remedy of recovery. The criminal law only punishes the person for committing an offence; that is for writing out a valueless cheque and falsely pretending it is a good one. The judge might sentence him to gaol, but the person who is holding his cheque has his civil remedy to recover the amount as best he can, just as a grocer or anyone else recovers his bad debts.

In 1959, Parliament dealt with a different state of affairs and inserted section 64A in the Police Act. This section only deals with people who open an account at a bank and then, within the very short period of 60 days, write out valueless cheques. If they do it after 60 days, section 64A does not apply. Section 64A is meant to deal with the trickster who blows in and opens an account. He probably deposits a certain amount of money in a bank and opens an account and immediately starts circulating bad cheques knowing full well that he has not enough money in the bank to meet them. So that section only applies to that class of person. If he operates in that way 61 days or 161 days after he opens the account, the Criminal Code is the legal process that deals with him.

As I have said, under section 64A a man opens an account at the bank, receives a cheque book and then probably writes out a few cheques and depletes his account at

the bank. He then continues to write cheques knowing full well that he has no money to his credit in the bank; and that is when he gets into trouble. At present he is liable to a fine of £50 or six months in prison for each cheque that is issued and dishonoured, unless he can satisfy the court he had reasonable grounds to believe that the cheque would be honoured and that he had no intent to defraud. There is an onus on him to prove that. So at present it must be remembered that we deal with such an offender fairly severely.

It is now intended to make the penalty far more severe. It is intended to specify the amounts. If the cheque is £50 or under he is liable to the existing penalty of a £50 fine or six months in prison; but if the cheque is in excess of £50, the Bill proposes to increase the penalty to £250 or 12 months in prison. The penalty still only applies to the period of 60 days from the date of opening an account.

It must be admitted that some people open an account at a bank, deposit a few pounds in it, then set out to trick and defraud traders and others by issuing bad cheques, and then they disappear. I have no sympathy with those people; but it must be borne in mind that we already have on the Statute book a fairly drastic penalty of £50 or six months' imprisonment for each offence. Like Mr. Wise, I cannot see that we will accomplish much by increasing the penalty.

I think that traders these days, because of intense competition, have become a little lax in their financial dealings. Motorcar salesmen, and those who sell boats, furniture, and that sort of thing will, without much inquiry, give people unlimited credit; and, in many instances, it is my view that traders are to blame. I think they are to blame particularly when they are dealing with young people who buy secondhand motorcars. I know of many decent young fellows who have been foolishly allowed to enter into contracts to purchase secondhand motorcars by traders who should know better and who should have been more responsible in their dealings with them.

These young men find themselves hopelessly in debt; they default with their payments; and then they steal and get themselves into no end of trouble. I think traders who allow people with limited financial capacity to enter into a big debt are blameworthy; and those people who, willy-nilly, accept cheques in payment are to some extent only encouraging people to be careless in their financial dealings and to write cheques haphazardly.

I think we all know there are many people who are unaware of how they stand with their banks. This occurs particularly in hard times. Many of us here have been doubtful whether a cheque we have written would be honoured when presented. However, we have done that honestly and with no intent to defraud, and such action is quite all right. Some people get their affairs tangled, become careless, but are not altogether criminal in their actions.

I am not altogether enthusiastic with this Bill. I don't know why, after merely six years, we have to alter the existing legislation. At present we can imprison an offender for six months or fine him £50, and the person who is holding the dishonoured cheque still has the right of recovering the amount of the cheque through the ordinary civil process. Therefore, unless the Minister has cogent reasons to justify this drastic change in the law I do not propose to support the Bill.

Like Mr. Wise, I am quite unenthusiastic over the provision relating to slot machines. They are a modern invention which provide an amenity and give a service to the community. We do not want to do anything that will encourage people to be dishonest, to break the machines, or obtain anything by false pretence. Under this Bill, as Mr. Wise pointed out, if one inserted a New Zealand 6d. in a slot machine one could find himself in trouble.

The Hon. A. F. Griffith: You don't really think that, do you?

The Hon. E. M. HEENAN: I really do not think the police would prosecute in such a case. I must admit that I give the Commissioner of Police credit for having more sense of responsibility than that. I think the provision is designed to prevent people putting bits of lead—

The Hon. F. J. S. Wise: And washers.

The Hon. E. M. HEENAN: —into these machines. Of course, many of us have had the experience of putting money into a slot machine and receiving nothing in return.

The Hon. F. J. S. Wise: We have had the experience of not even getting full parking time.

The Hon. N. E. Baxter: And of putting sixpence into a telephone box without being able to make the call.

The Hon. E. M. HEENAN: I find myself unenthusiastic about the measure and at present I feel inclined to vote against it.

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [9.55 p.m.]: In the first instance I think we must appreciate that the House is asked to change the concept of section 64A of the Police Act. At the moment that section provides that in respect of a man who opens a bank account; who, within 60 days, passes a cheque which he knows to be valueless; who can make no reasonable excuse for committing such action; and who cannot satisfy the authorities that he did not intend to defraud, is subject to a penalty of £50 or six months' imprisonment, provided the Commissioner of Police gives written authority for the prosecution to be pursued.

In respect of the last part, as I explained in my second reading speech, experience has proved that the writen consent of the Commissioner of Police has been difficult to obtain, with the result that the offender has often flown, like a bird in the night, before the Commissioner of Police could give his written consent. So it is envisaged that an inspector of police should be granted the same authority as the commissioner, and then the penalty of £50 and six months in prison is rewritten to the point where it applies to the first, second, and subsequent offences.

If a number of cheques are passed at the same time, each for an amount of less than £50—or within the other category for that matter—I would suggest that the penalties imposed by the court could be cumulative and the offender, as indicated by Mr. Heenan, could find himself facing a number of charges.

As to the theory advanced by Dr. Hislop that, instead of punishing a person by fining him or imprisoning him, he should be submitted to some psychiatric treatment, I cannot enter into this field because I have no knowledge of it. All I can say is that if we were to do this in respect to section 64A of the Police Act, we would be obliged to examine the whole of that Act and many other Acts, including the Criminal Code, which would apply to the offence with which we are dealing.

I agree that the type of person who commits this sort of crime lives on his wits and passes valueless cheques wherever he goes. At the moment the experience is that, in the way it is written, section 64A of the Police Act is not acting as the deterrent it was hoped it would, coupled with the fact that any action to be taken is delayed because the written authority of the Commissioner of Police has to be obtained before a prosecution can be made.

Therefore, by making the penalty more severe we are hoping that offenders will, in fact, be treated more harshly. Not all of them follow the pattern of the person who needs some psychiatric treatment. There may be an unfortunate few who cannot stay away from alcohol and who claim this as the cause of their lapse; but not all offenders fall into this category. But that does not necessarily mean that phychiatric treatment—without the penalties under the Police Act being availed of at all—is the only method of treatment to be used.

In relation to the second amendment contained in the Bill, which seeks to insert a new provision—section 89B—I think Mr. Wise introduced a bit of humour when he spoke to it. If Mr. Heenan were to insert an English or a New Zealand 6d. into a slot machine I am sure the police would not pounce upon him. This provision is directed against the individual who deliberately defrauds the proprietor of the machine by inserting a metal washer or a foreign coin. We should bear in mind that various types of machines are permitted to be used. Section 89A of the Act prohibits the use of certain types, and permits the use of other types. The ones permitted include the juke boxes into which a person can insert a coin and enjoy the music.

The Hon. F. J. S. Wise: I put a question mark against the enjoyment of the music.

The Hon. A. F. GRIFFITH: Then there are other types of machines. If a person puts a metal washer into a cool-drink vending machine and obtains goods by a trick, he commits an offence.

The Hon. F. J. S. Wise: A metal washer is about all that the music is worth.

The Hon. A. F. GRIFFITH: These offences are reported and the police watch the situation. This is the manner in which the culprits are apprehended. It is expressing the situation in a humorous manner to say that once a metal washer or foreign coin is inserted into the machine there is no proof of who inserted it. But I agree that once a coin has been inserted into a machine, we cannot tell whether an Australian coin, or a foreign or imitation coin, has been used.

The Hon. G. C. MacKinnon: Unless the machine is empty, and it is used as a trap.

The Hon. A. F. GRIFFITH: Even then it would be difficult to prove the offence. The culprit could be caught in the act of putting a foreign coin into a machine and getting goods from it. Section 89A permits the use of certain slot machines and prohibits the use of others, but no provision is made in that section for the imposition of a penalty in the event of a metal washer or a token being placed in the machine.

The Hon. E. M. Heenan: I hope the police will not prosecute the individual who puts a metal washer into a juke box!

The Hon. A. F. GRIFFITH: We can generally rely on the commonsense of the police in these matters. The police do not prosecute just for the sake of prosecuting; they do so to reduce and to prevent these offences. It is said that it is doubtful whether the Bill will do very much good. I do not wish to enter into an argument on that point. We can only tell in the light of experience whether the increased penalty will be a deterrent. I suggest it is worth while to try the increased penalty, if the existing penalties in the Act have not been deterrents.

There is only one way to reduce these offences, and that is by increasing the penalty. I hope the Bill will receive the support of all members. I commend it to the House.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

House adjourned at 10.7 p.m.

Legislative Assembly

Tuesday, the 14th September, 1965

CONTENTS

The SPEAKER (Mr. Hearman) took the Chair at 4.30 p.m., and read prayers.

THE CITY CLUB (PRIVATE) BILL

Petition Presented

MR. DURACK (Perth) [4.33 p.m.]: I present a petition from the agents for The City Club Ltd. praying for leave to bring in a private Bill for "An Act to