Question put and passed.

Bill read a second time.

In Committee.

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

BILL—WEST AUSTRALIAN TRUSTEE, EXECUTOR AND AGENCY COMPANY LIMITED ACT AMENDMENT (PRIVATE).

Second Reading.

HON. H. K. WATSON (Metropolitan) [8.13] in moving the second reading said: This Bill is in terms similar to those of that which has just been dealt with, and its objects are precisely the same. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee.

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

House adjourned at 8.15 p.m.

Legislative Assembly

Thursday, 29th November, 1951.

CONTENTS.

The SPEAKER took the Chair at 3.30 p.m. and read prayers.

QUESTIONS.

JUNIOR CERTIFICATE EXAMINATION.

As to History Paper.

Mr. GRAHAM asked the Minister for Education:

(1) Who set the history paper for the Junior certificate examination this year?

(2) Are the persons Australian?

(3) Are they paid from moneys raised in Australia?

(4) Are they aware that this year there is being celebrated the 50th anniversary of the Commonwealth of Australia?

(5) Are they aware that this State is part of Australia?

(6) Is he aware that the history paper contains two compulsory sections relating to the Middle Ages in England, South Africa, Canada, Russia and Japan?

(7) Is he aware, further, that there are three optional sections of which only one relates to Australia?

(8) Does he not think that some knowledge of the history of Australia is desirable in preference to a knowledge of "Hatshepsut," "Iknaton," "Sargon," "Hamurapi," "The Behistun Movement," "Amos," "Isaiah," "The Sumerians," "Praxiteles," etc., as required in the examination paper?

(9) What does he intend to do about this un-Australian approach?

The MINISTER replied:

(1) Professor Alexander.

(2) Yes.

(3) Yes.

(4) Yes, and the examination paper included the following question:—

> In the 1951 Australian Jubilee celebrations much prominence was given to the stories of Captain James Stirling and Charles Sturt. Take one of these men and explain fully why you consider he should have been selected as a man who made a great contribution to the development of the Australian nation.

(5) Yes. See question quoted under (4).

(6) No. One of the two compulsory sections covers introductory economics and social history from the Middle Ages to the present time. The other section covers British and General History from the French Revolution to the present day.

(7) Yes. This optional section is usually selected by more than 90 per cent. of the candidates. This section is taken in all Government high schools.

(8) (a) No knowledge of the listed items is demanded of students as this section is optional and is taken by the very small minority of candidates who are specialising in classical studies.

(b) The first examiner in history is of the opinion that Australian history should be taken by all high school students, but it is not the policy of the Public Examinations Board which prescribes the syllabus, to force schools to include Australian history in the Junior year if they prefer to teach it at an earlier or a later stage in the students' school course.

(9) I do not consider this an un-Australian approach. In my view Australian children should be taught both the facts of Australian history and the history of other countries with which Australia is closely related and to which Australian civilisation owes so much. In the schools under my control Australian history is compulsory in both primary and secondary grades.

CEMENT.

As to Prohibition of Releases for Brickmaking.

Mr. CORNELL asked the Minister for Housing:

(1) Have many local authorities protested against the action of the Housing Commission prohibiting the release of cement for the making of bricks?

(2) Is he aware that the landed cost of other types of bricks in country areas is very high?

(3) Apart from the price factor, does he agree that considerable hardship in the country will result from the prohibition placed on the making of cement bricks?

(4) Does he intend taking any steps to ensure that the position insofar as the making of cement bricks in the country areas for home building is concerned, will be restored?

The MINISTER replied:

(1) Four local authorities have protested.

(2) Yes.

(3) and (4) The restriction of supplies to country districts, for the manufacture of cement bricks and blocks, was necessary only because of extreme shortages at the cement works and the all-time low level of the stock position.

The matter is under review and it is intended to resume supply as soon as the stock position permits.

FOODSTUFFS.

As to License to Export.

Mr. SEWELL asked the Minister for Supply and Shipping:

(1) Is she aware that a Geraldton firm was not allowed to fulfil an order of approximately 3½ tons of meat, poultry and fish, to be taken by the s.s. "Bahadour" to the employees of the British Phosphate Commission at Christmas Island?

(2) As a Federal department refused the permission to export this small quantity of foodstuffs, will she take action to see that in the future, when small consignments such as this are to be exported from the lesser ports, permission will be granted for export license?

The MINISTER replied:

(1) The Minister was not aware that a Geraldton firm was not allowed a license to export meat, etc.

(2) Meat is not allowed to be exported except by a meat exporter licensed under the Commonwealth Meat Export Control Act.

Meat, poultry and fish must be prepared in an establishment registered by the Commonwealth Department of Commerce and Agriculture.

POTATOES.

As to Cabinet Discussion of Port of Shipment.

Mr. GUTHRIE asked the Premier:

(1) Will he say whether Cabinet has discussed the position of the export of potatoes from Fremantle instead of the natural port of export—Bunbury?

(2) Is the shipping of potatoes from Fremantle, bringing them through Picton and some even from the Bunbury yard, considered economical?

(3) Has the matter of decentralisation been considered in the export of potatoes from Fremantle?

The PREMIER replied:

(1) Yes.

(2) and (3) The economics of shipping potatoes from Fremantle instead of Bunbury is a matter between exporters and shipping companies. The Government has made repeated endeavours to induce companies to call at Bunbury and other outports but the heavy demand on shipping space, coupled with the demands of passenger trade in regard to certain vessels, imposes restrictions on ships calling at a number of ports.

The Government is looking into the matter in regard to possible calls by those ships not carrying passengers.

BILL—RENTS AND TENANCIES EMERGENCY PROVISIONS.

Reports, Etc.

Reports of Committee adopted.

Bill read a third time and transmitted to the Council.

BILL—GOVERNMENT RAILWAYS ACT AMENDMENT.

In Committee.

Mr. Perkins in the Chair; the Minister for Education in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Section 89 amended:

Hon. A. R. G. HAWKE: When speaking on the second reading debate, I said I thought the Bill should be defeated at that stage unless the Minister was prepared to give an undertaking that members in the future would have the free and unquestioned right of accompanying deputations from their districts to the Railways Commission. The Minister indicated across the floor that he would give the suggestion consideration when the Bill reached the Committee stage. As a result we, on this side, allowed the Bill to pass the second reading without opposition. I would like the Minister to say whether the Government has decided to delete from the Act that section which, in my opinion, is an offence to members.

The MINISTER FOR EDUCATION: The first part of the amendment requires little or no explanation as objections were not raised to it, but they were to ministerial consent. I agree that substantial changes have taken place in recent years in the relationships between the Commissioners of Railways, members of Parliament and the Government. In the first instance the Commissioners now have security of tenure because they can be deposed only by a resolution of both Houses of Parliament. Also, they are now subject to the Minister as is every other departmental head. That is to say, the general rule is followed that the administration of the Act is under the departmental head subject to the Minister. It was felt, I understand, that it would be quite all right if the usual practice were followed of deputations, including members of Parliament, going to departmental heads. Such deputations are not frequent as they are generally taken by the Minister. On occasions, however, particularly when the matter does not involve a question of policy, a deputation interviews the departmental head.

I have made arrangements for a departmental head to receive deputations on matters which certainly involved no policy. In other minor cases he has made his own arrangements. I considered the proposition was a suitable one to pass on to the Commissioners of Railways. But it appears that in their discussions with the Minister they have taken up the attitude that deputations—the formal gatherings which we understand constitute a deputation—should go to the Minister as that is the practice in connection with most matters in other departments. There was no suggestion that the requiring of the consent of the Minister was in any way derogatory to members. It was felt that the Minister would simply delegate to the Commissioners the authority to receive the deputation if the Commissioners and the member considered that was the best course to pursue. I mention these facts to indicate that the strictures by one or two members were, I think, not quite justified. My position in the matter is now—and I might say it coincides with my personal view—that if an amendment is moved, as suggested by the member for Kalgoorlie, which would have the effect of repealing Section 89, I shall not press opposition to it.

Mr. MARSHALL: I do not subscribe to the argument advanced by the Minister, although I agree that this section should be repealed. This provision went into the Act in 1902 or 1904, and it applies only to deputations. Any member can personally interview a Commissioner of Railways, and I have done it on many occasions. This provision prohibits a member, who is asked or expected to accompany a deputation, from doing so. Prior to a few years ago the Minister had no control over the railway system—or only to a limited extent. The Commissioner of Railways used to say that his control was on matters of policy. What is a matter of policy? It has never been defined here to my knowledge. If the Minister's contention is right, that in order to preserve this provision there is an obligation upon members to take deputa-

tions to the Minister, it has only become apparent since the Minister has had ministerial control. I move an amendment—

That in lines 2 to 9 the words "amended by adding after the word, 'Commission' in line three the words—

unless—

(a) the member of Parliament is a member of a municipal council or a road board and attends on the deputation in the latter capacity; or

(b) the Minister consents to the member of Parliament attending on the deputation."

be struck out.

This is an insulting provision and, whatever justification there may have been for that section in 1902, there is none now. In those days there may have been some funny business going on.

Hon. A. H. Panton: They were building railways!

Mr. MARSHALL: Yes, it may have been of value then, but I could see no value in a deputation going to a Minister who had no control.

Amendment (to strike out words) put and passed.

Mr. MARSHALL: I move—

That the words "hereby repealed" be inserted in lieu of the words struck out.

Amendment (to insert words) put and passed; the clause, as amended, agreed to.

Title—agreed to.

Bill reported with an amendment and the report adopted.

Third Reading.

Bill read a third time and returned to the Council with an amendment.

DISCHARGE OF ORDERS.

The following Orders of the Day were discharged:—

1, Native Administration Act Amendment Bill.

2, Pneumoconiosis Benefits Bill.

3, University of Western Australia Act Amendment Bill.

On motion by the Premier.

ASSENT TO BILLS.

Message from the Governor received and read notifying assent to the following Bills:—

1, Agriculture Protection Board Act Amendment.

2, Inspection of Machinery Act Amendment.

3, Companies Act Amendment.

4, Totalisator Duty Act Amendment.

5, Optometrists Act Amendment.

BILL—COLLIE-CARDIFF RAILWAY.

Message.

Message from the Governor received and read recommending appropriation for the purposes of the Bill.

Second Reading.

THE MINISTER FOR EDUCATION (Hon. A. F. Watts—Stirling) [3.55] in moving the second reading said: The proposal in this Bill is for the provision of railway access to a new deep coalmine which is to be opened by Western Australian Collieries Ltd. Between November, 1950, and April of this year, a comprehensive boring programme in this area was carried out by the company. That was done under the direction of the Government Geologist, whose report indicated that coal reserves of 13,000,000 tons were present and that the site was an admirable one for a colliery. After considering that report, the company decided to develop that coal reserve by deep mining.

Following examination of the project in greater detail, the company advised that it was prepared to expedite the equipping and development of the mine with a view to production being commenced between July and September of next year, this being conditional on the provision of road and rail access to the site. I might say at this stage that when the Title of the Bill was brought to my notice and I subsequently looked at the plan, it was a little difficult to appreciate why the proposed railway was described as running from Collie to Cardiff, because it is actually an extension of the existing line which runs from Collie to the Collie-Cardiff townsite.

I do not think the member for Collie will mind my mentioning that, knowing that he had a far better knowledge of the geography of that area than I had, I asked him if he considered it to be a suitable Title. This railway runs in the same direction for about one-third of its proposed length of three miles 22 chains, and then turns to the left for about two miles and ends in country which at present has no name. Therefore, it being an exension of the railway existing from Collie to the Collie-Cardiff townsite, it is, I think, quite clear that there is no other possible name for it at present. I mention that because members will be aware that there is a railway to Collie-Cardiff and it has been existence for some time.

Mr. Marshall: It is a pity we did not have a modern Columbus so that he could have found this country.

The MINISTER FOR EDUCATION: The company has given an assurance that the development of the new mine, which will be known as Western No. 2, will in no way hinder activities at their other deep mine at Shotts, from which production is expected to commence early in 1952. When the company made a request for rail and road access the request was referred to the

Coal Production Committee. This committee comprises the Under Secretary for Mines, Mr. A. H. Telfer; the Director of Works, Mr. R. J. Dumas; and the State Coal Mining Engineer, Mr. G. Morgan.

The committee made a careful review of the State's future coal requirements together with an estimation of the output likely to be obtained from present mining operations, the result being that it was firmly of the opinion that every encouragement should be given immediately to the development of the new colliery—especially as that deposit had been thoroughly explored by drilling operations. Those drilling operations were in pursuance of a programme arranged by the Government a couple of years ago. I understand that the operations were carried out very thoroughly and, as I said, a satisfactory geological report was obtained.

It is also considered by both the departmental and the company's coal experts to be one of the most promising finds or areas for mining at Collie. It is thought that the State Electricity Commission will require an extra 30,000 tons of coal annually while some additional coal will be needed by the Railway Department, cement works, the Kalgoorlie power company and private consumers. The Coal Production Committee emphasised the necessity of obtaining sufficient production to guard against unexpected eventualities. This year, for instance, production on the Wyvern mine was reduced owing to a fault. As everyone knows it is the desire not only of the Government, but also of the miners at Collie—and everyone else who gives any serious consideration to the matter—to minimise, at the earliest possible moment, open-cut mining, if not reduce it to a mere nothing so that those limited reserves may be available in the event of some eventuality arising.

The proposal for the construction of the line has, in accordance with the State Transport Co-ordination Act, been examined by the Transport Board, and to conform to the requirements of the law I have tabled the papers which contain the board's favourable report on the proposal. The board agrees that the line is most desirable and in its view there is no other suitable alternative. I think I have already mentioned that the length of this proposed railway, which will serve the mine when it is developed, will be three miles 22 chains; I am informed that the estimated cost of the work is £30,000.

I understand that the only difficulty, and not a very great one, is a crossing over the river approximately one-third of the way along the route where, as I said earlier, it turns away from the direction which is pursued by the Collie-Cardiff railway. I think there can be no question that Western Collieries Ltd., which is the most recent addition to the coalmining companies engaged in the Collie coalfield, has demonstrated both in its open-cut operations and in its development of Western Colliery No. 1, that it is imbued with the idea of using modern methods, and of obtaining suitable modern machinery as rapidly as possible in order that work might be favourably carried on and production favourably increased as quickly as possible. It seems to me that there can be no question in the minds of members in both Houses of Parliament that the most convenient means—and probably the only means—of transport is that provided in this Bill. I have much pleasure in moving—

> That the Bill be now read a second time.

MR. MAY (Collie) [4.6]: The necessity for the construction of this line is so urgent that there should be no need to adjourn the debate, and I support the Minister in the remarks he made when introducing the Bill. Any suggestion to increase coal production by deep coalmining in the Collie coalfield, rather than by the open-cut method, will always receive my support. It is refreshing to find that the new company, known as Western Collieries Ltd., is prepared to adopt a policy of deep mining development in preference to open-cut mining. Admittedly, in the early stages at Collie, approval was given to work the coal from open-cuts. That is quite understandable when one realises the length of time it takes these days to procure the necessary machinery so essential for modern coal-mining. It is pleasing to know that this young company is to be allowed to produce coal by the open-cut method to a certain extent whilst it is in the transitory stages of having its machinery shipped from America.

This railway should be known as the Collie-Cardiff continuation line. It will be run in conjunction with the line already existing between Collie and Cardiff. To my mind, it must greatly reduce the running costs inasmuch as it will be possible, at a later stage when the mines are producing, to get the coal from both places. Although not in production at present, it is anticipated that in the New Year the mine known as Western Colliery No. 1 will be producing. Its policy is to produce the coal by deep mining methods. I am greatly pleased to be able to say that at long last the open-cut method of mining is to be restricted and that the mining of coal from the deeps will be encouraged.

I think I mentioned the other evening that this State would not be able to compete on the open market for the selling of its coal if the open-cut method were continued. Since the war it has seemed —from the employee's viewpoint—that the only method the companies could think of to produce the coal was that based on the open-cut principle. Now that the policy of deep mining is to be followed—and I hope it will continue to be enforced—I think this State will be able to hold its

own when it comes to marketing its coal. This line only extends for a distance of three miles and I do not think there is anything in the Bill for members to be afraid of. Here is a large company, Western Collieries Ltd., which is prepared to open up a new line from the railhead at Cardiff to its new colliery. Unless we encourage coal-mining companies in the Collie coalfield to continue with deep mining development, we will be forced to follow the practice of open-cut mining. The Minister has made it plain that there is a pressing necessity for the line, but I would emphasise that there is a far greater need for preference to be shown for deep mining of coal rather than by the open-cut method.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Perkins in the Chair; the Minister for Education in charge of the Bill.

Clause 1—agreed to.

Clause 2—Authority:

Mr. BRADY: Could the Minister give us some data on the economics of this proposition? It does not seem right that an authorisation should be passed by Parliament to spend something like £150,000 or £200,000.

The Minister for Education: £150,000!

Mr. BRADY: Three miles of line are to be built.

The Minister for Education: I said that £30,000 was the estimated cost.

Mr. BRADY: Well, even £30,000! We have heard nothing of the quantity and quality of coal that this mine is likely to produce, and as to how long it will be before the line will pay for itself. While we may be satisfied it is desirable that we should have more coal, I still think we should have some regard to cost. This is a private company and modern transport practice seems to favour the use of motor vehicles. I question whether, at this late stage, we should be building more railways when people in authority say that we should be pulling them up. I would like to know something of what this proposition is going to cost, and what we are likely to derive from the company in the way of freight. We would then be in a better position to say whether we can support the Bill holus bolus.

The MINISTER FOR EDUCATION: I feel that I am impelled to make some observations to the hon. member. It is extremely difficult to say at this stage what coal the mine is likely to produce. It is estimated to produce many thousands of tons per year and, according to the geologists, there are reserve stocks of 13,000,000 tons.

Mr. May: That is the known tonnage.

The MINISTER FOR EDUCATION: Yes. Goodness knows what may lie elsewhere because it has not been traced. The member for Guildford-Midland referred to the use of road vehicles for the transport of coal. The destination of most of the coal will be Perth or further. Much of it may have to go as far as Kalgoorlie and, in any event, a great deal of it will travel over long distances. Also, at Collie, it is a well known fact that it is difficult to arrange for transport of coal by road even for short distances, but when it is suggested that it should be taken over long distances by road when it can be transported by railway trucks I am sure that those who are more acquainted with the mechanics of the industry than I am, such as the member for Collie, will say that the transport of coal by road is entirely out of court. With the expenditure of £30,000 we have a clear indication of the very large quantities of high grade coal, so far as West Australian coal is concerned, being produced.

Mr. Marshall: The length and width of seam are all we could go on.

The MINISTER FOR EDUCATION: That is so. It is extremely difficult to say that a short-distance line will succeed in paying for its expense.

Hon. E. Nulsen: Is it a Government railway?

The MINISTER FOR EDUCATION: Yes, but it does not matter because I know of nothing more important in the scheme of things in Western Australia than a reliable coal supply. If we could get coal of a greater calorific value and of a more bituminous type, it would solve many of the problems in the State in regard to expansion. Certainly, when this mine does become a mine, it will not produce coal below par as we know it in Western Australia. I cannot give the hon. member the exact data because I do not suppose anybody has calculated it, but I am convinced that the expenditure is well worth it and cannot be escaped.

Mr. HOAR: There is one point on which I want to be satisfied. I understand the necessity for greater production of coal, and in particular by the method of deep mining. But it seems to me rather strange that the Government is willing to invest £30,000 to foster the operations of a private company in order to recover this coal. I do not know whether I missed anything when the Minister was introducing the Bill. If I did, perhaps he will inform me now. But unless the company concerned is prepared to pay back over a period of years money allotted to it by the Government, in other words the taxpayers, I am not at all sure that we should encourage this financing of private enterprise. Apart from the

fact that the State as a whole might get an increased production of coal, it is hardly proper in my opinion to use taxpayers' money to secure that for any company that makes large profits.

Mr. May: It has not made any up to date.

Mr. HOAR: The chances are there, these days.

Mr. May: It has only just started.

Mr. HOAR: Is there anything at all in the agreement between the Government and this company whereby the latter will return something for the public money outlaid on its behalf?

The Minister for Education: You mean on the expenditure of the railway?

Mr. HOAR: Yes.

Mr. McCULLOCH: I do not oppose this clause but it provides that the Government will maintain this railway. Here we have £70,000—

The Minister for Education: £30,000.

Mr. McCULLOCH: And £40,000 on the Muja-Centaur line; £70,000 being spent on railways in Collie to put in seven miles of line and also to pay for the maintenance. The Lakewood Firewood Supply Company has its own line; it paid for it and also pays for the maintenance. That company has been supplying firewood to the goldmines in Kalgoorlie for many years. I cannot understand why preferential treatment should be given to the Cardiff company or any other company in Collie. In the case of the State Battery at Kalgoorlie, it is the people's concern and they derive the benefit from it but they will not get any profit out of this company.

We could not get 200 yards of railway line put in, but in the last three months legislation has been passed in this Chamber to spend £70,000 on coalmining companies from which we are going to derive nothing at all; according to the Minister this money will never be repaid. If the Government is going to do it for one private company, it should do it for all. It is strange that the Government should finance a private concern without getting any money refunded. My experience is that when a company has wanted a railway line it has built it itself—at least this is the case outside Western Australia—and these companies have their own railway line, own trucks and everything appertaining to railways.

Mr. MAY: It is refreshing that members are sitting up and taking notice of what is transpiring in certain parts of the State. The main query appears to be the cost of construction. I cannot see any difference in a railway being built from Cardiff to this new mine—a distance of just over three miles—from a railway being laid down by the State, as is done in all cases to supply railway service to other parts of the State. The cost of the railway will, to my mind at any rate, be repaid by the traffic that will go over that line. The company will have to pay a certain amount for every ton of coal transported over that railway.

Mr. Hoar: That is what I was trying to find out from the Minister.

Mr. MAY: At the moment geologists estimate that there is 13,000,000 tons of known coal there and heaven knows how much else there will be when the mine is developed. So I do not think members should have any fear in regard to the original cost of the line, which is to be £30,000. It will be repaid. Moreover, the railway concerned is not going to be constructed with new rails but with rails that have been used in other parts of the State and have become unnecessary there.

Mr. McCulloch: You are pulling the lines up in the back country and putting them in there.

Mr. MAY: I would not exactly call this the front country; it is in the Never-Never where nothing has occurred: it is in the bush.

Mr. Hoar: How is the company going to repay the amount?

Mr. MAY: It will have to pay so much a ton for the cartage of its coal.

Mr. Hoar: I do not remember the Minister having said that.

The Minister for Education: Everybody pays freight on a Government railway and it did not appear necessary for me to mention it.

Mr. MAY: Here we have a new company floated by shares in the ordinary way. There is a terrific cost these days in acquiring machinery for use in the mechanisation of an up-to-date coalmine. If no assistance is to be given to the company, we will never be able to encourage production to catch up with consumption. Any money spent in this direction is being spent for the development of the coal industry, and that consideration should be afforded it by the Government in anticipation that the coal will eventually repay the Government for its outlay.

Mr. MARSHALL: I subscribe to a degree to what the member for Hannans has said. It is hurtful for us representing remote areas to find the Government actually pulling up or contemplating pulling up railway lines. We feel it is the policy of "Abandon hope all ye who enter here." We never know what might happen in the Goldfields electorates. We have had the experience in Wiluna and Big Bell where they subsided and eventually became big towns again, but I do not want that to influence me in any way in regard to the construction of this line. There seems to be some misunderstanding of the position. The line is to be constructed as a Government line and everything hauled over it will have to bear the usual charges.

One has only to visit Collie to appreciate what a busy place it is as a result of the coal industry. I suppose wagons there receive a quicker turnround than anywhere else in the State, because no sooner do they arrive than they are loaded and away again. The line will undoubtedly pay for itself. Experience shows that when a railway is built, existing industries are encouraged to expand and often other industries are started. Years ago, when gold was discovered at Kalgoorlie, the Government did not refuse to build a line there. The same remark applies to the wheat industry. Farmers were not asked to pay for the railways that serve them. The lines were built for the purpose of developing the country.

Hon. J. B. Sleeman: And now road transport is running in opposition to them.

Mr. MARSHALL: That was unavoidable following the war. I doubt whether any Government would persevere with road transport as against rail transport for the conveyance of wheat and super. It is an obligation of the Government to assist to develop the country. But for Collie, I do not know where the State would be in the matter of coal supplies.

Mr. McCulloch: What about the firewood company on the Eastern Goldfields?

Mr. MARSHALL: That company is a transport concern in itself and makes its profit from the transporting of firewood.

Mr. McCulloch: And the Cardiff company may make a profit out of coal.

Mr. MARSHALL: If the company decided, in the absence of a railway, not to develop the mine we might find ourselves short of coal. The company is not going to make a profit from the carting of coal. Probably more lines of the sort will be required in future. I deprecate the policy of pulling up lines in the back country, but I shall not adopt a hostile attitude to a proposal like this designed to develop the country. Members might as well contend that a line should not have been constructed to Collie in the first place.

Hon. J. B. Sleeman: What about the Black Diamond leases?

Mr. MARSHALL: Those leases have nothing to do with this company. I would not mind if thte Government had suggested reserving this particular deposit for the State.

Hon. J. B. Sleeman: That is what I want.

Mr. MARSHALL: The point is whether the line should be constructed. If members object to that, why should they not let the producers of wheat and gold provide their own rail transport? But for the railways, many industries would have to close down.

Mr. BUTCHER: It was a delight to listen to the member for Murchison, who has adopted the right attitude. This line is intended to develop the country and no other form of transport can approach a railway for moving heavy goods in large quantities. There we have friction of steel against steel. I would like members to realise that a railway is the greatest medium of development that can be provided in any young country. In supporting the member for Murchison, I hope that at a later date he will support me when I want a railway constructed to Carnarvon.

Hon. J. B. SLEEMAN: I point out to the member for Murchison, when he talks of stupidity, that this is the most stupid thing I have heard of for some time. It is not necessary to construct a railway line to encourage a company to open up the country. The company is there to make profits. We should retain the leases ourselves. We are suffering as a result of giving them away.

The CHAIRMAN: Order!

Hon. J. B. SLEEMAN: If I were allowed, I could go on for half an hour and tell the hon. member much more. It is not necessary to have the company, and it is not necessary to give away £150,000 to the disadvantage of our railways.

The CHAIRMAN: Order! The member for Fremantle is getting away from the clause.

Clause put and passed.

Schedule, Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

Bill read a third time and transmitted to the Council.

BILL—GOVERNMENT EMPLOYEES (PROMOTIONS APPEAL BOARD) ACT AMENDMENT.

Second Reading.

THE ATTORNEY GENERAL (Hon. A. V. R. Abbott—Mt. Lawley) [4.43] in moving the second reading said: As members are aware, in 1945 an Act known as the Government Employees (Promotions Appeal Board) Act was passed, giving the employees of the Government a special form of board to adjudicate on their appeals for promotion. Under the Act an "employee" means a person employed under the State in a permanent capacity in any department who is, by the terms of his employment, required to give his whole time to the duties of his employment, but does not include the Chief Justice or any judge of the Supreme Court or the President or any member of the Court of Arbitration. The board of appeal consists of a stipendiary, police or resident magistrate, who shall be chairman, and a representative of the employees and one of the department. In ac-

cordance with this definition, the members of the Police Force came within the scope of the Act, and are at present within its scope.

From time to time it has been found advisable to exclude certain employees from the operations of the Act. In 1946 an amendment was passed excluding a certain union whose members came within the definition of the Act. Later it was found necessary to exclude the Rural Bank, because it was found that a more suitable method of dealing with the promotions in respect of that institution could be arranged. The Commissioner of Police has reported to me that in his opinion an appeal to the board by members of the Police Force is not the best form of promotional appeal that can be found. He has told me that the Police Force, being a semi-military body, is very different from other State departments, and that the features which have to be taken into consideration in determining the suitability of members for higher office are different from those which would need to be regarded with respect to other departments. For instance, a man's personal conduct both on and off duty; his demeanour in public; his ability to control a squad of police both in public and as his staff; and his personality; all have a bearing on a man's efficiency and are material in determining his suitability for promotion. The Commissioner has pointed out to me that it has been found difficult to substantiate these qualities before a board such as is provided for under the Government Employees (Promotions Appeal Board) Act.

Mr. Graham: Can you tell us what the attitude of the police union is?

The ATTORNEY GENERAL: Yes. Before instituting or recommending any change, the Commissioner of Police naturally consulted the union, and I am informed that the council of the union made a special tour to investigate the views of the members of the Police Force in connection with the proposal to exclude the force from the provisions of the promotions appeal board Act, as it now exists, and to set up by regulation a special body which would be more satisfactory to the majority of the members of the force. I have received a letter, signed by Mr. Halliday, the Secretary of the Western Australian Police Union of Workers, which reads as follows:—

> The Hon. Minister for Police.
>
> Dear Sir,
>
> I have to inform you that our union has no objection to the W.A. Police Force being withdrawn from the provisions of the Government promotions appeal board Act.

If the Bill is passed, it is intended to set up a Promotions Appeal Board to consider appeals in connection with members of the Police Force seeking promotion. I understand that the system to be followed has the approval of the union, and I will give members an outline of the proposal.

From time to time examinations will be held to ensure that the persons seeking promotion have a sufficient knowledge of the law and other matters appertaining to their duties. The Commissioner will advertise vacancies for promotion in the "Police Gazette" and call for applications from members desirous of being considered to fill such vacancies. All such applicants for promotion may be required to appear before a selection board consisting of three persons, namely, the Commissioner of Police as chairman, the Chief Inspector of Police and the inspector in charge of the staff office.

The names of the applicants selected as being suitable for promotion shall be published in the "Police Gazette," and any applicant who considers his name should have been included in the list so published may appeal to the Promotions Appeal Board. That board will consist of the Commissioner of Police and all available commissioned officers other than the commissioned officer stationed at Broome. The board will consider the various appeals, and opportunity is to be given to an applicant personally to appear before it and submit his case. After that, the decision of the board is to be final except that the Minister is to have an overriding right of veto, upon the recommendation of the Commissioner.

Mr. Graham: Would that be for all positions, or only the senior ones?

The ATTORNEY GENERAL: No, all positions. I think this system will be more satisfactory to the members of the Police Force. The Commissioner has suggested to me that inspectors are diffident in recommending any police officer, however efficient he may be, for promotion against one who is senior to him. It is extremely difficult at times to prove a claim to a board of the nature of one established under the provisions of the Government Employees (Promotions Appeal Board) Act, especially with relation to those qualities which are so essential in a member of the Police Force. Careful consideration has been given by the union to the suggestion and, as I said earlier, it has consulted its members who have approved of the scheme. I move—

> That the Bill be now read a second time.

On motion by Hon. A. R. G. Hawke, debate adjourned.

BILL—ELECTORAL ACT AMENDMENT (No. 2).

Second Reading.

THE ATTORNEY GENERAL (Hon. A. V. R. Abbott—Mt. Lawley) [4.57] in moving the second reading said: This Bill proposes to make a number of amendments

to the Electoral Act, most of which are for the purpose of facilitating its administration or to clarify some of its provisions. Section 18 of the parent Act provides for certain disqualifications from voting at an election and Subsection (d) of that section disqualifies, among others, an aboriginal native of Australia and also a person of half-blood. The Chief Electoral Officer has advised me that it is difficult to determine who comes within the scope of that definition. The Bill proposes to clarify the situation by providing that a native, as defined under Section 2 of the Native Administration Act, shall be disqualified unless he is the holder of a certificate of citizenship under the Natives (Citizenship Rights) Act.

Section 45 of the Act provides for compulsory enrolment for the Legislative Assembly. In its present form, if the Chief Electoral Officer is unaware of the failure to enrol until after 12 months from the date on which a person becomes eligible for enrolment, he cannot institute proceedings against the offender, nor can he enforce enrolment. The Chief Electoral Officer recommends that the section should be amended to bring this provision into line with that of the Commonwealth Act so as to make the offence of non-enrolment a continuing one, and the Bill provides for this to be done. I would point out that prosecutions for an offence under the Act can take place only within a certain period, and if that period is allowed to lapse without prosecution taking place no action can lie.

Section 56 of the Act provides for a list of marriages and deaths to be supplied by the Registrar quarterly. It has been the practice of the Electoral Office to receive a list monthly, and under the Commonwealth Government the list is required to be given monthly. It has been the custom for the Registrar to supply a duplicate copy of the list he furnishes to the Commonwealth office, and the Bill proposes to require that in future all information shall be given monthly in accordance with the existing custom.

Section 58 provides for the superintendent of public charities to furnish a quarterly list containing the names of persons who have been received as inmates of public charitable institutions, and are wholly dependent for relief upon the State. This section has no application now in Western Australia and the Bill proposes to strike it out.

Section 88, Subsection (2) of the Act provides that where a candidate dies on polling day a returning officer shall immediately close the poll. This is not consistent with the provisions for the taking of absentee votes. A provision has been inserted in the Bill which proposes that polling places should remain open upon such an occurrence for the purpose of recording absentee votes. A provision is made in Section 90 of the Act that any elector—

(a) who has reason to believe that he will on polling day, be more than seven miles from any polling place; or

(b) who, being a woman, believes that she will, on account of ill health, be unable, on polling day, to attend a polling place to vote; or

(c) who will be prevented by serious illness or infirmity from attending a polling place on polling day,

may if the nominations have been declared, vote by post.

It has been found in elections for the Legislative Council that electors have had difficulty in voting. As members are aware voting for the Legislative Council is not compulsory and it is necessary and desirable to encourage voters in every possible way.

Mr. W. Hegney: Are you going to make voting for the Legislative Council compulsory?

The ATTORNEY GENERAL: The Bill therefore proposes to permit an elector for the Legislative Council, who has reason to believe that he will on polling day be more than seven miles from any polling place in the province in which he is entitled to vote, to vote by post. Section 92 of the Act provides that postal votes shall be addressed to the returning officer of the province or district in which the elector claims to be entitled to vote, or to a presiding officer at any polling place within such province or district if the postal vote officer is satisfied that the vote taken by him cannot in the ordinary course of post reach the returning officer before the close of the poll.

As members are aware, since the passing of the parent Act an amendment has been made providing for absentee voting. All absentee votes are counted by the Chief Electoral Officer rather than the respective returning officers, and this practice has been very satisfactory. It is proposed to apply the same system to postal votes. The Bill makes provision for postal votes to be forwarded by post or otherwise to the Chief Electoral Officer by a postal vote officer, unless he considers they may not reach the Chief Electoral Officer before the close of the poll in which case they are lodged with the returning officer of the district, or on the day of the election may be handed to the presiding officer at any polling place.

Provision is made in Section 114 of the Act for the appointment by candidates of scrutineers. It is thought undesirable that members of Parliament should be in polling booths on the day of the election. In regard to Section 192, a deputation received by me from the Blind Association requested that a blind person should be permitted to have in the polling booth with him such a person as he

should personally select to assist him in voting. The Bill proposes to provide for this. The Act at present provides that the presiding officer shall, together with any scrutineer who may be present, retire with the blind person and there mark the ballot paper according to the instructions of the elector. The last amendment is to Section 172, Subsection (2) of the Act, which now stipulates that the maximum amount that may be expended by a candidate or his agent in respect of any candidature is £100. Since this provision was made we all know that the expenses of a candidate have very materially increased, like everything else. It is proposed to increase the amount to £250. I move—

That the Bill be now read a second time.

On motion by Hon. A. R. G. Hawke, debate adjourned.

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

Second Reading.

Order of the Day read for the resumption from the 27th November of the debate on the second reading.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Perkins in the Chair; the Chief Secretary in charge of the Bill.

Clauses 1 to 6—agreed to.

New clause:

The CHIEF SECRETARY: I move—

That a new clause be added as follows:—

7. Subsection (5) of Section three R of the principal Act is amended by inserting after the word "to" in the first line of the subsection the words "the approval of the Minister and to."

This refers to the provision at present in the Act allowing to the members of the trust a right to determine their own premiums. If the trust were always to remain as it is now, and conceivably it may as to the quality of the men comprising it, I would have no objection. At the same time the principle seems to be wrong and to need correction. I realise that what represents the income of the trust would be the premiums received from insurance in the manner members already understand. It does not seem to be right at all that the trust should be able to determine exactly what to charge as premiums, usually of course on the rise, without reference to the responsible Minister. More explanation can no doubt be given but unless there is an unfavourable response I will leave the matter there.

Hon. A. R. G. HAWKE: I support the amendment. It will give the Minister supervision in regard to these matters which at present are exclusively the business of the trust. The Act gives the trust full legal authority to determine these important matters. I think the amendment should be approved by the Committee.

New clause put and passed.

Title—agreed to.

Bill reported with an amendment and the report adopted.

BILL—TRAFFIC ACT AMENDMENT.

Second Reading.

Debate resumed from the 27th November.

HON. A. R. G. HAWKE (Northam) [5.14]: This Bill contains several amendments to the Act, but the important ones are, however, very few in number. I think some of them should certainly be altered in Committee. The only part of the measure that I desire to discuss at this stage is that which deals with the penalties to be inflicted upon motorists found guilty of having driven their motor vehicles whilst under the influence of liquor. It is now proposed to amend the relevant sections of the principal Act and provide some slight penalties additional to those that now exist. Members who know the portion of the Act in question are aware that there are three separate penalties for this type of offence. The only increase in the penalties as between the first, second and subsequent offences is in connection with the period for which the driver's license is suspended. For the first offence, it is suspended for three months. Where the individual is found guilty of a second offence, the period of suspension is six months and for any subsequent offence his driving license is cancelled permanently.

The new penalties proposed in the Bill are the same in respect to the first offence, namely, a fine of £50 or imprisonment for three months, plus the cancellation of his license for three months. I am at a loss to understand why the Government has decided there should be no increase at all in the existing penalties for the first offence under this heading. I should have thought that, when considering the question of increasing penalties for drunken driving, it would most certainly have increased all penalties, irrespective of whether they applied to the first, second or subsequent offences.

We should, I think, when attempting to amend this part of the Act, try to convince drivers of motor vehicles that they should not take the risk of being found guilty, even on a first occasion, of driving a motor vehicle while under the influence of liquor. We should be anxious to provide penalties even for a first offence that would be likely to have a deterrent effect upon any driver of a motor vehicle who was inclined to

take the risk of consuming too much alcohol and immediately, or shortly afterwards, assuming charge of a motor vehicle of his own or belonging to someone else and driving, or attempting to drive, on the public roads.

The Premier: Do not you think a fine of £50 and three months' imprisonment would be a deterrent?

Hon. A. R. G. HAWKE: The trouble is that the penalty is not a fine of £50 and three months' imprisonment, but a fine of £50 or three months' imprisonment.

The Premier: Do not you think that is a deterrent?

Hon. A. R. G. HAWKE: The same penalty is provided in the Bill for a first offence as is set out in the Act. Personally, I do not think the penalty is sufficient for even a first offence.

Hon. A. H. Panton: Hear, hear!

The Premier: Do not you think it severe enough to make plenty of men realise they should not get drunk when driving a car?

Hon. A. H. Panton: But such men would not expect to get drunk.

Hon. A. R. G. HAWKE: There is the psychological aspect that has to be taken into consideration. When a driver of a motor vehicle goes into a hotel, he may intend to have a drink or two. I imagine he would not create a determination in his mind to get drunk, or fall so far under the influence of liquor as to be incapable of efficiently or safely driving his motor vehicle on the public roads. We have some knowledge—it may not be complete, expert knowledge—of the influence of alcohol on the human mind. I cannot speak from personal experience in the matter but I rather think that, when a person is consuming alcohol, the liquor itself has an effect upon his brain that to some extent takes away his complete consciousness of the real and complete effect alcohol would have upon his mind and his will-power.

Hon. A. H. Panton: The trouble is that the liquor takes effect when the man gets into the fresh air. This is by one who knows.

Hon. A. R. G. HAWKE: I think we should increase the existing penalty for a first offence, even if we increase it only in respect of the period for which the license shall be cancelled. A monetary fine of £50 might not scare the average motorist sufficiently to make him particularly careful about taking too many drinks.

The Premier: It would scare me.

Hon. A. R. G. HAWKE: A term of imprisonment would scare him if he was conscious of what was happening to his mind and will-power and the cancellation of his license would also have that effect. As I suggested, we cannot be absolutely clear-cut and positive in trying to reason or argue about this matter, because I imagine that, no matter how high the penalty or how many separate penalties were to be imposed upon the person found guilty of driving or attempting to drive a motor vehicle on the public roads while he was under the influence of liquor, we will still have drivers getting drunk. They may not even be able to help themselves. Probably, with such an individual, the consumption of liquor and the craving for it represent a disease. Therefore the inability of a person to resist the urge to take liquor might be such as to make it impossible for him to resist the temptation or certainly to resist it sufficiently.

We must be forced to a realisation that the motor vehicle today is indeed a very dangerous machine. I find it requires all my concentration, care and attention even when completely sober, to drive a motor safely in traffic. Therefore we, as members of Parliament, in dealing with this problem, should realise that our duty is overwhelmingly towards those who might be injured or even killed as the result of the driver of a motor vehicle being under the influence of liquor, thereby being only partly or completely incapable of driving his car safely. In those circumstances I think we should agree to be severe with regard to the penalties we put in the Act for the purpose of ensuring that drivers of motor vehicles, who allow themselves to get under the influence of liquor and drive their motor vehicles, shall be punished severely for that offence.

I hope that in Committee, the attempt that will be made to increase the penalty for a first offence will be agreed to. Attempts will also be made to increase the penalties for the second and subsequent offences. The increases proposed in the Bill for second and subsequent offences are very small. I cannot imagine that, in practice, they could have any more than but the slightest influence upon the person who was likely to take the risk of getting under the influence of liquor, and soon afterwards attempting to drive his car along the public roads.

The Attorney General: The penalty is very severe for a worker who makes his living by driving a motor vehicle.

Hon. A. H. Panton: Such a man should not drive at all if he is under the influence of liquor.

Hon. A. R. G. HAWKE: I am not referring to the penalty of a £50 fine.

The Attorney General: No, I refer to the penalty as a whole.

Hon. A. R. G. HAWKE: I am putting it my way. A fine of £50 for a first offence could be a very heavy one for a lot of people who drive motor vehicles and the cancellation of the license for

three months could, of course, be a much heavier penalty than the fine to a person who is employed by a firm or businessman as the driver of a motor vehicle. Nevertheless, our overwhelming responsibility in this matter is not to the driver of a motor vehicle who allows himself to get under the influence of liquor, or who is under the influence to an extent which would make him a serious danger on the roads. Our overwhelming duty and responsibility in the matter are to all the other people whose physical safety might be endangered, or who might be killed as the result of a person under the influence of liquor driving a vehicle along the roads.

I quite agree, to the limit it is possible to do so, with the point of view the Attorney General raised, but I counter that idea by saying that our duty and responsibility are not to the person found guilty of drunken driving, but to the many hundreds of people whose lives or bodies would be endangered by the fact that an individual under the influence of liquor was driving a motorcar on the roads. Therefore I trust that in Committee successful attempts will be made to increase the penalties for this type of offence. I support the second reading.

HON. E. NULSEN (Eyre) [5.30]. Although I always highly respect the opinion of my Leader, I agree with him only in part on this occasion. I think we can have penalties that are too severe with respect to any crime. At present, we hang people for murder.

Hon. A. H. Panton: Sometimes!

Hon. E. NULSEN: We do not always do it, but hanging is the penalty. Yet we still have murder. Generally speaking, the penalties provided in this Bill are severe enough, and in some instances too severe. To take away a man's license for life is rather drastic, even if the offence was his own fault. If we suspended his license for five to 10 years, that would be sufficient to teach him the lesson not to drive while under the influence of liquor. A maximum of £50 is too high a fine in some cases. Nobody goes into a hotel for the purpose of getting drunk and subsequently driving a car. But it is possible for one to be in company and drink too much at times. I myself, or the Premier, might be in that position, because we are not teetotallers. A person who is a teetotaller will not get drunk, and he takes no risk.

If a driver who was drunk was merely sitting in his car, realising that, because he had had too much to drink, he was not in a condition to drive, he would be subject to the same penalty as the man who was caught driving while under the influence. There are people who do not drink at all but who should never have been granted a license, and they should be penalised when they have accidents. According to statistics, the percentage of people killed through drunken driving is very small, and those killed by drivers who had not been drinking are far greater in number. When one looks at the matter justly, one cannot but come to the conclusion that the penalties in the Bill are quite severe enough. If a person offends a second time, he is liable to a fine of £100 or to imprisonment for three months.

The Chief Secretary: Would we lessen drunken driving if the penalty were less?

Hon. E. NULSEN: It does not matter how severe the penalties are, there will still be some drunken drivers.

The Chief Secretary: But not as many.

Hon. E. NULSEN: There may be as many. There are no means of determining that. I think there would be just as many. But it would only be the unfortunate ones who were apprehended who would suffer the penalty. It must be remembered that only a small percentage of drunken drivers are arrested. In some instances, the man who has had a few drinks is a better driver than others who should never had had a license to drive.

The Chief Secretary: Is it your view that drunken drivers should not be punished at all?

Hon. E. NULSEN: No.

Hon. A. H. Panton: He thinks teetotallers should be punished!

Hon. E. NULSEN: Yes, at times, because some of them should not have a license. I have driven behind a few of them and have thought that if they had been drunk they would have been better drivers; their intellects might have been brightened.

Hon. A. R. G. Hawke: You mean, they could not be worse.

Hon. E. NULSEN: Yes. The penalties in this Bill are severe enough; and, if I had my way, with my experience of human psychology, I would not have them as severe. I believe that a person who offends a third time should suffer heavily, but I do not think his license should be taken away for life. I cannot agree to any increase in the penalties.

MR. ACKLAND (Moore) [5.35]: I take a different view from that expressed by the member for Eyre. We have a responsibility.

Hon. A. H. Panton: Hear, hear! A very grave one, too.

Mr. ACKLAND: The ever-increasing number of road fatalities is proof positive that the penalties for drunken driving are not nearly severe enough. During the Address-in-reply debate, I stated that I was of opinion that every drunken driver was a potential murderer, and to that I still subscribe. I do not think it matters a scrap how high we make the maximum fine, because some drunken drivers have either a large quantity of spending cash or have not very much responsibility regarding the money in their possession.

Though I do not intend to ask members to agree to an amendment regarding an increase in fines, I do think we need to establish a deterrent in another direction, and I hope some support will be forthcoming for an amendment I expect to move providing that it will be compulsory for a judge to impose a term of imprisonment. I have before me a statement which was made in the Commonwealth Parliament the other day, and which proved that there is almost an unlimited supply of spending cash in the hands of the people. Last year, according to an extract from "The West Australian" the people of Australia drank 173,000,000 gallons of beer; they smoked 20,000,000 pounds weight of cigarettes and bought 128,000 motorcars. At the same time, savings bank deposits increased to the unheard-of total of £800,000,000. Here is an extract from "The Bulletin" headed "Road-Toll Action," which indicates how another country views the menace of road accidents—

> Australian authorities might well be prompted to act by France's recent example.
>
> There the sharp rise in the accident-rate has led to drastic Government action. By official decree (reports London "Times's" Paris correspondent) prefects are authorised to deprive drivers of their licences immediately a summons is issued by the police for a serious breach of traffic regulations, even if no accident has occurred. The suspension in such a case is limited to two months.
>
> If a driver is found guilty by a court of a driving offence, the prefect is bound by law either to suspend the license for a period not exceeding three years, or to withdraw it altogether.
>
> This last penalty will be compulsory in all cases involving drunkenness while driving.

I have here an extract from "The West Australian" of the 17th November under the heading "No Social Stigma on Drunk Drivers." The extract begins—

> Drunken drivers who killed and maimed had practically no social stigma attached to them, the chairman of the Australian Road Safety Council (Mr. T. G. Paterson) told Perth Rotarians at their weekly luncheon yesterday.

Here are later paragraphs from the extract—

> The vampire of road accidents which drew the lifeblood of the nation was infinitely more insidious than the ravages of war. Casualties in road accidents during the first five post-war years had totalled 149,610, against 73,665 active service casualties in operational areas over a similar period in World War II.
>
> Last year, 1,926 people had been killed and 35,095 injured on the roads, and the economic loss involved was conservatively estimated at £18,000,000.

Figures such as those make it our responsibility to do something to try to lessen the accidents caused by drunken drivers. I believe that there are many cases where men involved in accidents have bad luck; there has been some cause for which they had no personal responsibility. But any man who is driving such a high-powered vehicle as a motorcar must be made to realise his responsibility when he takes charge of it.

I intend to ask members, when we reach the Committee stage, to agree to an amendment providing that there shall be imprisonment for one month on a first offence; for three months on a second offence; and for six months on a third offence. I would not suggest that the monetary fine should be lowered; but I do not think that, whatever the fine is, it will reduce drunken driving. The fear of having to serve a term of imprisonment, however, will make men realise that they have some responsibility when they are in charge of motor vehicles.

MR. GRAHAM (East Perth) [5.45]: I think it can well be said that, when there is a Bill such as this before the House, it provides an open holiday for all those persons who have a bias against intoxicating liquor. There is a tendency for people—in this instance I am, of course, speaking of members—to go to excess in their points of view on such occasions. All of us are perturbed at the increasing incidence of road accidents, but that is a totally different matter from the question of accidents caused by persons who are deemed to be under the influence of liquor.

Mr. Hutchinson: Have you any idea of what percentage of accidents are caused by such persons?

Mr. GRAHAM: If the hon. member will allow me to continue I will give figures that may prove illuminating, and that will give a much better perspective of the situation than has been placed before us so far during this debate. From time to time it appears to become more or less fashionable for the public, prompted by the daily Press, to develop a complex in respect of some particular matter. For a time, as members will recall, the attention of the public was centred on river pollution. On another occasion the point of interest was child delinquency, and again it was S.P. betting. During such periods there is controversy in the Press and mention is made of the topic of the day by members in their speeches, while various outside organisations pass resolutions.

Today the issue seems to be that of drunken driving, in relation to which the facts are these—I trust the member for Cottesloe will pay regard to the figures I

am about to submit—that for the twelve months ended the 30th June last there were 60 persons, deemed to be under the influence of liquor, involved in traffic accidents as drivers of vehicles in Western Australia, but there were no less than 19,105 drivers of vehicles—who were not deemed to be under the influence of liquor—involved in traffic accidents in this State during the same period. Surely, if we have some regard for those official figures, which have been supplied by the Police Traffic Branch, we will appreciate that the drunken driver is not the sole or even the most important menace on the roads. The greatest menace of all is the dangerous and careless driver. If we had a better sense of proportion we would be paying greater attention to the dangerous driver, irrespective of whether he has too many drinks or not.

Mr. Griffith: And frequently there is the incapable driver.

Mr. GRAHAM: That is so. From my own experience I know there are very many drivers who, even after participating in intoxicating liquor to a considerable extent, have a far greater control over their vehicles and a more acute road sense than have many of those persons who have never imbibed a drop of intoxicating liquor in their lives. During the course of the past several months I have taken a note of approximately 700 bicycles and have found that less than 100 of them have been properly equipped with lights. The great majority had neither head nor tail lights.

Members will agree that there are certain people—particularly those driving large vehicles such as loaded trucks—who seem to have an invariable tendency to hug the centre of the road and, because of the width of the vehicles and the loads they carry, it becomes necessary for any driver who seeks to pass such a vehicle to cross the centre of the road and move into the line of the oncoming traffic, in order to do so. Other members have probable experienced, as I have, the type of driver who extends his hand to the right and then makes a lefthand turn, or the driver who gives no signal whatsover before making a turn or stopping.

From my own observations over a number of years I know that a stop or right turn signal may take any form ranging from a hand raised vertically above the driver's head to a hand left hanging loosely over the side of the window of the vehicle. Such laxity is confusing and constitutes an absolute menace to all those drivers with a proper road sense who give and expect correct road signals. I repeat that our attention should be devoted to those 19,000 odd drivers who have been responsible for road accidents—without being under the influence of liquor—rather than that we should develop a fetish about the 60 drivers involved in traffic accidents and deemed to have been under the influence of liquor in the last 12 months.

As was pointed out by the member for Moore, the modern high-powered motor vehicle is without question, when in the hands of an irresponsible person, nothing but a death machine on the roads. If, however, there be an incompetent person at the wheel of a vehicle—though he may be quite sober—the unfortunate person killed in an accident in which he is involved is just as dead as if the person driving the vehicle that killed him had been under the influence of liquor. The dangerous and negligent driver who does not conform to the established road practice is the person who should be receiving some attention by means of amendment to the Traffic Act, rather than that we should pander to the clamour from a small and noisy section which, on every possible occasion and under all sorts of circumstances, takes the opportunity of having a fling at those in our community who on occasions imbibe intoxicating liquor. If there is notice given of a proposed amendment to the Licensing Act we can, of course, expect little pressure groups to raise themselves against any action in that direction.

I cannot emphasise too strongly that the odds are more than 300 to 1 in favour of either a motorist or pedestrian being involved in an accident with a vehicle driven by a sober driver rather than a drunken driver, or one under the influence of liquor. I think I can call myself, to some extent, a man of the world, and I ask members not to run away from this question because of any fears they may have but, instead, to be realistic. I venture to say than on Saturday nights there are on our roads thousands of motor drivers who would be incapable of passing the sobriety tests prescribed by the police traffic branch.

Hon. J. B. Sleeman: Not thousands?

Mr. GRAHAM: I said there would be thousands and I mean thousands. We know perfectly well that on Saturday mornings, afternoons and evenings, whether it be as a prelude to sport, to a visit to the picture show or a party, a considerable quantity of liquor is consumed by many people, a great number of whom are drivers of motor vehicles. When any such person is involved in an accident it stands to reason that his nerves are somewhat shattered, and he becomes excited and is therefore unable to walk a chalk line, stand on one leg or pass the various other tests applied by the police. Such performances would possibly be quite beyond him, but nevertheless he is probably in full possession of his faculties and able to make a far better job of driving a vehicle than could many others who are habitually either careless or incapable of driving properly.

There is no necessity for me to recite in detail the many misdeeds and shortcomings of the negligent drivers in the community. They are a menace to life and property to an extent at least equal to that constituted by the man who drives while

under the influence of liquor. I do not wish my remarks to be misinterpreted as suggesting that the person hopelessly under the influence of liquor should be allowed to drive a vehicle, or that the law should close its eyes to the facts. Such a person should be penalised because, without question, he is a menace who can do grievous bodily harm to other persons and can easily cause their deaths, but he is no greater menace than are many thousands of other careless or incapable drivers who do not take any intoxicating liquor. If we were realistic in this matter we would impose a heavy penalty such as a £50 fine and three months imprisonment, together with cancellation of the driver's license for three months, on all such offenders, with still heavier penalties for successive breaches. That should apply to all who handle their vehicles incompetently.

Because of certain propaganda, however, and the strength of the conviction of a small group of people with regard to the drink question, we are asked to go to excess and impose penalty upon penalty on a certain section of our motorists while allowing to go unchecked many thousands who are an equal if not greater menace than those sought to be dealt with by this Bill. Members will have gathered from my remarks that it is not my intention to support a move beyond that which is sought in this measure. With regard to the imposition of suitable penalties, I would, as a natural corollary of my remarks, have liked the Bill ever so much better had it made provision for dealing with all drivers who prove themselves to be a danger to life and property when in charge of motor vehicles but, unfortunately, this measure deals with one section only; a section that has been picked out to be dealt with more severely than any other type of motorist.

It is a simple matter to succumb to the temptation to play up to or conform with the popular clamour of the moment but, as one who has driven a motor vehicle for the past 12 years, almost entirely in the metropolitan area, and who up to date, thank goodness, has not had an endorsement on his driving license, and who religiously endeavours to conform to the traffic regulations—particularly in the matter of giving correct signals such as can be recognised by anyone—as one who pauses before entering a highway and who takes particular care at intersections, I ask what greater menace is there than the motorist who having a musical-sounding motor horn, does not steady his vehicle by so much as one mile an hour when approaching an intersection, but places his hand on the horn and continues gaily on his way, expecting all and sundry to give way to him whether the traffic is approaching from the right or left?

Such a person is, without question, a menace on the roads. He can cause death and distress and the destruction of property equally with a person who has had perhaps several drinks too many. But all of these things are on account of what I call the popular clamour. Because of the increase in the number of road accidents generally, I am disposed to support moves that will gradually increase the penalty for offences, but, at the same time, I think there should be a reasonable balance. We should not be misled into thinking that the drunken driver is the only menace, but should pay proper attention to the other people of whom I have spoken.

MR. MARSHALL (Murchison) [6.1]: One would think from listening to the debate on this question that the only amendment to the law is that pertaining to drunken driving. I assure members that there are other factors and quite a number of them. I would remind the member for East Perth that if he is disposed to introduce amendments to the Act to rectify the anomalies and the discrepancies he has pointed out, there is nothing to stop him.

Mr. Styants: He will get plenty of support.

Mr. MARSHALL: Yes, any amount of it. It is a most difficult thing, when a motor accident occurs, to prove exactly who is in the wrong and who is in the right. But when a man under the influence of liquor is found to be involved in an accident, it is fairly easy to ascertain who is responsible.

Mr. Griffith: When is a man under the influence of liquor?

Mr. MARSHALL: The Bill deals with a number of matters. I think about 10 or 12 amendments to the Act are proposed to all of which I think I can subscribe. They are still worthy of note and some comment, nevertheless.

It is obvious that manufacturers and traders of motor vehicles have, up to now, been putting on the road vehicles which, strictly speaking, are not within the law. So the first amendment is to remedy that situation. The Bill provides that semi-trailers, trailers and caravans shall be brought within the definition of "motor vehicle" in order that they may enjoy the privilege of using the yellow plates, which are generally placed on vehicles driven in the city in order to try them out for either purchase or sale. It appears to me that this amendment has been introduced because it has been discovered by the Traffic Department that up till now this has been an illegal practice. So with the passage of this measure that aspect will be covered and that procedure adopted by traders will be legalised.

The next amendment proposed relates to the 15 days' grace granted to the owner of a motor vehicle after the expiration of the time in which he shall make application for the renewal of a license. I agree with the judgment that was passed in the case quoted by the Minister when the adjudicating authority decided that, under the Act as it now stands, if 15 days were

granted the license should be in force from the day it was granted and not the day upon which it expires. That would mean that the owner would get free use of his vehicle for one month in every two years. If this amendment is passed, it will mean that the renewal of the license will be dated and be enforced from the date the license expires, notwithstanding the fact that 15 days' grace is allowed under the Act.

Hon. J. B. Sleeman: How would he get on if he were involved in an accident and his license had not been renewed?

Mr. MARSHALL: It would be all right. Although his license expired on the 30th June, it would still be current within the period of 15 days' grace. Once that period has expired, the motorist would then be risking trouble.

The third proposal in the Bill is one that I could not quite understand when the Minister was introducing it, but I have made inquiries since as to the necessity for it and I now consider, as a result of the information received, that it is quite justified. It deals with the staggering of the issuing of licenses for vehicles. I could not appreciate the Minister's statement, because for some time we have adopted the practice of staggering the issuing of licenses for vehicles within the metropolitan area. I could not understand what the Minister intended. I now know, however, that there are a large number of secondhand vehicles traded in to dealers in the city from country areas.

As in the metropolitan area, motorists in country areas enjoy the privilege of taking out a quarterly, half-yearly, or yearly license. Quite a number of these vehicles are now being brought down to the metropolitan area for sale. I have found that the licensing authority has discovered that there are approximately 1,500 to 2,000 vehicles coming on to the secondhand market in the metropolitan area. Unfortunately, nearly all the licenses for them expire on the 30th June or the 30th September. When they are brought up for renewal of license, the Traffic Branch cannot stagger the issuing of them, and it is therefore desired to remove an obstruction in the Act which is preventing the Traffic Branch from overcoming that difficulty. It wants it made possible for a license to be issued for three months to get over the period during which there is a regularity of applications being made for licenses for the first time.

For instance, if I have a secondhand car and I find that the license for it has expired and I desire to renew it, I would be encouraged to take a license out for five months and, at the expiration of that period, I could apply for a license for three months, six months or 12 months. I do not think there is any objection to the amendment. It is to avoid licensing a terrific number of vehicles at the one time, and granting the local authority the right to stagger the issuing of licenses in order that congestion may be avoided in the office of the licensing authority. I notice, too, that it is proposed to increase the penalties, but members will understand that whenever there is any dispute on the refusal, suspension or cancellation of a license, the aggrieved person is always granted the right of appeal to a magistrate.

There is a proposal to ensure that conductors must be licensed and I want the Minister to give me some information on that amendment. Under the Bill they have to make application for a license. The wording of the measure is "or act as conductor . . . " I do not know of many bus services or passenger vehicles that carry acting conductors.

The Chief Secretary: I think there is no distinction there between an acting conductor and a conductor.

Mr. MARSHALL: That is the point I want the Minister to clear up. Most of the conducting done on private bus services operating in the metropolitan area is carried out by girls and, from the point of view of licensing, no discrimination is made between sexes. The word "conductor" would embrace a conductress. What I want to know is whether this provision will cover all the buses and passenger vehicles in the metropolitan area today. On many of the buses the driver also acts as the conductor in what we call a "one man passenger vehicle."

The Chief Secretary: If he serves as a conductor he would have to hold a conductor's license.

Mr. MARSHALL: I know that the Commissioner of Police has laid down that a taxi driver must be licensed. This applies to the Goldfields as well. If the driver collects the fare he acts as a conductor of a taxi.

Hon. J. B. Sleeman: He has to get a conductor's license now.

Mr. MARSHALL: Yes, and he must have two good credentials from people of repute. However, that only applies to taxis. The Minister now wants to include all passenger vehicles.

The Chief Secretary: Not all passenger vehicles.

Mr. MARSHALL: The provision in the Bill said, "all passenger vehicles and omnibuses." That means, no matter what type of vehicle it is, if a conductor is serving on it, he has to be licensed. But the word "act" has me puzzled. During the tea adjournment I would like the Minister to contact his officers and ascertain exactly what is meant by that provision. I am not hostile to it, but I want to know more about it. If this provision becomes law the Minister is not giving any of these people who are now serving as conductors any time to apply for a license. If the law becomes operative tomorrow, all per-

sons who are conductors on passenger vehicles or omnibuses will be acting illegally because they would have had no time in which to obtain a license.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. MARSHALL: The Minister should give us a complete explanation of the provision to which I was referring before tea. No time is allowed for these people to be licensed as conductors and there is provision empowering the Commissioner of Police to examine them and, if there is any mental or physical disability or the character of the person is challenged, a license may be denied. True, there is provision for an appeal, but usually, when we introduce restrictions of this sort, provision is made for those already serving in the capacity in question to carry on, and the restrictions are applied to new hands entering the calling.

If my reading of the measure is correct, it will be unfair to a lot of girls to bring them into the picture. However, I have stated that the Bill is not explicit and the Minister should explain those two points. In my opinion the people who have served in that capacity, probably for a good many years, should be exempted, and the measure should apply only to newcomers. I do not wish to be emphatic on this point because I do not know precisely what the words, "act as a conductor" mean. Do they mean that the person is serving only in an acting capacity, or is it intended to embrace all who are so engaged? If a person feels aggrieved, there is a right of appeal to a magistrate.

At first I thought that the proposal to authorise the arrest without a warrant of a person driving an unlicensed vehicle, or being himself unlicensed while driving a vehicle, was rather severe but this applies practically throughout the Act, although I confess that it does not appeal to me at the moment. I suppose that, in view of present-day conditions, there is some justification for it, and as I subscribed to the principle on previous occasions I shall have to be consistent now.

Mr. Styants: By the time the policeman had gone to get a warrant the bird would have flown.

Mr. MARSHALL: It is necessary to catch them at the moment. Speed is necessary to overtake one of these long-haired fellows riding a motorbike and having a girl on the pillion behind him and, if the police had to get a couple of justices to sign a warrant, the man would be gone. The penalty of £100 or 12 months' imprisonment seems rather severe.

Another proposal is that a person who owns, or permits an unlicensed person to drive, an unlicensed vehicle, is to be held equally culpable. That would refer to an employer, and we have to consider whether the proposal is fair and just. I feel a little doubtful about it because an employee, being unlicensed, might take possession of a vehicle and say that the employer had given him permission to do so. On the other hand, he might take possession of another person's vehicle and might claim that he was rightly in possession of it. The Minister ought to explain what urgent necessity exists for that amendment.

If a person whose license has been suspended for, say, six months is found driving a vehicle two months after the suspension of the license and is convicted of having, whilst unlicensed, driven a vehicle, there is to be an automatic extension of the suspension of his license. If four months of the period of suspension remained, a conviction for driving would lead to his being deprived of a license for another six months and so he would have 10 months to go. I do not consider that that is too heavy a penalty. It might prove a deterrent to anyone disposed to break the law and to continue committing a breach. Had not such a person committed a very serious offence, he would not have lost his license.

The member for Kalgoorlie was here when we considered the matter of the overall width of vehicles on roads. After a lengthy debate, we conceded the point that a width of 8 ft. was necessary, although the overall width including the load at that time was only 7 ft. 6 in. Under this measure the Commissioner of Police or anyone to whom he may delegate the authority may grant permission for a greater length, and a local authority with the sanction of the Minister may make regulations controlling the length of a vehicle. Previously we have not dealt with the length of vehicles.

Hon. A. H. Panton: They are becoming pretty long.

Mr. MARSHALL: The Minister did not tell us whether he desired to hold vehicles at their present length or have it shortened or increased, and I do not know what was in the mind of the person from whom this proposal emanated. The Minister should give us this information in order that we may be assisted to reach a prompt and proper decision. If we do not know the intention behind the proposal we may be giving the Minister a blank cheque, because it might be concluded that the length could be increased by one-half under a regulation.

The Chief Secretary: It would be done by regulation.

Mr. MARSHALL: But where do we stand?

The Chief Secretary: The hon. member could get a lot of information by studying the regulations.

Mr. MARSHALL: But the Minister should deal with the length as we dealt with the width, namely, prescribe a minimum.

The Chief Secretary: It is provided now.

Mr. MARSHALL: Not in the Act.

The Chief Secretary: No, in the regulations.

Mr. MARSHALL: Under the Bill, the Minister proposes to prescribe the length by regulation, and I would not approve of that. If a local authority were given the power, it might not permit a vehicle of a certain length to use roads capable of taking that length. In the country between Meekatharra and the North-West, it would not matter if the vehicle were half-a-mile long, because in those wide open spaces there is ample room, but the same length would not be practicable on other roads.

The Chief Secretary: We cannot apply the regulations as strictly in the back areas as in the thickly populated parts.

Mr. MARSHALL: Presently, Parliament will be in recess, and any regulation promulgated will have been operating for six or eight months before we have an opportunity to deal with it. Legislation by regulation does not appeal to me.

The Chief Secretary: We have always done that.

Mr. MARSHALL: Anyhow, I have directed attention to this provision and stated my objection. We have permitted vehicles of certain types specially designed to do a particular job to be more than 8 ft. in width. I realise that that is necessary. The Minister for Education gave us one or two instances. The member for West Perth knows that the City Council's street sweeper, which exceeds 8 ft. in width, would not be permitted on the roads but for this special provision. Sometimes large engines, such as those for the South Fremantle power station, have to be hauled over the roads and this transport is done under special permit. Provision is now made that anyone transporting a load in excess of that width without special permission shall be liable to a penalty.

Under another proposal, the Commissioner of Police may allow a youth under 17 years of age to drive a motor vehicle. I take it that this is intended to be granted to individuals only in special cases. On a couple of occasions, I have approached the authorities for permits to allow persons under the age of 17 to drive vehicles. At Cue, when labour was unobtainable, the daughter of a dairyman had to take charge of the delivery van although she was under age. It would have meant that the town would have been without a milk supply but for her services, and so I had to make special arrangements with the authorities to close their eyes to what was being done.

I know, too, that some station-owners have youths under that age running fences, attending to windmills, and going to the seaport town or railhead on motor bikes because other labour is too hard to get. When they have children under age who are able to do the work it seems a little hard if they are not allowed to do it. The people who get these special permits will have to put up a good case before receiving them, so that I am not averse to the provision in the Bill. I have no objection to the portion of the measure dealing with drivers from other States, but would point out that a man might come from the Eastern States and, after having been here for three or four weeks, find that his license had expired. What would be the situation then? Would he go to our traffic branch and get a Western Australian license?

The Chief Secretary: I had not thought of that before. It would be rather difficult to determine.

Mr. MARSHALL: The Commissioner might be able to give him a temporary permit to drive until he went home. I have no objection to a person licensed in another State driving here, as long as his license is unexpired.

The Chief Secretary: Many of the minor points would seldom arise, and when they did they would be left to the judgment of the official dealing with them at the time.

Mr. MARSHALL: Due to the increase in road transport and the varying sizes of vehicles used throughout the State, I do not object to the provision under which the Minister may make regulations for the purpose of describing certain roads to be special roads.

I think this is a pretty wise arrangement because we must have highways, major roads and ordinary roads, and the provision here will give the Minister power to say, "This is a major road, that is a highway, and this is an ordinary road." Then, of course, regulations would be made covering the types of traffic and vehicles that would use those roads according to their designations. Apart from what I have already said, this provision is also necessary because of the terrific increase in transport and the sound foundations of our roads. I cannot see any harm that can befall us if we agree to it. As well as gazetting roads to be special roads, the Government can make regulations to specify the types of vehicles that can be used on them.

The last provision I want to deal with is that in regard to drunken drivers. Whilst, in the main, I can subscribe to the contribution made by the member for East Perth, I cannot go all the way with him. I cannot accept the theory that a person who takes charge of a vehicle whilst under the influence of liquor is no more dangerous than a person who is sober. What the hon. member says about road manners in this State is quite true. I am given to understand by those who have travelled in the Eastern States that our road manners are the worst in

Australia. As an instance, I was going to Fremantle not long ago, and I think the regulation speed on the highway is 30 miles per hour, but members might be surprised to know that a ministerial car passed me quite easily, and I was doing 30 miles per hour. I venture to say this other car was travelling at least 15 miles per hour faster than I was. So, road manners are not altogether adhered to by even Ministers of the Crown. I could name the Minister concerned, but do not propose to do so.

From the way drivers indicate what they are about to do, a person following cannot understand what is intended. Sometimes a driver has an arm stuck out, and then he goes to throw away a cigarette, and, at the crucial moment when the person following thinks he is merely throwing away a cigarette, he turns. Drivers have to be on the alert all the time because those in charge of other vehicles do not give the correct signals. As a result of the Commissioner's report I think we can say that speeding is one of the worst offences, and is responsible for more accidents than any other type of driving. How it is that more people are not apprehended for speeding, I do not know.

We need only go to the top of Malcolm-st. to see what goes on—I see this every day when going home. Motorists are not satisfied to come over the hill on the throttle, but go down on it, and then we hear the tyres screeching at the bottom as they approach the corner. They do 40 and even 60 miles an hour down the hill, and as a result they create a most dangerous situation when they arrive at the bottom. When going up the hill it is not so dangerous to travel fast as it is when coming down. With petrol at 3s. 4d. a gallon you would think that people would nurse it. Coming over the hill we can hear motor-bikes spitting and blowing as though heading for eternity. I do not know why it is that the police patrol officers do not catch them. It has me puzzled altogether.

I cannot excuse any person who will take charge of or attempt to drive a vehicle when he is under the influence of liquor. The member for Eyre put forward the argument that, although we hang people for wilful murder, we still have murders. But I wonder whether the hon. member can imagine the number of murders we would have if we did not provide for hanging. I do not know that I would not be inclined to commit murder myself occasionally.

Hon. A. H. Panton: Wait till I get away from here!

Mr. W. Hegney: You believe in capital punishment then.

Mr. MARSHALL: It is strange that I should be asked about capital punishment. I once found myself at variance with a man on this subject, because he favoured it, and I did not. I asked him what he thought would be a fitting punishment for a person who would take the life of another, and he said, "Put him in gaol for the term of his natural life." I would say that would be a greater punishment and I would abolish capital punishment tomorrow for it, too. But the very person who said that to me wanted to let out of Fremantle gaol a person who had been convicted and sentenced for that term for the crime of wilful murder.

Hon. J. B. Sleeman: You do not say so!

Mr. MARSHALL: The point is that if I can be guaranteed that these people will not be set free, I would agree to that punishment, but invariably they are released so that the penalty is not fulfilled. Until I can be assured that we can get a punishment that fits the crime such as hanging does—there is no doubt about that—I would not be inclined to take risks. Everyone is entitled to his own convictions on the point. Here we are dealing with men who make a practice of driving vehicles whilst under the influence of liquor. There can be no argument that the practice of taking charge of vehicles on main roads or highways is becoming more prevalent every day. We have got to the stage where women are being convicted of drunken driving, because we have had two or three such convictions in the last year or so.

Hon. A. H. Panton: They believe in the equality of sexes.

Mr. MARSHALL: They do not, because if they did I would subscribe to the theory. What they do advocate is preference for women. They do not advocate equality of the sexes. They do not want to go down the coalmines or the goldmines.

Hon. A. H. Panton: Neither do we.

Mr. MARSHALL: They do not want to go on to the end of a pick or shovel on the tramways, or do fettling on the railways.

Mr. J. Hegney: They have more brains than to want to do those things.

Mr. SPEAKER: Order! The hon. member is now getting away from the Bill.

Mr. MARSHALL: I am inclined to believe that since the National Safety Council has been in existence, accidents have increased, but I do not say that derogatorily of the council because I say quite fearlessly that there is no chance of preventing these people from constantly violating the traffic laws of the State until severer penalties are provided. If for speeding and driving vehicles under the influence of liquor we provide the penalty of a month in gaol for the first offence and three months for the second, I do not think we will need a penalty for the third.

Hon. E. Nulsen: We would have a few more criminals then.

Mr. MARSHALL: I would rather have criminals in that way than murderers on the highways; and I have paid dearly in this regard for my oldest child was killed by a drunken driver in this State—but I am not vindictive. The man under the influence of liquor who goes out with a vehicle is a potential murderer, and to make a criminal of him would be to do him a kindness.

Hon. E. Nulsen: Anyone who drives a highly-powered car is a potential murderer.

Mr. Styants: He might be a potential killer, but not a murderer.

Mr. MARSHALL: I do not know what the discrimination is, but my child was murdered without any doubt because the driver of the vehicle came clean over the highway on to the footpath. It all depends on what we define as murder. I differ materially from the member for East Perth on this point. It is all very well to talk about the number of accidents that took place in which people who were sober were concerned. We will have accidents no matter how well regulated our traffic is or how severe the punishment, but I think we can minimise them. It is difficult, when vehicles collide, to tell just exactly who is in error, and as a result we find that scores of accidents happen that do not feature in court cases, but the man who takes charge of a vehicle when under the influence of liquor is not responsible for what he might do. I do not subscribe to the theory that such a man can drive as well as he can when he is sober, because I have been under the influence of liquor and I can speak authoritatively. I am not like those fellows who have never been under the influence of liquor. I can see the position from both sides.

Hon. J. B. Sleeman: I realise that.

Mr. MARSHALL: It is all very well until something happens to a near and dear one of your own. I know all about that. One becomes a different person. One has to go through it to understand and know it. Our responsibility is to see that these types of accidents, which are brought about because men are speeding and their vehicles are out of control, or the drivers are under the influence of liquor, are accompanied by severe penalties. As the present penalties are of no avail, we must make them more severe because the number of accidents is increasing every day.

I point out to the Minister that it is of little use increasing the monetary penalty because magistrates have, only on rare occasions, imposed the present maximum. I do not know of one offender who has ever been fined £50 for a first offence. The majority of first offenders are fined £30 and their licenses are cancelled for three months. There has been no alteration to that in the Bill because the penalty for a first offence will still be £50 or three months in gaol—"or" and not "and"—and the license cancelled for three months.

Mr. Hoar: Is it not a £50 minimum mentioned in the Bill?

Mr. MARSHALL: No, according to the Interpretation Act £50 is the maximum, and that still applies under this Bill. A magistrate or judge can fine an offender up to that amount, and no more. We find that magistrates are failing in their duty and it is no use carrying on like that, or merely increasing the monetary penalty, unless they take advantage of it. As the Act stands, the fine for a first offence is £50, or three months in gaol and suspension of the license for three months. The same provision applies in the Bill. At present, for a second offence, the maximum penalty is £50 or three months gaol, and suspension of the license for six months. It is proposed, under the Bill, to increase the monetary penalty to £100; the term of imprisonment is the same, three months; and the license suspension is six months. The only difference is that of an increased monetary penalty.

When it comes to the third offence, the present sections provide that the monetary penalty shall be £50 or three months in gaol, and the cancellation of the license is on the Kathleen Mavourneen principle. The provision in the Bill for that offence is £150, or an increase of £100, or six months in gaol, which is an increase of 100 per cent., and, like the present provision, the license is suspended for all time. It is no use increasing the monetary penalties because it seems to me that magistrates will not be influenced by that. I realise that £50, or even £30, is a drastic penalty for a certain class of person, but let us look at it the other way. What does it matter to people with money if they are fined £150? That is the point. So, while we might deter the ordinary person who can ill-afford to pay a penalty of £30, it would mean nothing to a person with money.

The Premier: Plus the indignity of arrest and loss of license.

Mr. MARSHALL: That is so. I agree with the Premier on that point because the punishment is equal in that case, and it would be more drastic on the unfortunate person who is forced to earn his living by driving a vehicle because his license would be taken from him. It would be far more drastic for that type of person than it would be for one who could pay for the services of a driver. It is obvious that these offences are increasing, and it is a shock to me to realise that women are being arrested and convicted of drunken driving. That hurts me more than anything. But it only shows to what extent people are flouting the law. They do not "give a continental." There is nothing to prevent any person who finds

himself under the influence of liquor, or who has reached the stage where he feels that he should not take charge of a vehicle, from locking up the vehicle in a garage and leaving it there. But no! Many of them, filled with bravado—if members like to substitute that for alcoholic liquor—drive vehicles without any thought of the people whom they might destroy.

So I am inclined to follow the member for Moore on this question, and try out the idea of more severe punishments; let it be imprisonment without the option of a fine. I think that might fill the bill, and I would like to see it tried. I do not think there is anything to which I could object in the provisions of the Bill but I want some further explanation of some points, and I shall be pleased to discuss them with the Minister during the Committee stage. I shall be pleased to add anything to the measure, when we are in Committee, to increase the penalties for drunken driving and, if the member for East Perth cares to introduce a similar Bill providing punishments for speed hogs, I will do all I can to assist him.

Mr. Graham: There is more than speeding; there is dangerous driving, too.

Mr. MARSHALL: I think the hon. member would have the majority of the House behind him, because this business must be stopped, and there is only one way to do it. Although we have the National Safety Council, the number of accidents seems to be increasing all the time and, no matter how conscientious these people may be, that does not restrict, prevent or minimise the increasing number of accidents.

MR. GRAYDEN (Nedlands) [8.7]: I congratulate the member for East Perth upon the very courageous speech he made on that part of the Bill which deals with drunken drivers. I feel he brought into this debate the sweet breath of reason. He showed, by the figures he quoted, that out of 19,000 accidents, only 60 were caused by drunken driving

Hon. A. H. Panton: That was 60 too many.

Mr. GRAYDEN: It was; but the Government could well direct its attention to the 19,000 accidents far more than to the 60.

Mr. Ackland: Why do you not move an amendment to affect those people?

Mr. GRAYDEN: I intend to put up some suggestions during my speech. To concentrate the efforts of legislation upon 60 cases out of 19,000 is escaping from reality.

Mr. Hutchinson: Passing the buck!

Mr. GRAYDEN: It is dealing with something which is a molehill and making it a scapegoat for the mountain. I point out to the members for Moore and Murchison that never yet have savage penalties succeeded in wiping out crime. In England in the old days one could be hanged for stealing anything over the value of 1s., and I am sure there was far more dishonesty in England in those days than there is now.

Mr. Marshall: There was more poverty, too.

Mr. GRAYDEN: But savage penalties have never yet succeeded in preventing crime. If the member for Murchison thinks differently, he should put forward historical figures to try to prove his argument. But the member for East Perth gave facts, and it is on facts that we should base our ideas, and not on emotions. I feel that the approach of many members to this question has been emotional rather than based on facts. I suggest to the Government that it should go into this question more fully than it has. For instance, I believe that every five years every driver who has a license should be called up to be re-examined, at least for a test for physical fitness.

Hon. A. H. Panton: I agree with that.

Mr. GRAYDEN: I say that because one can get a license today, and in another 20 years' time one can have that license renewed without ever going through another examination. During that time one may not have driven a vehicle, and yet one can have one's license renewed immediately if, in the meantime, the license has been kept in force. One could have gone blind during that time, but there is no way of finding out. One merely sends in one's license and it is renewed. One could have become a cripple but, provided the license has been sent in every year, with the requisite fee, it is automatically renewed.

Mr. Marshall: The Commissioner has power to call you up and examine you.

Mr. GRAYDEN: Yes, but he does not know one's physical condition, and it would be only in cases where one was involved in an accident that the Commissioner would find out. That point should receive the Government's attention. I believe, too, that there should be more enforcement of correct hand signals, as suggested by the member for East Perth. It is no use having traffic laws if there are not enough people to enforce them. I believe our road patrols should be increased, not merely by increasing the number of police motorbikes but by using police cars. It is common knowledge among drivers that every now and again one glances in the rear vision mirror to see if one is being followed by a motorbike.

The Minister for Lands: Do not give the show away.

Mr. GRAYDEN: That largely defeats the object. If cars were used, more real offenders would be caught. I think we should have more road patrols so that there would be more chance of catching people who break the traffic laws. Again,

it is not surprising that many of our traffic laws are broken because in some instances they are archaic. For instance, if one drives along Hay-st. in a westerly direction towards Subiaco, one is supposed to stop at every intersection and there are many small side streets entering that road.

Hon. A. H. Panton: If you followed a bogey tram you would.

Mr. GRAYDEN: Yet one is supposed not to cross an intersection at more than 15 miles an hour. If one did that, then one's speed would never be over 20 miles an hour.

The Minister for Lands: I doubt if you would reach that speed.

Mr. GRAYDEN: I hope the Government will use the provisions included in this Bill to proclaim more major roads and introduce a rule that no person can enter those main roads, from the left or right, while vehicles are travelling along them. There is a similar rule for cars entering Stirling-highway, and that has worked effectively. But there are many other roads where cars can enter from the right and have the right of way. There are many roads in the metropolitan area which carry large numbers of cars and yet, if a person comes out of a small side street that may carry only five cars a day, that person can have right of way if he comes on the right of an approaching vehicle. That should not be so, and the Government should use the provisions in this Bill to proclaim more major roads and make everybody stop before entering them.

If the Government wants to get at the root of this traffic problem, it should not concentrate only upon drunken driving because, as the member for East Perth pointed out, if drunken driving is abolished completely only one accident in every 300 will be prevented, and there will still be 299 accidents left. There are far more serious problems needing the attention of the Government than that of drunken driving. I believe the Government should do everything it can to abolish drunken driving, but it should not impose savage penalties in an endeavour to achieve that object. The amendment to the Licensing Act, which may be dealt with tonight, has a bearing on this subject.

If under our laws people can go to Rockingham and have their fill of beer in a short time, and then drive along in heavy traffic, then that is contributing to drunken driving. The way out of this problem is not merely to punish severely some poor unfortunate that happens to be caught; I feel that preventive measures are far better.

Mr. Styants: Why is he a poor unfortunate if he gets a skinful of beer.

Mr. GRAYDEN: I do not say that every case is that of a poor unfortunate, but I think that many others are more deserving of a penalty than the man who is unfortunate enough to get caught.

Mr. May: It is unfortunate they are not all caught.

Mr. GRAYDEN: They should be all caught, and if we had more road patrols they might be. I feel that the Government should concentrate more on preventive measures and do something on more positive lines to prevent driving accidents. These are of great concern to the people of Australia because of the casualty rates on the roads every year. If the Government does that it will have done a good job and will deserve the congratulations of this House. It should do something along those lines to overcome this serious problem.

MR. STYANTS (Kalgoorlie) [8.16]: I do not propose to speak very long on this matter because I have, from year to year when discussing the Estimates of the Police Department, dealt with the question very fully. I do not think there is any necessity to endeavour to impress upon any person's mind in Western Australia the serious position that has been created by the enormous number of accidents, both fatal and those involving very serious injury, that take place from year to year on our roads. As a matter of fact most members of Parliament would know that during the five and a half years of war Australia suffered a greater number of fatalities and injury on the roads than was caused as a result of the hostilities of the enemy.

In reply to my colleague from East Perth I want to say that I do not have any bias against drink. Drink is all right in the proper place; there is a time and place for everything. But when it comes to the point of taking alcoholic beverages in excess and then endeavouring to control a high powered vehicle in, very often, congested traffic I then definitely have a bias against the person who is so indiscreet and criminal as to do a thing like that. As far as I am concerned it is not much good endeavouring to attack the laxity which is in general operation, as far as the enforcement of traffic laws is concerned, in order to provide a smokescreen for those who are classed as drunken drivers.

There is an old axiom that attack is the best form of defence. I admit there is a general laxity in the enforcement of traffic laws in the metropolitan area; I have frequently drawn attention to all of those matters which were referred to by the member for East Perth and the member for Nedlands. I will now touch on the matter of glaring headlights. Some weeks ago I was returning home from Mandurah and had actually to stop on half a dozen occasions because of glaring headlights that caused a complete black-out.

I often wonder whether these road patrols from the Police Department only work in the day-time and whether they have to do any afternoon or night shift, because it seems to me to be almost impossible that some of these searchlights—and you

could only call them that—on some of these vehicles would be permitted to escape detection by the Police Department if they did patrol the roads after dark. The fact that there were only 60 accidents as a result of drunken driving does not warrant us in endeavouring to eliminate that class of accident.

Mr. May: All the other accidents would not be inevitable.

Mr. STYANTS: That is so. Wherever we have the human element to contend with there is miscalculation; sometimes there are latent defects in the machine which bring about the accident. But according to police reports of all the accidents which have been investigated the majority of them are caused by carelessness, recklessness we could call it, or excessive speed. My opinion is that excessive speed causes a greater number of accidents than any other factor that I can bring to mind. As the member for East Perth has said, vehicles can be seen daily crossing intersections at 35 and 40 miles an hour and, when a vehicle such as that comes into close proximity with a vehicle driven at a reasonable speed over the intersection, there is every chance that an accident will be avoided. But when two vehicles driven at excessive speed by speed cranks meet at an intersection an accident is generally inevitable, and results in the death of perhaps the unfortunate passengers or the maiming of them for life.

I cannot subscribe to the view expressed by some members that a man under the influence of alcohol—even if he is what we term half drunk—is more capable of driving a vehicle than he would be if he were sober. I remember, a few years ago, reading of a test conducted in America to ascertain what effect alcohol would have on the average driver. The men selected for the test had to drive over a 10-mile circuit with all the hazards that they would meet in everyday driving, such as meeting cars at intersections and the passing of them along a highway. With proper instruments at their disposal the men conducting the test gave each driver a certain amount of alcohol, and on the first circuit it was found that the drivers reacted reasonably well. It was however, quite apparent to everybody concerned in the tests, excepting the drivers themselves, that with the administration of each dose of alcohol their driving became less efficient and more reckless, as they continued to do each circuit of the course. Eventually the onlookers realised that the drivers were almost incapable of handling their vehicles in a reasonable manner and it was only the drivers themselves who, almost without exception, considered that they were performing a better job as they became progressively incapable of handling the machines. That is typical of a person consuming alcohol, whether he be driving a car or doing any other job. The more "sozzled" he becomes the better job he thinks he is doing.

Hon. J. B. Sleeman: What were the actual findings of the tests conducted in America?

Mr STYANTS: It showed that some of them could consume a tremendous amount of liquor and still do a reasonable job, but others, after the consumption of only a slight amount, became incapable of handling their machines in an efficient manner. I do not think it is necessary for the driver of a car to be a total abstainer, but if he takes only a slight amount of drink and is apprehended he can quite easily pass the sobriety test and will not be charged with drunken driving. However, there does not seem to be any doubt as to the result of the test of a person who is hopelessly drunk, because his arrest is usually made after he has collided with two or three other vehicles on his journey with the result that the police eventually catch up with him.

I do not know that there are a great number of what we call incompetent drivers. If drivers are incompetent that is the fault of the Police Department, because each applicant for a driver's license should at least be able to give a demonstration of his ability to the police officer conducting the test. I think the police do carry out that duty quite well, and endeavour to conduct it in a fairly congested portion of the city to ascertain whether the person is capable of handling the vehicle in a proper manner. Though 18,000 accident may have been caused for reasons other than drink, there is no reason why we should exonerate the drunken driver from any blame. Two wrongs do not make a right.

I remember, on one occasion, when a Fremantle medical man, coming home in the early hours of the morning from a club function, wrapped his car around an electric light pole and he became famous as the originator of the plea of amnesia. From a medical friend of mine I learned that the consumption of an excessive amount of alcohol will not bring about amnesia. This doctor, however, managed to escape the charge because he brought along to the court two or three of his confreres, and they were able to convince a layman on the bench that it was quite likely the defendant had been suffering from amnesia. Of course, there are all manner of excuses put forward by drunken drivers. I do not hold the view that we should imprison such drivers.

Unfortunately, there is a type of individual, whether he drives a motor vehicle or not, who cannot resist the craving for alcohol, and no matter what punishment might be meted out to him that irresistible urge will take possession of him from time to time. I have great pity for those people. I believe there is something in their physical set-up that renders them incapable of resisting the craze for alcohol, just as a drug addict

craves for the drug, and no matter how much in his normal senses he realises the damage he is doing himself, he has not the moral resistance to abstain.

It would be better if we eliminated persons of this class from handling motor vehicles on our highways. Some years ago when a similar measure was before us, I endeavoured to get an amendment accepted that, instead of providing for three offences before a license was cancelled for all time, the offender should be given one chance only. Then if he offended a second time, he should be deprived of his license for all time. The House would not agree to my amendment. I still think that is what we ought to do —give this class of person one chance and then, on his committing a second offence, eliminate him from the highways for all time.

This course of action would be in the interests, not only of himself, but also of other drivers and of the general public. The mere fact of gaoling such people for one month, two months or three months and then permitting them to get another license will not cure them because, in nine cases out of ten, they are incurable.

It may be contended that, to deprive some of these people of a license, would be a hardship, because they would be dependent upon driving motor vehicles in order to earn a living, but I point out that by giving them another license, it is not the livelihood that is at stake but it is the lives and limbs of other drivers and of the public generally.

Member: He could find other employment.

Mr. STYANTS: That is so. I repeat that when a driver cannot resist the craze for liquor, he should be eliminated as a driver for his own sake and in the interests of the community generally.

On motion by Mr. Bovell, debate adjourned.

BILL—LICENSING ACT AMENDMENT (No. 2).

Second Reading.

THE ATTORNEY GENERAL (Hon. A. V. R. Abbott—Mt. Lawley) [8.36] in moving the second reading said: In August last, I received a deputation representing churches and the temperance organisations, when the Licensing Act was discussed, as well as the situation that now exists with respect to Sunday trading.

Hon. A. H. Panton: Were not the breweries represented?

The ATTORNEY GENERAL: I asked the members of the deputation whether they would be prepared to nominate a representative to consider amendments to the Licensing Act with a view to effecting improvements and placing the laws relating to licensing on a more realistic basis and, with the exception of representatives of two organisations at the deputation, they agreed to do so. Subsequently I was informed that the Rev. Mr. Jenkins had been nominated. I subsequently approached the United Victuallers' Association, which also agreed to and did appoint a representative in its president, Mr. S. Johnston.

As I have stated, nearly every church was represented at the deputation, the exception being the Roman Catholic church. I felt that I should not proceed with these discussions without approaching that church. I accordingly called upon His Grace, the Archbishop, who discussed the matter with me. He informed me that, although the church was interested in every social question, he felt that he would prefer not to be associated with this matter.

In addition, I requested and obtained from the Licensing Court and the police reports as to what amendments to the Act they considered desirable, though neither was asked to advise on matters relating purely to policy. This Bill is submitted with the approval and recommendation of the representative of the churches and the temperance organisations—namely, the Rev. Mr. Jenkins—who considers that, while it does not represent the full views of the organisation, it is a realistic and substantial improvement on the existing law. I have received a letter from him as follows:—

> Perth,
> 27th November, 1951.
>
> Hon. A. V. R. Abbott, M.L.A.,
> Attorney General,
> Perth.
>
> Dear Sir,
>
> I have perused the Bill, which was drafted as a result of conferences. While the Bill does not reflect the views of the opposing factions as to what the licensing laws should be, the Bill would, in my opinion, if passed by Parliament, represent a substantial improvement on the existing law, and I recommend that the Bill be introduced as drafted.
>
> Yours faithfully,
>
> (Representing — West Australian Temperance Alliance, Church of England, Methodist, Presbyterian, Congregational and Baptist Churches, Church of Christ, Salvation Army.)

Mr. W. Hegney: Which Bill did he peruse?

The ATTORNEY GENERAL: This Bill.

Mr. W. Hegney: This Bill?

The ATTORNEY GENERAL: Yes, he saw the contents of it.

Mr. W. Hegney: And you are now only moving the second reading.

Mr. Graham: Parsons before politicians!

The ATTORNEY GENERAL: Yes.

Mr. Rodoreda: This is a departure.

Mr. W. Hegney: Why were we not shown a copy of the Bill?

The ATTORNEY GENERAL: Well, you were not! The representative of the U.L.V.A. felt that, while the proposals in the Bill contained some amendments with which he agreed, he was unable to give general approval to it. Section 122 of the Licensing Act, provides that no licensee shall keep his premises open for the sale of liquor, or sell or permit liquor to be consumed on his premises upon any Sunday, Anzac Day, Good Friday, or Christmas Day. There is an exception to this in respect of a bona fide traveller. Under the Act, a person is not deemed to be a bona fide traveller unless he has travelled 10 miles from the place where he lodged the previous night, and unless the place where he demands to be supplied is elsewhere than within an area bounded by a circle having a radius of 20 miles from the Perth Town Hall.

For many years, the provisions of this section have not been enforced in some parts of the State. I have been informed by the Commissioner of Police that trading is permitted to be, and is, carried out on Sundays in Kalgoorlie and Boulder between the hours of 9 a.m. and 6 p.m.—no bottles being sold after 1 p.m.; and at Collie between the hours of 11.30 a.m. and 12.30 p.m., and 5 p.m. and 6 p.m. The responsibility for the introduction of the situation which now exists at Kalgoorlie and Collie appears to have been lost in the passage of time. For very many years it has been carried on with the authority of the Commissioner of Police for the time being, with the concurrence of the Minister.

In addition, it is well known that in many country centres a practice of having what are known as "Sunday sessions" has arisen. The regulation of this practice apparently depends upon the whims of the local policeman, who administers this practice according to his own personal views. Recently a Gilbertian situation arose where a barmen's union applied to the Arbitration Court for provision to be made in its award to deal with hours worked by members on Sundays when they were prohibited from so working by the Licensing Act. The whole situation tends to bring the law and the administration of justice into disrepute. I cannot too severely criticise a practice where the law is prevented from being enforced by executive act. I, as the responsible Minister, felt that this situation should not be tolerated, and the main purpose of this Bill is to place the whole facts before Parliament for its consideration and decision. The Bill proposes to take a realistic view of the situation existing and which has existed for very many years.

There is one factor I would mention. Although the Act provides that so far as the Goldfields area is concerned, the hours may be increased or decreased on the recommendation of the Licensing Court, no steps have ever been taken to obtain authority for the increased illegal hours that have been permitted by Government instruction for so many years. The provisions of the Bill will permit the sale of liquor to or the consumption of liquor on Sundays on hotel premises by—

(a) the licensee or a member of his family, or an employee of the licensee living on the premises, or a lodger, if the liquor is not sold by the bottle;

(b) any person being served with a meal on the premises in a room set aside for the purpose, between the hours of 1 p.m. and 2 p.m., and 6 p.m. and 7.30 p.m., if the liquor is being consumed with the meal; or

(c) any person on a Sunday, not being Anzac Day, Good Friday or Christmas Day, provided the premises are the subject of a publican's general license or a wayside house license.

(i) if the premises are outside an area bounded by a circle having a radius of 20 miles from the Town Hall in Perth, and

(ii) the liquor is sold and consumed between the hours of 12 noon and 1 p.m., or the hours of 5 p.m. and 6 p.m., and the liquor is not sold by the bottle or in a bottle.

It is optional whether the licensee does or does not supply liquor on Sunday. The provisions under the Act relating to bona fide travellers are repealed. A bona fide traveller will naturally be able to obtain refreshment on Sunday at the same hours as provided for others. In connection with bona fide travellers it must be remembered that the provisions relating to them were introduced into the licensing laws in the days of the horse and buggy, when the travelling of a distance of 20 miles was something not lightly undertaken and took several hours to perform. Today, with modern roads and motorcars, it takes somewhere about half an hour to cover the distance, and the conditions under which the bona fide traveller provisions were introduced no longer exist. As a result of that, this provision in the Act is in some cases open to abuse.

The conditions applying to clubs are as follows:—

Liquor may be sold or supplied to and consumed by—

(a) any bona fide lodger or employee of the club living on the premises;

(a) a person served with a meal in a room set aside for the purpose between the hours of 1.30 p.m. and 2.30 p.m., or the hours of 6.30 p.m. and 7.30 p.m., provided the liquor is consumed with the meal;

(c) on a Sunday, not being Anzac Day, Good Friday or Christmas Day, if the liquor is not sold by the bottle or in a bottle, and if the liquor is sold between the hours of 11.30 a.m. and 1.30 p.m., or 4.30 p.m. and 6.30 p.m.

Or in relation to any particular club, between such other hours representing two periods each of two hours and separated by at least three hours, as the court, on the application of the club, may from time to time determine.

Mr. Graham: Does that apply in the metropolitan area?

The ATTORNEY GENERAL: It applies to all clubs. It will be noted that a longer period has been provided for clubs than for hotels. It is well known that certain sporting and other clubs in the metropolitan area, and elsewhere, have for very many years been permitted to supply liquor to their members on Sunday. I would refer the House to some of the sporting clubs in Perth and also to some of the non-sporting clubs which exist at Fremantle, Collie and other towns. Again the Bill is realistic and only recognises practices that have been permitted for very many years, but it considerably reduces the hours previously permitted.

Section 121 of the Act provides that the hours of trading on week days shall be from 9 a.m. to 9 p.m. with the exception of the Goldfields where the hours are 9 a.m. to 11 p.m. It is proposed to alter the opening hour to 10 a.m. The Rev. Mr. Jenkins strongly pressed for a reduction of the trading hours. It is not thought that any member of the public will be inconvenienced if licensed premises do not open until 10 a.m. I would point out that so far as the Goldfields area is concerned, the court has power to recommend to the Governor that the hours of trading in that area be either extended or reduced. The penalties in connection with breaches of the trading hours on Sunday have been made three times those applicable to other days of the week, and the purpose of this is strongly to emphasise the importance placed on the strict observance of these provisions.

Part VI of the Act provides that in every fifth year there shall be taken a poll of electors in every electoral district on the proposal that prohibition shall come into force in Western Australia. A poll under this part was held last year, with the following result:—

Yes	73,361
No	203,954
Informal	7,108
	284,423

The holding of a poll involves the State, and also all interested parties, in a considerable amount of expense. The last poll made it perfectly clear that by far the biggest majority of the people in Western Australia were not prepared to agree to prohibition. Provision for prohibition, of course, could at any time be provided by legislation and it is felt that the holding of this poll, under existing conditions, is not warranted, and the Bill proposes to delete this part from the Act. If at any time public opinion is in favour of prohibition, it will be felt through members of Parliament, and legislation in connection with the matter could be introduced. I might add that the Rev. Mr. Jenkins did not agree to the deletion of this provision, but strongly pressed for either local option or for provision for a prohibition poll on a majority basis.

The Government is constantly receiving complaints about the drinking that takes place in the vicinity of dance halls, football grounds and other public places. At present there is no authority to prevent this, unless the conduct of the parties concerned amounts to disorderly conduct. Conduct may be very unpleasant while not actually disorderly. The Bill proposes to prohibit the consumption of liquor on public roads, reserves and sports grounds. It also prohibits the consumption of liquor on private property within 20 chains of a dance hall without the permission of the occupier of the land.

This last provision is to prevent people in the vicinity of dance halls going on to private grounds and consuming liquor there without the consent of the owner or occupier.

Mr. Marshall: Cannot they be had up for trespassing under the law without this provision?

The ATTORNEY GENERAL: Trespass is not an offence; it is a civil action. Section 47 provides that should a new license be required within any district beyond the number of licenses of the same description for that district as at the 31st December, 1922, a petition, signed by a majority of the electors within a certain distance from the site of the proposed new licensed premises, shall first of all be presented to the Governor. It has been the custom for a petitioner to employ canvassers to obtain the necessary signatures to the document. It has been suggested that on a number of occasions signatures have been improperly obtained, or electors have signed the petition merely to get rid of the canvasser. The Rev. Mr. Jenkins's view was that the system was

open to grave abuse and should be abolished. The Licensing Court also strongly recommended that all reference in the Act in connection with the method of obtaining a license by petition should be excised. It was considered by the court that if this were done it would result in—

(a) a considerable saving of work by the Electoral and Lands departments;
(b) a considerable saving of initial expense to the applicant;
(c) increasing the revenue to the Government.

The Bill proposes to abolish the necessity for a petition, and enable the court to fix a premium in lieu of calling for tenders. I have now dealt with the major proposals, but there are some additional amendments of an administrative character that I wish to mention. The definition of "local option" referred to in Section 5 is a vote that shall be cast at a poll under Part V of the Act, which part was repealed in 1922. For this reason, the definition has no application, and the Bill proposes to delete it. The amendment here is merely to clean up the Act.

In a recent case in Perth the magistrate held that "sale" did not include barter and exchange, so that where on a prosecution for selling liquor during prohibited hours the defendant pleaded that he had merely exchanged cold bottles for warm ones, the magistrate in a reserved decision dismissed the complaint. In a penal section "sale" means sale for money and nothing else. This leaves a loophole in the Act which the amendment cures.

As to the Court itself, the Act in its present form provides for a chairman and a deputy chairman and one other member, and requires that either the chairman or the deputy chairman shall be one of the members to constitute a quorum of two. The practice of the Licensing Court, however, is for any two of its members to go to the country, leaving one in Perth, and at times that one will be neither the chairman nor the deputy chairman. The members of the court, therefore, requested an amendment to suit their convenience, to repeal the reference to the deputy chairman and to enable the chairman to delegate his powers to either of the other two members, so that the one left in Perth may, whilst so acting, exercise the powers of the chairman, and the Bill proposes to provide for this.

The Licensing Court requested an amendment to Section 187 to enable the court to delegate to licensing magistrates the authority to permit strangers or visitors to use club premises. The court points out that it is inconvenient for clubs in distant centres to have to obtain permission from the Perth court every time they want to admit a stranger or visitor. It will be understood that if a club in Broome wished to hold a function, the position at the moment is that an application would have to be made to the court in Perth to enable the club to admit guests to the club premises. This is unreasonable, and the Bill proposes to permit the court to delegate its powers in this respect to a resident magistrate.

Section 58 at present contemplates that any license held by a woman shall on her marriage vest in her husband. Under Section 67, however, a married woman may hold any license other than a publican's general license and a waysidehouse license. The two provisions are inconsistent, and the amendment is to remedy this by altering Section 58 to coincide with Section 67. The alteration will provide that instead of every license held by a woman vesting in her husband on her marriage, only a publican's general license or a wayside house license shall so vest. Section 111 of the Act makes provision for persons—licensees—on naval or military service to be absent from licensed premises, but makes no reference to the Air Force. The Bill proposes to include the Air Force in the provisions of the section.

Section 147 deals with the penalties for selling liquor to persons under the age of 21. The present section is limited to sale by licensees or their agents. As members are aware, however, the owners of vineyards who make wine are not obliged to be licensed and there is nothing to prevent their selling liquor to children at the present moment. The Bill proposes to prohibit the sale by owners of vineyards to persons under the age of 21 years.

Section 165 of the Act prohibits betting on licensed premises by the licensee or his servants and, further, that a licensee is responsible if he permits betting to take place on licensed premises. A member of the public, however, commits no offence if he bets on licensed premises. The whole responsibility, therefore, in this connection is at present placed on the licensee. The Bill proposes to prohibit a member of the public from betting on licensed premises.

Section 177 of the Act provides that licenses may be forfeited under certain circumstances, amongst others where the licensee is absent from the licensed premises for more than 28 days; he fails to maintain such premises and accommodation thereof at the standard required; allows such premises to become ruinous or dilapidated; the licensee is of drunken or dissolute habits; or suffers licensed premises to be used for immoral purposes. These provisions, however, are limited to a publican's general license, a hotel license or a waysidehouse license. The Licensing Court considers the provisions should apply to the holders of Australian wine licenses, Australian wine and beer licenses or Australian wine bottle licenses and the Bill makes provision for this.

I come now to Clause 23, dealing with Section 183. The Licensing Court has pointed out that the provisions dealing with the granting of club licenses are unsatisfactory, and that no discretion for the granting or renewal of a license is vested in the court. The court considers that it should have these discretionary powers. It also feels that before a license is granted a club should become properly established. The Bill proposes to require that a club shall have been in existence for six months before it can apply for a license, and that the court shall have discretionary powers, in dealing with club licenses, similar to those with reference to other licensed premises.

Clause 24, which deals with Section 186, makes provision for extraordinary or honorary members. As members know, clubs on occasion hold functions such as dances, to which large numbers of people are invited. Application for permission in such cases has now to be made to the Licensing Court, and the Bill proposes to give authority to delegate this power to any member of the Licensing Court, resident magistrates or the Clerk of the Licensing Court. Members will appreciate the inconvenience caused to country clubs situated at great distances from the metropolitan area through having to make application to the Licensing Court itself.

Section 187, makes provision to permit members to invite guests to dinner at night, but they are not permitted to invite guests to luncheon.. The Bill proposes to make provision for guests to be invited either to a midday or evening meal. Those, briefly, are the provisions contained in the Bill, which is strictly of a non-party nature. I submit the measure to the House with all the responsibility of a Minister for Police.

Hon. A. H. Panton: If you have the churches and publicans behind you, you have no need to worry.

Mr. W. Hegney: Having taken the oath, why did you not administer the law?

The ATTORNEY GENERAL: I admit that I should have done so, and I assure the House that, if the Bill be passed, so long as I am Minister for Police I will endeavour to see that the law, as determined by this Parliament, is observed.

Mr. W. Hegney: You are handling the Bill as though it were a hot potato.

The ATTORNEY GENERAL: Many members know that in their constituencies the licensing laws are not being observed, and that there are flagrant breaches in clubs in the metropolitan area. I do not exclude from that any particular type of club. I feel it is the responsibility of this Parliament to make the law realistic so that the Minister may attempt, with some hope of success, to enforce the law as decided by Parliament.

Hon. A. R. G. Hawke: What about S.P. betting?

The ATTORNEY GENERAL: That is another problem that should be tackled. I desire to tender my thanks to the two members of the small committee that gave me so much valuable assistance in the preparation of this Bill. I refer to the Rev. Mr. Jenkins and to the represenative of the Licensed Victuallers' Association, Mr. Johnston.

Mr. W. Hegney: Did you consult the Barmen and Barmaids' Union?

The ATTORNEY GENERAL: I move—

That the Bill be now read a second time.

On motion by Hon. A. R. G. Hawke, debate adjourned.

BILL—LICENSING (PROVISIONAL CERTIFICATE) ACT AMENDMENT.

Second Reading.

THE ATTORNEY GENERAL (Hon. A. V. R. Abbott—Mt. Lawley) [9.5] in moving the second reading said: Under Section 62 of the Licensing Act provision is made for the granting of provisional licenses in respect of hotel premises which are to be built. The Act provides that when a provisional license is granted a condition must be imposed as to the erection of a specific building for which the provisional license is granted, and a period of time up to 12 months may be given for the erection of the building. Upon completion of the building the holder of the provisional license may apply for the issue of a license.

Owing to war conditions it was found necessary, in 1941, to pass an Act to protect provisional licensees who were not able to carry out the terms and conditions of their licenses. That Act provided that, for the duration of the war and 12 months afterwards, the provision relating to the period for the completion of the erection of buildings should be extended. It was later found necessary further to extend the period.

It was provided by the amending Act that the time for the erection of a building could be extended by the court for a period to the 31st of December, 1951, and a licensee might have 12 months longer in which to complete his building. It will be seen that the period for the erection of buildings, as provided in that measure, will expire at the end of next year, and it is necessary to let these provisional licensees know whether they must commence their buildings and finish them before the end of 1952.

Hon. J. T. Tonkin: How many are affected?

The ATTORNEY GENERAL: I do not know the exact number but there are several of them. One of them is the Rottnest Board of Control.

Mr. May: It would be rather difficult for them to give any definite date.

The ATTORNEY GENERAL: That is so. It would be difficult for them to give any definite date because, at the moment, the holders of such licenses are not able to obtain the necessary permission from the Housing Commission to carry out the work. It is thought that it might be a considerable period before that permission can be obtained. This Bill proposes to extend the operation of the Act for a further period of five years and I move—

That the Bill be now read a second time.

On motion by Hon. J. T. Tonkin, debate adjourned.

BILL—WHEAT INDUSTRY STABILISATION ACT AMENDMENT.

Message.

Message from the Governor received and read recommending appropriation for the purposes of the Bill.

Second Reading.

THE MINISTER FOR LANDS (Hon. L. Thorn—Toodyay) [9.12] in moving the second reading said: As a result of a poll of growers in all States, which was in favour of a Commonwealth scheme to stabilise the marketing of wheat, the Commonwealth Government passed its Wheat Industry Stabilisation Act in 1948. This required complementary State legislation, and in December, 1948, this Parliament passed the Wheat Industry Stabilisation Bill. The Wheat Industry Stabilisation Act, which this Bill seeks to amend, provides for a guaranteed price for wheat consumed in Australia. The price is based on the cost of production, which is determined each year. In 1948, the cost of production of wheat was 6s. 3d. per bushel, and this has risen over the years until it is now approximately 10s. per bushel.

The purpose of this amendment is to raise the home consumption price to be paid for stock feed by the poultry, pig and dairying industries. These industries will be required to pay 2s. per bushel above the cost of production price, which will bring the total amount to 12s. per bushel. It is the intention of the Commonwealth Government to pay a subsidy of 4s. 1d. per bushel to the Australian wheatgrowers, which will lift the price received by them to 16s. 1d. per bushel.

As I have previously stated, this 16s. 1d. represents 10s. cost of production, 2s. rise in price to be paid by the poultry, pig and dairying industries, and 4s. 1d. subsidy paid by the Commonwealth Government, giving a return to the wheatgrower of 16s. 1d. per bushel as from the 1st December, 1951. The Commonwealth Government, when agreeing to pay the subsidy of 4s. 1d. per bushel, set a limit on the amount to be paid. The number of bushels involved in this stock feed subsidy is 26,000,000, and it will cost the Commonwealth Government £5,250,000 for the 1951-52 season. In deciding to pay this subsidy the Commonwealth Government believed it would prove to be an incentive for an increased production of wheat, which is declining at an alarming rate.

Provided this legislation is passed in its present form in all States, the Commonwealth subsidy and the 2s. per bushel paid by stock feeders will give to the Australian wheatgrowers £7,900,000 more than they would have otherwise received. Against this figure to be received by growers is a mainland freight charge to cover freight charges from one State to another.

Mr. May: The growers have to pay that?

The MINISTER FOR LANDS: The freight to Queensland for this year will amount to £875,000, while on Tasmanian wheat it will be £275,000.

Mr. Cornell: How much a bushel was that respectively?

The MINISTER FOR LANDS: Owing to a severe drought, Queensland has to import from four to five million bushels of wheat for its requirements. Therefore the wheatgrowers of Australia will gain £7,900,000 as a result of the new price, and for this year only lose £1,150,000 for freight charges. In fact, this charge, if implemented, will be taken into account with the next inquiry which deals with the cost of production, and should therefore cost the wheatgrower nothing.

Hon. J. T. Tonkin: How can that be done? This is a distribution charge.

Mr. Ackland: How can the distribution charge be put on to the cost of production?

Mr. Marshall: By adding it to the cost of production, of course.

The MINISTER FOR LANDS: The matter is mentioned in the report of the Bureau of Agricultural Economics for 1951-52. Obviously is could not be taken into account for a period before it is charged, but it demonstrates that such costs are in the mind of the tribunal, and that is stated in its report. The balance left in the wheatgrowers' favour will be £6,750,000. Under the present plan, Tasmanian consumers have never paid freight on imports to that State, and therefore it represents a permanent charge. However, spread over the whole of the wheat produced in Australia, this charge amounts to only .41d. per bushel. As I mentioned before the freight on wheat exported to Tasmania will be included in the cost of production when the figure is arrived at next year.

Hon. J. T. Tonkin: Who said so?

The MINISTER FOR LANDS: I did. The plan embodied in the Bill was agreed to at a meeting of all State Ministers of Agriculture, with the exception of the South Australian Minister, and approved by the Commonwealth Government. To-

day, however, advice was received from the South Australian Government that legislation, identical with the Bill before us, has already been introduced in that State. I have the telegram conveying that advice here, together with telegrams from Sydney and Melbourne, but I do not think there is any need for me to read them because all members know that similar legislation has been passed in South Australia, Queensland and Victoria. The Commonwealth Parliament has the legislation before it now.

Hon. E. Nulsen: I would like to hear what is in the telegrams.

Hon. W. Hegney: What will happen if the Bill is not passed?

The MINISTER FOR LANDS: That is in the hands of the House; I am no dictator. I would like to ask the House: Would all the States that passed this legislation have taken that action to the detriment of the wheatgrower? The legislation, as members know, is uniform between all the States. That is the Bill. When in Committee I intend to move two small amendments. One is to make the Bill retrospective to the 1st December, 1951, and the other is to correct an error in drafting of one word.

Hon. E. Nulsen: Have the other States provided for 1d. per bushel for freight?

The MINISTER FOR LANDS: I stated that it would cost the wheatgrower .41d. for freight.

The Minister for Education: The wheat is pooled.

The MINISTER FOR LANDS: Of course it is. It is all a matter of opinion and the House will decide the issue. I am informed that the wheatgrowers in other States, in 1949, 1950 and 1951 have contributed £1,516,755 towards the additional cost of the transport of wheat by road. That figure was supplied to the Australian Wheat Board and I was advised of it today.

Mr. Ackland: Whilst giving that figure, why does not the Minister tell us what we have contributed to the pool on account of the wheat exported?

The MINISTER FOR LANDS: Seeing that the hon. member is the authority in the House on this subject, I am quite happy for him to give those figures. After the Ministers returned to their respective States, the secretary and president of the wheat section of the Wheatgrowers' Union published articles in the Press commenting on the terms decided on and the arrangement made with the Commonwealth.

Mr. Ackland: The Minister knows that is not a fact.

Hon. A. R. G. Hawke: It is not a fact; it is a lie!

The MINISTER FOR LANDS: They published the information in the Press. I am surprised at the Leader of the Opposition saying that.

Hon. A. R. G. Hawke: It is a lie. The member for Moore says it is not a fact.

The MINISTER FOR LANDS: The Leader of the Opposition apparently was not referring to me. I said I was surprised at his saying that because he does not usually say that sort of thing.

Hon. E. Nulsen: Does Sir John Teasdale agree with this legislation?

The MINISTER FOR LANDS: I do not know whether he does or not.

Several members interjected.

Mr. SPEAKER: Order!

The MINISTER FOR LANDS: Evidently this legislation is not too popular with some members. The fact remains that the Minister for Agriculture in this State attended the conference of Ministers. I do not suppose the farmers of Western Australia have a better friend than our Minister for Agriculture. He has always been a friend of the farmer and is always thinking of their interests. He attended the conference and a majority of those present agreed on certain terms. I put this to the House: Suppose our Minister had stood out and, on his return to this State, reported to the wheatgrowers that he had left about £7,000,000 in the Eastern States that could have been brought here and paid out to our wheatgrowers, what would have happened then? I am a producer myself, and if a mass meeting of the wheatgrowers in this State was held and they were asked whether they would stand out on principle, and thus leave £7,000,000 in the Eastern States, or whether they would take the money, I guarantee they would decide to take the money.

Members interjected.

The MINISTER FOR LANDS: I know that some of the members have been well drilled in this matter. I am putting this case before the House in an unbiassed manner, and would ask this question of the House: Would any member take the responsibility of returning to this State from that conference and saying, "On a point of principle I have left £7,000,000 in the Eastern States"? I would say that his life would not be worth living if he did. I think I have fully explained the measure and move—

That the Bill be now read a second time.

HON. A. R. G. HAWKE (Northam) [9.26]: The contents of the Bill make it desirable, from the Government's point of view, to obtain a decision of the House as quickly as possible, although it is true that its urgency has been lessened somewhat by the amendment foreshadowed by

the Minister for Lands to make it, if it becomes law, retrospective to the 1st December, 1951.

The Minister for Lands: Yes, I have informed the House as to that.

Hon. A. R. G. HAWKE: Unfortunately, the Minister did not give to members much of the background of the Bill when he became somewhat excited towards the close of his speech.

The Minister for Lands: You have never seen me excited.

Hon. A. R. G. HAWKE: The Minister did tell the House that the Minister for Agriculture had attended a conference in the Eastern States. He did not tell us how the conference was constituted. He did not even tell us that this legislation has become necessary because of an agreement arrived at by those attending the conference.

The Premier: The meeting of the Agricultural Council constitutes a meeting of all the Ministers for Agriculture.

Hon. A. R. G. HAWKE: I am aware of that, but there may be some members in the House who are not and there would be, presumably, quite a considerable number of the members of the public who would not be aware of it.

Hon. A. H. Panton: They are not even aware that we are discussing it.

Hon. A. R. G. HAWKE: In any event, I think it is desirable that there should be in "Hansard," in the speech of the Minister, the background to the Bill. As I understand the position, the Ministers for Agriculture from the six States and the Commonwealth Minister for Agriculture met in conference to consider and, if possible decide, on the price to be paid to wheatfarmers for wheat sold in Australia as stock feed—

The Minister for Lands: Full Press publicity was given to it.

Hon. A. R. G. HAWKE: —and also the price to be paid by the users of stock feed for the wheat they were buying for stock feed purposes. I understand the agreement arrived at unanimously by those attending the conference is covered by the Bill. In other words, it seeks to give legal effect, in all States, to the agreement which the Ministers in question made at the conference. As I understand the position, it will be necessary for every State Parliament, and the Commonwealth Parliament, to pass this Bill or a Bill written in exact terms to it. If one Parliament refused to pass the Bill or even refuses to pass legislation in almost its exact terms, then the legislation would be of no account in any State and the agreement arrived at by the Ministers in conference would, in effect, be destroyed.

If the Ministers concerned then felt that they should make another effort to meet the reasonable claims of all sections concerned in this problem they would have to meet again and try to iron out an agreement which would be more acceptable than this one, if this one proved to be unacceptable to one or more of the seven Parliaments concerned. The Minister for Lands was kind enough—if his remarks were prompted by kindness—to say that some members of the Opposition have been drilled in connection with this Bill.

The Minister for Lands: Did I say the Opposition?

Hon. A. R. G. HAWKE: Yes.

Mr. May: He was only guessing.

The Minister for Lands: I thought I said "some members."

Hon. A. R. G. HAWKE: If the Minister for Lands is able to cast his mind back a few minutes, he will remember that he said this in reply to an interjection from, I think, either the member for Collie or the member for Merredin-Yilgarn.

The Minister for Lands: I did not say the Opposition.

Hon. A. R. G. HAWKE: I am sure the Minister for Lands meant the Opposition as well as some of the Country Party members on the side of the House there. I want to be frank with the House in regard to those who have seen me in connection with the Bill. I have been interviewed by both the president and the secretary of the wheat section of the Farmers' Union. I understand the Minister referred to them in the earlier part of his speech when he said—or claimed—that they had, following the return of the Minister for Agriculture to Western Australia from the conference, praised the agreement, or the part played in arriving at the agreement by our State Minister for Agriculture.

The Minister for Education: They expressed pleasure at the agreement.

The Minister for Lands: The paper was dated the 22nd November.

Hon. A. R. G. HAWKE: I have the permission of the president of the wheat section of the Farmers' Union to read the following statement to the House. It is as follows:—

> The Wheat Section of the Farmers' Union is emphatically opposed to the Bill now before the State Legislative Assembly, said Mr. Maisey, President of the section. During the last few days efforts have been directed towards the removal of the iniquitous provisions contained in the Bill relative to the payment of freights by wheatgrowers to Tasmania, Queensland and other States.
>
> As it is now clearly apparent that these efforts cannot succeed, and in view of the statement by the Minister for Agriculture (Mr. Wood) appearing in this morning's issue of "The West Australian" there is now no other course open to me in my

capacity as President of the Wheat Section than to say in unmistakeable terms that the industry would prefer to see the Bill rejected in its entirety than to agree to the writing into the present Wheat Marketing Acts of a clause which arbitrarily compels them to pay interstate freights.

If the Government refuses to allow the deletion of the offending clauses we will endeavour to defeat the whole Bill even if it results in a defeat of the Government.

The coupling of this provision with the just demands of the industry for relief from some of the burden of concessional sales savours too much of the story of the thirty pieces of silver.

D. W. Maisey,
President, Wheat Section.
29th November, 1951.

I think it is very desirable that the wheat section of the Farmers' Union should make its attitude abundantly clear to members of this House before the Bill is considered to any extent—certainly before the proceedings reach a stage where it will be necessary for each member to decide by his vote his attitude to the Bill. If representatives of the wheat section of the Farmers' Union have drilled members of this House—to use the expression of the Minister for Lands—or some members of the House, they have done no more than they are perfectly entitled to do.

The Minister for Lands: That is so.

Hon. A. R. G. HAWKE: They have done no more than many other organisations have done in the past.

Mr. Marshall: The Minister himself is drilled.

Mr. Styants: He wants a bit of boring too.

Hon. A. R. G. HAWKE: I have no complaint to make regarding the activities of the representatives, including the main officers, of the wheat section of the Farmers' Union. They were thoroughly entitled to approach me for the purpose of placing their point of view before me, and I appreciate very much their approach. I did not, however, undertake either to oppose or support the Bill during any of the interviews they had with me, because all of the information that they could make available to me, and to those who sit with me on this side of the House was naturally unofficial although it was based upon the decisions made by the conference. Nevertheless, it was our duty on this side of the House to wait until the Minister introduced the Bill and explained its provisions, and to wait until such time as we had in our hands an official copy of the Bill, thus enabling us to check the statements made to us by the representatives of the Union and also the statements we have read in the newspapers during recent days about the agreement and about what would probably be the contents of the Bill.

We have now had an opportunity of looking at the Bill and its contents are, as could reasonably be anticipated, in line with the agreement arrived at by those who attended the conference. The principle in the Bill which I want to discuss is that which, if the Bill becomes law, will make it obligatory for the sellers of stock feed to pay interstate freights upon any such wheat moved from one State to another. I do not know why this principle has been included in the Bill; I do not know for sure why it was included in the agreement, although I understand there was some demand for the inclusion of this principle in that document, and consequently in the Bill, by those States that would probably be the biggest importers of stock feed wheat from the larger wheat growing States. The two States to which I refer in particular would be Queensland and Tasmania. On the average, I understand that Queensland does not produce enough wheat year by year for its own internal requirements: Tasmania, I believe, produces very little wheat.

The Minister for Lands: Practically nil.

Hon. A. R. G. HAWKE: The result is that both Queensland and Tasmania find it necessary nearly every year to import considerable quantities of wheat from the larger wheatgrowing States for local consumption purposes of one kind or another. As I have suggested, it is a remarkable principle to include in legislation that the sellers of goods shall be compelled by law to pay the freight upon those goods. It is true that there is in operation in Australia an agreement—although, I think, not a legal agreement—under which the Broken Hill Pty. Co. delivers its steel products to the main ports in each State at the same price; in other words, the company delivers steel at the port of Fremantle at the same price as at the port of Sydney. However, there is a vital difference between that operation and the one that this Bill would set up.

The B.H.P. certainly pays the freight involved in sending its steel from Newcastle to Fremantle, which is much greater than the freight paid on steel sent to the port of Sydney, but the purchasers of all steel in Australia pay all the freights, the difference being that the purchasers of steel in New South Wales pay not only the freight involved in the transport of steel by sea from Newcastle to Sydney, but also some proportion of the freight involved in sending steel from Newcastle to Fremantle. All the purchasers of steel in Australia pay all the freight in which the B.H.P. is involved

in the sending of steel to the various ports of the different States. Therefore, it cannot be said that a parallel case may be found there.

Under the proposal contained in the Bill regarding the payment of freight by wheatgrowers on stock feed wheat transported from one State to another, the wheatgrowers cannot recover from the people to whom the stock feed wheat is sold, the cost of the freight they would be compelled to pay. In all the avenues of trade and commerce, or certainly in the great majority of them, the freight is paid by the purchaser of the goods. There are some exceptions to that rule, but they would be of no consequence, and in any event the seller of the goods, whether he paid the freight or was called upon under some non-legal agreement to pay the freight, would include it in the price to the buyer. In the operations of trade and commerce generally, there seems to be no parallel for the principle which the Government has included in the Bill and of which the Government is now asking members to approve.

During the time that has been available to me to consider this principle, I have tried to work out in my mind any possible point of justification that could exist to warrant my voting for a Bill containing such a proposal. I frankly admit that I can find no justification whatever for including the principle in this or any other Bill. The Minister for Lands certainly offered no justification; he did not even make an attempt to justify this important part of the Bill, and there can be no doubt about its importance. The Minister tried to justify the Bill on the basis of the extra £4,000,000 or £5,000,000 that the wheatgrowers would receive as a result of this and similar measures becoming law in all the States and being passed by the Commonwealth Parliament. In other words, the Minister's argument seemed to be that, although the wheatgrowers would be called upon to pay the freight, they would still, on the whole deal, show a net profit of, say, £5,000,000 a year—

The Minister for Lands: The amount is 6¾ millions.

Hon. A. R. G. HAWKE: Then let us say £7,000,000—a net profit of £7,000,000 on a year's operations, and therefore should be satisfied with that and should have nothing to complain about. It is also true that the Minister tried to justify this phase of the matter by claiming very positively that the freight that wheatgrowers would have to pay in respect of stock feed wheat transported from one State to another would, in the succeeding year, become part of the cost of production to be guaranteed to the growers in that year. My knowledge of the whole of this wheat marketing legislation is not sufficiently acute to enable me to say whether the Minister is on solid ground there or not.

The Minister for Lands: I have the report with me.

Hon. A. R. G. HAWKE: Therefore it will be necessary to leave that claim of the Minister to other members who know this legislation from beginning to end. However, looking at it purely as a layman, I should be greatly surprised to find that it was possible for a charge entailed by the distribution of wheat from one State to another to be included subsequently in the cost of production, because the cost of transporting wheat from one State to another at a fixed price would not be an item of additional cost that could be included in the price to be paid to farmers.

Mr. Perkins: It could not have any effect on this.

Hon. A. R. G. HAWKE: The Minister claims positively that the freight that would be paid on the wheat this season transported from one State to another as stock feed wheat would be included in the cost of production for the succeeding season.

The Minister for Lands: That is right. It is in the report.

Hon. A. R. G. HAWKE: I have no desire to throw kerosene on the coals, but will be prepared to listen patiently and with great interest when that phase is argued by men who, beyond a shadow of doubt, are experts in this legislation. As I have not been able to obtain from my own mind or from any other source, including the Minister's mind, any justification for the inclusion in this Bill of this extraordinary principle of compelling a seller by law to pay the freight upon the goods which he sells to people, I would very strongly oppose that part of the Bill.

The Premier: I think the grower would still pay the freight even if this clause were taken out of the Bill.

Hon. A. R. G. HAWKE: I cannot see my way clear to agree with that.

The Minister for Lands: You will find it is correct.

Hon. A. R. G. HAWKE: If I have commodities to sell and the Premier, in his official capacity, and especially in his private capacity, wanted to buy those goods, I cannot imagine that if a Bill of this kind became law in regard to my commodities, without the offending provision in it, I would still have to pay the freight on the goods the Premier was buying from me. I am positive that in the ordinary processes of trade and commerce, the Premier, being the purchaser, would have to pay the freight, unless there were some mutual agreement between the Premier as the buyer, and myself as the seller, to the effect that I would pay.

The Premier: This wheat is handled not by the individual farmer but by the Australian Wheat Board.

Mr. Mann: But the farmers own it.

Hon. A. R. G. HAWKE: I know the wheat is handled by the Australian Wheat Board. That is not the point in regard to the transport of stock feed wheat from one State to another. Let us look at the position from the point of view of a person at Wiluna who might need some wheat for stock feed purposes. Does the Premier suggest that when he purchases stock feed wheat from the Wheat Board in Western Australia the board pays the freight for the carriage of that stock feed wheat from Perth to Wiluna?

The Minister for Lands: This scheme deals with port to port does it not?

Hon. A. R. G. HAWKE: Of course the proposed scheme deals with wheat from port to port. I thought the Minister for Lands understood and explained that in his second reading speech.

The Minister for Lands: Of course I did.

Hon. A. R. G. HAWKE: I am at a loss to know why he is seeking information from me on the point. In any event, the answer is yes.

The Minister for Lands: Good!

Hon. A. R. G. HAWKE: For the purpose of my present argument, I am using the illustration of a person at Wiluna who wants stock feed wheat; and I am saying that when that person purchases the wheat, the board does not pay freight on it when it goes from Perth to Wiluna. If we pass this Bill in this form compelling the Wheat Board to pay freight—and that means compelling the wheatgrowers generally to pay freight—on stock feed wheat sent from Fremantle to, say, Brisbane, it seems to me that we are putting the users of stock feed wheat in Queensland—certainly those close to Brisbane—in a much more favourable position than will be the position of stock feed wheat users in the areas removed any distance from, say, Fremantle where such wheat has to be transported perhaps from Fremantle or some other place in Western Australia to, say, an outlandish place like Wiluna or even Kalgoorlie or Carnarvon or places of that description. The users of stock feed wheat in Western Australia, if this plan comes into operation, will have to pay more for their stock feed wheat than would users in Brisbane, even though the users in Brisbane were getting wheat from Fremantle.

The Attorney General: That would be the same with sugar.

Hon. A. R. G. HAWKE: It would not be the same at all.

The Attorney General: The same principle applies.

Hon. A. R. G. HAWKE: No. I think that if the Attorney General searches closely into that he will find there is a fixed price for sugar.

The Attorney General: At capital ports.

Hon. A. R. G. HAWKE: Yes. The same as with steel.

The Attorney General: And the same as with wheat.

Hon. A. R. G. HAWKE: The point I am making is that if this Bill becomes law and the scheme which the Bill contains is put into operation, the users of stock feed wheat sent from Western Australia to Brisbane will get stock feed wheat cheaper than will the users of Western Australian stock feed wheat at Wiluna.

The Attorney General: And the same applies to sugar. A man at Innisfail in Queensland would pay more for sugar than a man at Fremantle.

Hon. A. R. G. HAWKE: No, he would not.

The Attorney General: Yes, he would, because he pays freight.

Hon. A. R. G. HAWKE: Sugar is grown at Innisfail.

The Attorney General: The refineries are not there.

Hon. A. R. G. HAWKE: There is a refinery fairly close to Innisfail.

The Attorney General: He pays more because he pays freight.

Hon. A. R. G. HAWKE: I am sure he would not pay more. He may pay the same.

The Attorney General: No. There is a capital city price for sugar and for wheat.

Mr. Mann: Nonsense!

The Minister for Health: It is not nonsense.

Hon. A. R. G. HAWKE: The point raised by the Attorney General is not parallel to the one I am discussing.

The Attorney General: Of course it is, absolutely!

Hon. A. R. G. HAWKE: The fact that the Attorney General exclaims, "absolutely!" does not prove anything except that the Minister is capable of saying "absolutely."

The Attorney General: Yes; but I know you are too logical not to appreciate it.

Hon. A. R. G. HAWKE: I am logical enough to appreciate it if the facts are right.

Mr. Hutchinson: If it suits you.

Hon. A. R. G. HAWKE: It might suit me. I am concerned whether it is true. The member for Cottesloe has not the faintest idea whether it is true or not.

The Minister for Lands: Why pick him?

Hon. A. R. G. HAWKE: Only because he half picked me a moment ago.

Mr. Hutchinson: In your stoking up of the fires, do not throw any coals over here!

Hon. A. R. G. HAWKE: I do not think the livest coal would have any effect at all if thrown over there on this issue. I come back to the principle itself and em-

phasise again my firm belief that it is not right, and most certainly is not just to pass a law to compel the sellers of goods to pay freight upon the goods they sell to some other people, and I feel confident that even the Attorney General could not justify that either.

The Attorney General: No.

Hon. A. R. G. HAWKE: Not logically.

The Attorney General: Not logically. But could you justify Broken Hill being permitted to export all their steel, and make 100 per cent. profit on it?

Hon. A. R. G. HAWKE: Yes. One of these days when the Speaker will allow me, I will do it. As a matter of fact, we have before the House now—not for active consideration at the moment—a Bill which would allow that to be done.

The Attorney General: I will be interested to hear you.

Hon. A. R. G. HAWKE: I hope the Attorney General will be more than interested. I hope that as a result of what I have to say on the point, he will become ever so much better informed than at the moment.

The Attorney General: I am sure I will.

Hon. A. R. G. HAWKE: I am sure the Attorney General will be, too.

Mr. Perkins: We will be interested to hear him prove that sugar and steel are parallel with wheat.

Hon. A. R. G. HAWKE: I have spoken longer than I had intended. The point in the legislation with which I am very much concerned on the basis of justice is that which would compel the wheatgrowers of Australia, without their having been consulted or their approval having been obtained or sought, under legal obligation, to pay out of the proceeds of their labour the freight that would have to be incurred in transporting wheat from Western Australia to be sold for stock feed purposes in any other State of the Commonwealth. I oppose that principle very strongly.

The Premier: Does the Leader of the Opposition think, if we took this clause out it would have no effect upon the whole of the legislation? The chances are that the legislation could be upset. There is a differentiation between the States, and an appeal to the High Court could probably upset the whole thing.

Hon. A. R. G. HAWKE: I was going to ask the Premier, or some other member of the Government, to explain to me what the effect would be upon the proposed scheme if the principle to which I have referred, as contained in the Bill, were defeated by the House. It is most essential that every member should know what that effect would be: As I interpret the situation which would then exist, the whole scheme would be in jeopardy, if not completely overthrown.

The Premier: That is so. I think you are right.

Hon. A. R. G. HAWKE: If that be so, it would seem to me that there is no good purpose in my even supporting the second reading of the Bill.

The Premier: Why not?

Hon. A. R. G. HAWKE: Because if I support the second reading I am bound to support in Committee every part of the Bill, if it passes through the second reading.

The Premier: That is so.

Hon. A. R. G. HAWKE: I do not want to be put in that false position. I do not want to be placed in the position of supporting the second reading and by so doing committing myself, as it were, to support every clause, word and letter in the Bill.

The Premier: Except that you would have to consider the general effect; whether it is in the interest of the wheatgrower or to his detriment.

Hon. A. R. G. HAWKE: I have indicated the portion of the Bill to which I am strongly opposed, and I have read to the House the written declaration of the president of the wheat section of the Farmers' Union. When it is necessary for me to obtain the opinion of a group of persons on a particular matter, I go to the organisation which covers those people.

The Attorney General: The Federal or the State organisation?

Hon. A. R. G. HAWKE: The State organisation.

The Attorney General: You do not support the Federal organisation at all.

Hon. J. T. Tonkin: What is the attitude of the Federal organisation on this?

Hon. A. R. G. HAWKE: The Attorney General is becoming more and more delightful as the hours pass, and by midnight he should be really enjoyable.

The Attorney General: As long as you are happy now, it is the main thing.

Hon. A. R. G. HAWKE: I am guided considerably, in regard to the Bill as a whole, by the attitude of the organisation in this State which is most concerned with the legislation.

The Premier: This is remarkable. I spoke to the Premier of South Australia today, and asked him how he got on with this very legislation which was introduced into his Parliament. He said there was no objection to it and that it went through. That State, as you know, produces a tremendous quantity of wheat and the growers there will pay freight on it the same as our growers will.

Hon. A. H. Panton: You know that Tom is a dictator there and does as he likes.

Hon. A. R. G. HAWKE: If I were allowed to be a little facetious I would say that in the Eastern States they can throw wheat from one State to another. I know the total cost of transporting stock feed wheat will be debited against the whole of the wheat farmers of Australia on an equal basis.

The Premier: The same principle applies.

Hon. A. R. G. HAWKE: Yes. As I say, the wheat section of the Farmers' Union, which represents practically all the wheatgrowers of Western Australia, is so desperately concerned about the principle I have been discussing, and to which I am strongly opposed, that it says it will use every influence and power it has to defeat the whole of this legislation, unless the unjust principle of compelling the wheatgrowers by law to pay freight on the transport of stock feed wheat from one State to another is deleted from the Bill. That is why a few minutes ago I asked that the Premier, or some other member of the Government, should indicate clearly before the second reading debate concluded, just what value the Bill will have if we pass it through the second reading and then in Committee delete from it this principle.

The Premier: You know—

Hon. A. R. G. HAWKE: I do not want the Premier to tell me by interjection. I would rather that he, or the Attorney General for preference, would explain that point to us before the closing of the second reading debate.

The Premier: There is another point. In the agreement that has been reached, the Commonwealth granted an extra one and a half million pounds because of the agreement in regard to the whole of the contents of the Bill. I do not think it would have done that had agreement not been reached.

Hon. A. R. G. HAWKE: I am well aware of that, and I can also remember what the Commonwealth Government of Australia, not many weeks ago, did to the consumers of butter within Australia; so it is not much use the Premier talking to me about what the Commonwealth has done.

The Premier: It gave them £16,800,000.

The Minister for Lands: The Commonwealth Government has offended quite a lot. It gave the growers' wheat to New Zealand.

Hon. A. R. G. HAWKE: No, it did not.

The Minister for Lands: It just about gave the wheat to New Zealand.

Hon. A. R. G. HAWKE: The Minister for Lands, as usual, is off the track.

The Minister for Lands: No.

Hon. A. R. G. HAWKE: I will say this to the Minister, that the wheatgrowers of Australia did not lose a penny as a result of that transaction.

The Minister for Lands: Did they not?

Hon. A. R. G. HAWKE: No, they did not, despite the fact that the Minister deliberately in many places and for many months set a rumour going in the opposite direction.

The Minister for Lands: Which Minister?

Hon. A. R. G. HAWKE: The present Minister for Lands.

The Minister for Lands: Do not be funny.

Hon. A. R. G. HAWKE: I know the Minister only too well. As a matter of fact, portion of the boundary of his district adjoins portion of the boundary of mine.

The Minister for Lands: And we are good neighbours.

Hon. A. R. G. HAWKE: Well, we are neighbours.

The Premier: I think perhaps at this stage the Leader of the Opposition had better not commit himself on the Bill until we hear a bit more about it.

Hon. A. R. G. HAWKE: I commit myself this far, that I am opposed completely to the principle in it which would compel wheatgrowers, by law, to pay freight on stock feed wheat sold to people who either want to trade in it in the Eastern States, or people who want to buy it direct for their own use in the Eastern States. There can be no shadow of doubt as to my attitude on that point. What I want to know, before a vote is taken on the second reading, is whether the deletion of that portion of the Bill would, in effect, make the Bill null and void, and whether it would have the effect of making null and void, also, all the Bills already passed or to be passed by the other six Parliaments in Australia.

It is important that we should know these things because, if the deletion of this particular provision will make the Bill valueless, and the proposed scheme inoperative, then we might as well try to defeat the Bill on the second reading. If, however, the deletion of this portion will still leave the Bill valid and enable the legislation passed in the other States to be valid, and will allow the proposed scheme to operate, then I am prepared to vote for the second reading. So there is an obligation on the Minister for Lands, the Premier, some other Ministers or all of them together, to explain that point very concisely, because I am sure that several members who are not clear on it want it to be made clear before a vote is taken on a second reading of the Bill.

MR. ACKLAND (Moore) [10.11]: I had been looking forward for many weeks to the introduction of a measure dealing with the price of stock feed wheat and had made a good deal of preparation to support that legislation but, during the last few days, it has become increasingly evident that the legislation which this Government has introduced tonight is going to be a betrayal of the faith of the farmers of Western Australia. It has been interesting tonight to hear the Minister for Lands, while introducing the Bill, say he knew that the wheatfarmers of this State would accept, in place of a principle that they had fought for over many years, £6,000,000, £8,000,000 or some other sum. As it happened, only two or three days ago the Minister for Agriculture said the same thing. He waved his hands in the air and said, "I have in this hand £8,000,000 which I have secured for the wheatgrowers of Western Australia and in the other hand a principle. The wheatgrowers would rather have the money"—but that was untrue.

I hope all the wheatgrowers in this State know the class of Minister that we have representing us here—we belonging to the party that is here to look after all the primary producers. The Leader of the Opposition read a statement by Mr. Maisey, president of the wheat section of the Farmers' Union of Western Australia, which gave the lie direct to that. I happen to know that that principle is adhered to by members of his executive and I have no doubt it is adhered to by all the members of that organisation. For five years I have given this Government loyal support. I admit that I have criticised it on many occasions but I have given it loyal support on all fundamental questions.

Tonight we are dealing with a fundamental matter, yet the Minister for Agriculture and the Minister for Lands, both of them Country Party Ministers, have so small an opinion of the wheatgrowers of this State as to say that they would sell their principles for a few million pounds. I do hope the wheatgrowers know just where those two Ministers stand in this regard, and I will read portion of Mr. Maisey's statement again. He said—

> As it is now clearly apparent that these efforts cannot succeed, and in view of the statement by the Minister for Agriculture appearing in this morning's issue of "The West Australian" there is now no other course open to me in my capacity as president of the wheat section than to say in unmistakable terms that the industry would prefer to see the Bill rejected in its entirety than to agree to the writing into the present Wheat Marketing Acts of a clause which arbitrarily compels them to pay interstate freights.

Further down Mr. Maisey continues—

> The coupling of this provision with the just demands of the industry for relief from some of the burden of concessional sales savours too much of the story of the thirty pieces of silver.

That is the answer to the Minister's statement and I, as a Country Party member, stand by what Mr. Maisey said. The Minister stated that to the cost of production would be added the freight to Tasmania and Queensland. I have here a statement dealing with the freight fights between the Australian wheatgrower and the Commonwealth and Tasmanian Governments over a number of years. I do not intend to deal with it in detail but I hope that one other member of the Country Party will do so when speaking to the Bill. However, I will make this reference to it.

Since 1934, and since the Australian wheatgrowers have been subsidising the wheatgrowers of Tasmania, this fight has been going on and, whether members believe it or not, at present and for the last few years, the subsidising of the Tasmanian people by the wheatgrowers of Australia has represented a gift to the Tasmanians of a little over £1,000,000 per year and, throughout the whole of that period, the Tasmanian Government or the Tasmanian wheatgrowers—I am not certain which—have refused to be a party either to the flour tax or the guaranteed price. They have been able to use their soft wheats in Tasmania to make biscuits to export on the open markets of the world, while using 2,000,000 bushels of our wheat per year at the fixed price for home consumption for years past. Over and over again Commonwealth Governments have tried to bring pressure to bear on the Australian mainland wheatgrowers to find that freight. I have here a statement which reads as follows:—

> On November 1st, 1950, Mr. Teasdale, in setting out the position for Mr. McEwen, said "Having perused the facts I have no hesitation in expressing the opinion that there is no moral or legal obligation on the board to pay freight to Tasmania. If it did so the board would be definitely committing a breach of the law created by every State Parliament and would be undermining the foundations on which the stabilisation plan stands.

That position remains today and that is the principle we stand for. I do not know whether the Minister deliberately tried to misinform the House, or not. I am inclined to think he did not know the facts, but the production price of wheat for home consumption is arranged on a formula, one of the items of which is that the cost of production is based on the average railway freights in the States of the Commonwealth, and that is taken into consideration—that is the average railway freight to the port nearest to the grower

in the States of the Commonwealth. As it happens, last year alone in Western Australia 56 per cent. of the wheat was carried by road transport, and that represented more than 25,000,000 bushels. The average freight in Western Australia is 9½d. and the freight by road transport is 1s. 5½d.; the difference between those two rates, borne by the wheatgrower, represents a figure of £877,000. That is not added to the cost of production and, if it had been possible over the last 14 or 15 years, to add the freight to Tasmania to the cost of production, it would have been done long ago.

Only last week, in Western Australia, we had an instance where no wheat was left at the port of Fremantle for the use of stock feeders in the metropolitan area. The purchasers were told that they would have to pay freight on their wheat from Bunbury to their own sidings. Because of the present set-up the wheat farmer had already paid his freight to the port of Bunbury, and there his obligation ceased. No-one dreamt of asking the wheatfarmer to pay the freight back! I can visualise, without being a pessimist, that within two years, under the present set-up, Western Australia will be the only wheat exporting State and possibly, I should say probably, we will be exporting wheat to both New South Wales and Queensland. The freight from Fremantle to Brisbane, at the moment, is 6s. a bushel.

In this morning's paper the Minister for Agriculture challenged me over a misstatement of fact or, as he said, a misstatement of calculations regarding freight charges. The miscalculation or otherwise does not matter a scrap, but before I sit down I hope to prove that my figures were perfectly correct and were based on information supplied by the chairman of the Australian Wheat Board to the Minister for Commerce and Agriculture. The figures are contained in a report setting out the Australian wheat position. The statement made by the Minister for Lands is not correct, and the same applies to the statement made last night by the Minister for Agriculture when he met a number of people who support this Government. It was funny to hear the Minister for Lands say that the Labour Party had been groomed.

Mr. Marshall: Drilled, not groomed.

Mr. May: That is worse than being groomed.

Mr. ACKLAND: I think nearly every member of this Government, who is not in the Cabinet, has approached me and every one of them has been worried stiff because of information given last night by the Minister for Agriculture. I am told —and I was not told to keep it secret— that the Minister said he was putting them on the spot; and he told them that the freight on wheat to Tasmania would be added to the cost of production but that the farmer would not lose a penny. I think I have proved to members that that is not the case. The Minister said that if this legislation was not passed tonight the poultry industry would be completely wiped out. Nothing of the sort will happen! Perhaps members will be interested to know that irrespective of the cost of wheat to the poultry industry, it will not have the slightest bearing on one bushel of bran and pollard sold anywhere in Australia. As a matter of fact, this legislation will not have any bearing on any wheat sold for human consumption or for the manufacture of bran and pollard.

In Australia we will be gristing 37½ million bushels of wheat for the manufacture of flour for home consumption, and will be gristing 12½ million bushels of wheat for export flour this year. As last week the extraction from wheat for flour within the State was 71.5 per cent. a total of 28.5 per cent. must have been gristed for bran and pollard; that represents nearly 43 million bushels of bran and pollard. No matter what legislation is passed, there will not be any more bran and pollard made available to the poultry producers of Australia. The Minister also said that the dairying industry would receive a crippling blow. I do not know whether the people engaged in that industry use wheat or not, but, if they use bran and pollard, the same applies to that industry as applies to the poultry industry.

Last year I happened to be a member of a Select Committee which inquired into the supply of bran and pollard in Western Australia. Evidence was placed before us to the effect that it was bad farming practice for a dairy farmer in the South-West to use bran and pollard. It was said that the dairy farmers had a better feed, with a higher feeding value and higher milk production value, in good well-cured clover hay. Instead of wanting to be subsidised by the wheat industry, the people engaged in the dairying industry would be well advised to try to make some provision to use the feed available on their farms instead of buying bran and pollard. I notice that one or two members who represent dairying electorates are looking at me. However, I would advise them that that evidence was given by departmental officers from the Department of Agriculture, and is available for anybody who cares to peruse it

I think that throughout Australia all those people who have a knowledge of the wheat industry, whether they are participating in it or not, or whether they are interested in it, are worried, with every justification, at the continual falling off of wheat production in this country. That is brought about by a knowledge among wheat farmers that their industry is being geared to other industries in Australia rather than with the idea of assisting them. During the last five years, the decline of acreage under

wheat has been alarming. Although the Commonwealth entered into the International Wheat Agreement, under which it agreed to find 88,700,000 bushels of wheat, there were many people who considered that Australia had been treated unjustly because it did not get a sufficient quota of the wheat sold and made available in Australia under the agreement.

There were some of us, I admit, who took a contrary view because at that time we knew that there would be 60,000,000 to 70,000,000 bushels of wheat available for the free market of the world where we could get a greatly increased price above the limit set under the International Wheat Agreement. What do we find today? The Commonwealth Government is approaching the committee in charge of the International Wheat Agreement advising that it cannot fill its quota: that it will be able to supply only 65,000,000 bushels out of the 88,700,000 agreed upon, and there is no wheat available on the free market of the world.

I wish I could read the letters I have in my possession and which I must treat as confidential, but I have a friend in this State who received a letter from another source, and he sent me a letter he had received. I will willingly hand this letter to "Hansard" for the record, but I do not think I am justified in disclosing any names. The man who sent me the letter takes a great interest in this subject. The letter reads—

> I learn rather vaguely and quite informally—the States intend to add a qualification, namely, that the price rise of 2s. is conditional upon the board paying all interstate freight and costs. Just to see that my information is or is not correct, you might make it an urgent task to find out from Garnet Wood just what is afoot.

Later on he said—

> In conversation he said the amendment to the price clause would be made operative only as long as A.W.B. paid the freights. And so you had better check up with Mr. Wood.

The writer then goes on to mention the position existing in Queensland—

> . . . if the sorghum crop does not get planted by reason of drought then the volume might be bigger. Sorghum is not yet in the ground.

Later on, he says—

> The issue is of course between the industrial organisations and the respective governments. At the conference only one Minister made demure about the farmers having to pay the freight and that was Tom Playford.
>
> I guess it's about time you farmers got down to fundamental principles of marketing, putting political expediencies into another list altogether.

I say that also to the farmers of this country. Although it will take some time, I intend to quote later extracts from a letter which was sent, on behalf of the Australian Wheat Board which gave it its unanimous approval, by Sir John Teasdale to Senator George McLeay, the Acting Minister for Commerce and Agriculture. I must read some of that letter, particularly because it has a bearing on a statement by the Minister for Agriculture in this State which appeared in this morning's issue of "The West Australian." It is not worth while trying to justify or vindicate myself in that regard because it is not the £1,850,000 or the £1,800,000, as quoted by the Minister, that matters; it is the principle at stake.

I can visualise that, in the very near future, if this legislation is passed by this House, the farming community—in this instance the wheatgrower tomorrow, some other section of it the week after, and another section the following week—will be called upon to forgo and make payments to cover the increased freights so that the consumers may benefit. That reminds me of something that was said by the Minister a short time ago. He said he felt that if the farmers were given an opportunity to vote on a referendum, to decide whether they would accept this arrangement and this amount of money, they would vote "Yes". I say to the House, and the Premier in particular, that he is violating one of the principles of the Wheat Industry Stabilisation Act. That Act was passed after a referendum was held among all wheatgrowers in Australia. They agreed to certain principles and among them there was the formula to arrive at the cost of production.

I consider that members will be acting illegally if they vote to have the agreement altered in the manner prescribed in the Bill. The Commonwealth Parliament has brought pressure to bear to have it altered and now Western Australia is asked to approve of that action. I said the other night, the Minister for Agriculture was led by the nose. Rather should I say that he trotted along quite willingly at the heels of Ministers representing three Labour Governments and another Government—not a Labour Government—which is the most despicable of them all because it is a Labour-dominated Government kept alive at the will of another party.

Mr. May: Have you the explanation why the other States have agreed to it?

Mr. ACKLAND: Of course I have. It is as apparent as can be. Every one of those States, with the possible exception of South Australia, will be an importing State. It no longer pays them to grow wheat under

these conditions. Queensland today is importing wheat, although it has had a dry year, and will continue to be an importing State. Today the largest wheatgrowing State in Australia, New South Wales, is exporting less than 15 per cent. of her wheat. Her mills are closed a great deal of the time because there is not sufficient wheat. Victoria is also reducing her production and, as members know, for many years we have had to supply Tasmania with wheat. Of course they would vote for it!

The Minister did a great disservice to all the wheatgrowers of Western Australia when he went beyond the powers granted to him by the Premier. It must have been so. I led a deputation to the Premier on the 9th November and he advised that he would introduce certain legislation. It was not the same as that introduced tonight, and it will be found that the members of that deputation agreed not to publish the result of the discussion in order that the Minister for Agriculture could have every opportunity of negotiating with the Commonwealth Government in an endeavour to get more money from it. We were promised that legislation would be introduced based on what was presented by the deputation when it interviewed the Premier. There has been a great somersault. That is not quite the right word, but it will do. I will now read portions of the letter to which I referred earlier. They are as follows:—

> As a starting point, may I remind you that the Commonwealth Wheat Industry Stabilisation Act created the Wheat Board, and empowered it to function in respect to the export trade, also to receive and handle any wheat produced in a Territory of the Commonwealth. The States for their part authorised the board to operate in the domain of each State in respect to receiving, handling, transportation and selling such portion of the receivals as the board, in its wisdom, might desire to sell within the boundary of each respective State.
>
> There appears to be considerable confusion in the public mind as to the real status of the board under the law. Fortunately, in that respect, I am able to quote Professor Bailey who, in the course of an opinion in respect to our powers to build terminal storage facilities at Ardrossan, said, "The board being an artificial person created by statute," etc.
>
> I interpret that phrase to mean that the Board is not an instrument of the Crown operating on behalf of any or all of the States or on behalf of the Commonwealth, but is a Trust which has been given life by the Federal Parliament until 30th September, 1953, but whose principal function is to run annual pools each of which is a separate trust in itself, statistically and financially.

The point which I wish to make at this stage, is that each Annual Pool or trust only commences when the farmer delivers his wheat to the board for marketing under the general terms set out in the Acts. To facilitate co-ordinated marketing, the States' laws provide that when wheat is handed to the board for marketing, it becomes the property of the "said artificial person". Be it noted that change of ownership does not turn the private property of the grower into public or even semi public property, to be disposed of according to the wishes of either States or Federal Ministers. What has transpired is merely the number of owners has been reduced from about 70,000 to one so that co-ordinated marketing can be achieved.

The Commonwealth also qualified the board's freedom of choice in selling, by enacting an International Wheat Agreement pledging 88.7 million bushels to the service of that agreement.

In other words, each Parliament separately used its authority in the sphere in which it had legislative jurisdiction. The fact that each State authorised the Minister for Commerce to administer all the Acts does not appear to my lay mind to alter the above mentioned situation or amount to a reference of power in general.

It seems to me the Commonwealth Parliament, when it passed its Act had in mind the necessity and put it beyond question that the Stabilisation Act did not diminish the authorities of the States to make laws touching the subject concerned.

The Commonwealth, helped in the general plan by guaranteeing that the realisations from the sale of 100,000,000 bushels of exported wheat would not be less than a figure calculated, and declared to be the cost of producing a bushel of wheat.

Before the Acts were passed, however, the growers, except in Queensland, were given the opportunity to accept or reject the plan by ballot. By a majority, they approved the establishment of the plan but some of the producers' organisations notified the Minister they would seek amendments at a later stage.

Almost with one accord, the organised wheatgrowers are now asking for an alteration to the general conditions of the plan to provide that the return from sales of wheat within Australia other than for human consumption, shall be at export parity which is, of course, much higher than the cost index figure.

I would also like to read the following extract:—

> By far the most serious feature to be examined, is the steady decrease in wheat acreages.

I might mention here that I will refer only to the first and last year of this five-year period. In New South Wales in the year 1947-48 they grew a crop on 5,043,000 acres; and for 1951-52 they have sown 3,000,000 acres. In that State there is a decline in the acreage of 40.5 per cent. When we add to that the fact that the home consumption of wheat has gone up by 20 per cent. we can realise how quickly the two figures are joining, and how quickly under those conditions New South Wales will become an importing State. This is not because they are growing more wool but because wheatgrowing is not as lucrative as other primary production.

This year the home consumption price of wheat is 16s. 1d. a bushel and I believe that, if this legislation fails to pass this House, the price of all wheat in Australia will be 10s. a bushel. That is the only statement I have made tonight that I have not been able to back up with authentic statements collected from official sources. I have made inquiries in all the places that I believe would have an authority, or could speak with conviction, and the president of the wheat section of the Farmers' Union agrees with me in that statement: that if this legislation fails to pass this Parliament all the wheat in Western Australia, instead of being sold as stock feed for 12s., and instead of farmers in this country getting 16s. 1d., they will get 10s. a bushel, because there is no authority which will enable them to charge a greater price.

Mr. Brady: Was there a fixed price before?

Mr. ACKLAND: It was all sold at home consumption price. I will not say dogmatically that it is absolutely factual but all the information I have been able to gather corroborates what I have said in this instance—and it is not often that I am able to get people to agree with me! The position will be that the farmers will lose 6s. 1d. per bushel if this legislation is not passed and, as a farmer, I ask this House not to pass it because the principle involved is tremendous, and I believe in the long run that this business will be put right, if Australia is not mad, because we need the wheat industry. We are rehabilitating our railways—rehabilitating them as fast as we can.

I believe the farmers will sow half a million acres of wheat less than they did last year, and on my own farm we will sow less than half the wheat we planted last year. It is no longer profitable to grow wheat. Oats today are worth 12s. 4½d. f.o.b. Fremantle and taking the wheat equivalent that would be 19s. a bushel. A bushel of oats weighs 40 lb. and a bushel of wheat weighs 60 lb., and there is not the feeding value in the same weight of oats that there is in a bushel of wheat. We are growing less and less 4-row barley because it is not so profitable, but we are growing more 6-row barley. Barley has been sold at 17s. 2d. per bushel and if we bring that to the wheat equivalent we find it is £1. Oats and barley are grown much more cheaply and with much less trouble than wheat.

Mr. May: And with much less super.

Mr. ACKLAND: Yes, and not so much super is used. One does not have to put in so much work with barley and oats, either. The Government wants to realise that whereas a crop of wheat has to be harvested it is not necessary to harvest barley and oats. If it is profitable to feed it off, the stock can be turned into it. I do not blame the Premier, but the two Ministers—the Minister for Agriculture and the Minister for Lands—whom the wheat farmers were unfortunate enough to have representing them at the conference, have done a disservice, not only to the wheatgrowers but also to the people of this State. Instead of our having 40,000,000 bushels for export in this State or the 46,000,000 bushels we had last year, we shall not be using our railways to transport wheat at all. Crops can be grown which can be put to better use and there will be no need to harvest them. I will now continue with the reading of the letter.

> In 1947/48 Victoria cropped 3,227,000 acres and last year 2,500,000 acres. South Australia in 1947/48 cropped 2,375,000 acres and last year only 1,500,000 acres, a drop of 36 per cent.

Taking the whole of Australia, Western Australia last year was the only exporting State to show an increase and this year I can assure members that there will be a very substantial decrease. Taking the whole of the States, there was a decrease last year of 23.6 per cent. in the acreage sown to wheat. When we realise that during the last few years the quantity of wheat used for feeding stock in Australia has advanced from 15,000,000 bushels a year to 28,000,000 bushels a year, members will appreciate the injustice of the position. It is a matter for the greatest concern that the two Ministers should go to the Eastern States representing this Government and having in mind the interests of other industries to the exclusion of those of the wheat industry. This is something to be deplored by all concerned in this State. The letter goes on to say—

> It is the opinion of board members that the following factors have contributed to the steady decline in acreages—
>
> Shortages of labour, machinery and materials.

Tendency towards greater diversification of farm production and longer rotations.

Switch over to a farm economy largely based on sheep husbandry rather than upon wheat.

Greater incentive to increase acreage of oats, barley, grain sorghum, maize, etc., most of which are sold internally and externally at export parity and most of which crops are more suitable to support sheep husbandry than wheat.

Delay in payment of wheat dividends caused by the low realisation for sales of home consumption wheat, aggravated by slowness of movement of wheat from the country to a realisable position at the ports.

The operation of the International Wheat Agreement which has reduced export realisations.

Lastly, I come to what I believe is the greatest factor bearing on this matter—

A growing sense of injustice in the minds of farmers based upon a belief that the plan has operated to harness the wheatgrowers to the service of other industries rather than to stabilise their own economy.

Therein, I consider, lies the kernel of the whole of the problem. The letter continues—

Apart from the question of home consumption prices, there is the matter of the volume which can be made available to be considered. The total marketable wheat available from the 1951-52 harvest cannot yet be stated in exact terms at this date, but it will be of the order of 145,000,000 bushels.

Requirements based on present year figures—

Local consumption ..	68 m.	bushels
International Wheat Agreement	88.7	bushels
Required for "free" wheat buyers	10.	bushels
Required to rebuild carry-over	8.	bushels
	174.7 m.	bushels

Shortage approximately 30 million bushels.

As to the quantity required for "free" wheat buyers, we have some customers whom we cannot ignore. As to the quantity required to rebuild carry-over, the 8,000,000 bushels is considered to be too low for safety.

By reason of the dry season, Queensland production may be only four millions. That State uses 10 to 11 millions for all purposes and, that being so, the board will be faced with the necessity to ship six to seven million bushels from South Australia. Consumption of poultry feed in Queensland appears to be increasing, particularly by householders keeping fowls in their backyards. When the grain sorghum crop comes off in January-February, the pressure on wheat will be relieved to some extent.

As far as New South Wales is concerned, it appears at this juncture the board will receive not more than about 37 million bushels, of which two millions will be on the Victorian railway spurs. To keep the mills going only two shifts a day in that State will require about 23 millions. Poultry industry in New South Wales is greater than in any other State. It may easily call for 11 million bushels. The breakfast foods and other sundries take about two million bushels. The net effect on New South Wales would therefore be the elimination of approximately half the export flour trade. There will be no exportable unmilled wheat.

I should like members to note that because of the statement by the Minister for Agriculture published in this morning's newspaper. The position is tragic. I direct the attention of the House particularly to the letter I read about the drought and the shortage in Queenstand, and also Sir John Teasdale's statement that six million or seven million bushels of wheat will be required to be shipped from South Australia to Queensland. Taking these facts into consideration, I claim that I was thoroughly justified and that I acted on the most competent advice in making my statement that 7,000,000 bushels of wheat would be exported from South Australia to Queensland.

I made inquiries in shipping circles to ascertain what the freight charges would be. Apparently my figures were slightly in excess. The statement given to me was that the freight would be approximately 4s. 6d. a bushel, and since then an announcement has been made in the newspaper that freights have been increased. But it does not matter one iota whether the figure I quoted or the figure the Minister quoted was correct. The only thing that matters is the principle underlying the whole business. It is possible that the Minister had later figures tonight, but the position was as it appeared in the letter of the 24th September of this year. The final paragraph reads—

Unless some reduction in Australia's quota is secured immediately, we will definitely lose some part of our

traditional customers. It is suggested that a request should be sent to the International Wheat Council to reduce our commitments to 65 to 70 millions from 88.7.

In conclusion I would like to say on behalf of my board that it fully appreciates that amendments to the Wheat Industry Stabilisation Plan and its relative Acts to meet the situation set out in this survey are properly for negotiation between producers and Governments, but the members of the board are desirous of helping the negotiations to an early conclusion in any way we can.

It is properly a matter for negotiation between the producers and the Government, and how far has the Government of this State consulted the producers in the matter? They consulted the Premier but though a promise was given to has not been borne out by the legislation introduced.

Hon. J. B. Sleeman: Do not put your faith in the Liberals!

Mr. ACKLAND: I wish I could blame the Liberals for this, but I cannot. This is entirely the responsibility of the Country Party Ministers, and I have enough faith in the Premier to believe that he must have agreed with the greatest reluctance to the alteration of the plan which the Minister for Agriculture brought back from the Eastern States. But I do say that the Premier has misjudged his responsibilities. It would appear to me that, to save the face of the Minister for Agriculture, he has let down the wheatgrowers of this State. I may be wrong, but that is how it appears to me.

One of my friends on the Opposition side has written me a little note as follows:—

> What is your opinion in connection with the Minister's statement that the freightage charges will be taken into consideration when next year's investigation into cost of production takes place?

Frankly I do not know. But, since 1934, the Commonwealth Government and now the Queensland and Tasmanian Governments have been trying to force upon the wheatgrowers of Australia the obligation to find these charges; and, if they could have added them to the cost of production, I am of the opinion it would have been done before this. I know that the cost of production does not even take into consideration the £877,000 which the wheatgrowers of Australia have to pay for wheat carted by road, because there is a difference between road transport and the average siding transport of wheat to the port of destination. I am informed by shipping circles that it would cost 6s. per bushel to send wheat from Fremantle, Geraldton or Albany to Queensland if it became necessary for Western Australia to supply those markets.

The majority of the notes I prepared in the hope that I would be speaking in support of the legislation which has been introduced are no longer applicable, but there are some facts which I think it would be wise for members to realise before they vote on this measure. If my contention is correct that both stock feed wheat and wheat for human consumption is to be sold at 10s. per bushel, those members who fear for their industries need do so no longer. But I suggest that they look at the matter from the wider viewpoint, even taking it for granted that my statement was wrong.

The wheat industry employs by far the greatest number of people, directly or indirectly, in Australia. Last year its export value was over £100,000,000. I would like to read a statement which appeared in the "News Review" of the 5th November, 1951, and I think all members will agree that the "News Review" is not a wheatgrowers' paper. Under the headings "Wheat Cheques Due to Shrink. Expert's Prediction," it states—

> Australia's cheque for export wheat in the year ending 30th June next could well fall by about £47,000,000, the general secretary of the Farmers and Settlers' Association (Mr. T. J. McDougall) said in Sydney recently . . . .
>
> Australian wheat exports last year were worth £74,000,000.
>
> Mr. McDougall said that Australia would not only lose income, because there would be less wheat to sell, but most of what wheat she would sell would be sold at the lower average price under the International Wheat Agreement.
>
> All wheat sold oversea above the 88,700,000 bushels I.W.A. commitment had sold in the past at from 17s. 6d. to 21s. a bushel.

It may be of interest to members to know that the price is 20s. 6d. at present. Mr. McDougall's statement continues—

> Based on current prices, the drop in wheat exports will cut the average "at port" price of wheat from about 12s. 2d. to 10s. 5d. a bushel. To compensate for the fall in farmers' incomes, the Government will have to revise the home consumption price of wheat which at present is only 7s. 10d. a bushel.

We know that it will be 10s. on Saturday. The extract continues—

> Concessional domestic sales have cost the wheatgrower £80,000,000 during the past three years.

(Australia's exports exceeded commodity imports by £239,000,000 last financial year.)

Commodity exports were £981,000,000 in 1950-51.

Wool accounted for £635,000,000 of this figure, wheat exports were £74,000,000 and flour £34,000,000.

If imports were maintained this year at the 1950-51 level, a fall of £250,000,000 in wool exports, together with a drop of £47,000,000 in the value of wheat shipments, could produce a trade deficit of £59,000,000 on commodities alone.

I think it is of the greatest importance for members of this House—quite apart from party affiliations, and quite apart from the remote fear that the feeders of stock may have to pay more for wheat—to see that this industry which finds so much of the nation's wealth and employs by far the most labour in the Commonwealth of Australia is not allowed to languish. It is a matter to which I think all members must give careful consideration. I am more sorry than I can express that I, as a Country Party member of this House, elected to give support to this coalition Government should have to stand up at this time and criticise the Government as I have. It would have been very easy to sit back and take the extra 6s. 1d. I know it would represent to me, personally, a great deal of money, and to the industry several millions of pounds, but I agree entirely with Mr. Maisey, the president of the wheat section of the Farmers' Union when he says that we will not chase that extra money as it savours too much of the thirty pieces of silver.

What my subsequent actions will be, I do not know. I am here to support the Government, if possible, but my first duty lies with the people of my electorate who sent me here. It is a consideration of what I believe to be their interests that will decide any future action I shall take in the House. I would like to join the Leader of the Opposition in voting out the Bill on the second reading. I shall make inquiries to find out, if we do not do that, but do our level best to get rid of these obnoxious and unjust clauses which are contravening the stabilisation Act, and which, in my opinion, take away one of the freedoms of the State and hand it to a Commonwealth-appointed body, what the position will be. But whatever I do will not be done lightly. I think I am going to support the second reading, but I shall make some inquiries as to what effects the two different actions will have.

Mr. W. Hegney: Do you say you will support the second reading?

Mr. ACKLAND: I had intended to support the second reading, but after hearing what the Leader of the Opposition had to say, I will have to get further information regarding the effect of these two actions. I am here to destroy these obnoxious clauses.

MR. CORNELL (Mt. Marshall) [11.14]: Much of what I have to say will in all probability have been said by the member for Moore, but having made some preparations I do not propose to depart from them. Obviously I am not as conversant with the position as is the hon. member, but I would like to give the House my opinion on the proposed legislation. First of all, to use a radio term, let us have a flash back on the negotiations which have led up to the Bill. In October the Commonwealth Government proposed that all wheat, with the exception of that used for home consumption, should be sold at the International Wheat Agreement price of 16s. 1d., and that the Commonwealth Government would subsidise egg production to the extent of £4,000,000. On the strength of that, it was decided to call a conference of State Ministers for Agriculture to discuss the proposal. As the Minister for Agriculture in this State was inspecting a plot of pasture somewhere, and as the Minister for Lands was attending a soldier land settlement conference in Canberra it was decided to ask him to represent Western Australia at those deliberations. The Minister for Lands, not being a full bottle on wheat—

The Minister for Lands: Like yourself.

Mr. CORNELL: I admit it, but the Minister does not.

The Minister for Lands: That is all right.

Mr. CORNELL: The Minister decided to look around and take with him in an advisory capacity someone who knew something about the wheat industry. But he looked in vain; there was no one. If there was anyone the Minister for Agriculture did not produce him—and being a bit of a lone star ranger, that is not hard to understand. The Minister for Lands, therefore, went to the conference on his own. The conference was abortive—at least that is what the paper said. The States would not agree to the increase in the price of stock feed wheat, unless the Commonwealth Government would agree to bear the full cost which, if the Commonwealth Government had so agreed, would have rendered any further deliberations quite unnecessary. The Minister for Lands returned from the conference, and in the course of a Press statement in "The West Australian" of the 3rd November, 1951, we find the following:—

> Mr. Thorn represented the West Australian Government at the conference in Melbourne of Ministers of Agriculture which rejected the Commonwealth Government's proposals on wheat stabilisation and stockfeed prices.

> The Ministers, Mr. Thorn continued, confirmed their previous decision that freight on wheat sent to Tasmanian ports should be met in the same way as wheat-freight costs to other States. The Ministers considered that freight on wheat sent to Queensland because of a crop failure should be met by the Commonwealth Government and not from the wheatgrowers' own funds.

Mr. Kelly: That is not what he said tonight.

Mr. CORNELL: It is what the Minister is reported to have said on the 3rd inst.

The Minister for Lands: Quite correct!

Mr. CORNELL: After making that statement, the iron curtain descended and for several days silence reigned supreme. Nothing was said! The member for Moore became rather restless. I have heard it said that he roamed about like a decapitated fowl, but he could not chisel any information out of the Premier, the Minister for Agriculture, or the Minister for Lands; but under pressure the Premier admitted that the Government was more or less bluffing anyhow—

The Premier: I did nothing of the sort.

Mr. CORNELL: —and that if the Commonwealth Government would not cough up, and he did not think it would, there was no doubt whatever that this State would pass the necessary legislation, and in that regard would line up with South Australia. "The West Australian" of the 9th inst. described that as a change of attitude. This is what it said—

> Despite the previous alliance with other States opposed to the Commonwealth wheat scheme for raising the price of all stockfeed wheat from 7s. 10d. to 16s. 1d. unless the pig and dairying industries are subsidised as well as the poultry industry, it is understood that the West Australian Government has changed its attitude.
>
> At a joint Liberal Country League and Country Party meeting on Wednesday afternoon, when wheat was talked at length—

He is not telling me a thing!—

> —members were informed that the Government was prepared to bring down complementary legislation with any Federal legislation introduced to implement the Commonwealth scheme.
>
> The momentary attitude of the State Government may be conveyed to a big deputation from the executive of the Farmers' Union which will wait on the Premier this morning. One or two young Liberal Country League members may be present as observers.

On the 9th November, the wheat section of the Farmers' Union, led by the member for Moore, waited on the Premier and apparently—at first blush, anyhow—received a fairly satisfactory reply, because "The West Australian" reported that the Farmers' Union delegates were smiling after the deputation. I think it can safely be said that that deputation—the member for Avon Valley may have something to say on that score when speaking to the debate—was informed by the Premier that he would definitely agree to the increase in the price of stock feed and, whilst he did not swear the deputation to secrecy, he asked them to keep it confidential. It was at that stage of the game, I think, that the representatives of the Farmers' Union and the rank and file members of the Country Party made a blunder. At that juncture, they should have chased the Government out into the open and hunted it there, and at least I think we might then have got something definite instead of procrastination and indecision. We would have received a more definite answer, rather than the noncommittal replies which were being bandied about at that stage.

The next act in the game was when the Minister for Lands retired, but the Minister for Agriculture, duly padded up, was second in to bat, and hied himself over to Canberra, still without an adviser, to a further conference. Again, for a couple of days complete silence reigned, and I vividly remember that nothing at all was heard from the Minister for Agriculture. The Premier was anxiously inquiring as to the whereabouts of the Minister in Canberra and, I believe, was often heard humming, "Where Is My Wandering Boy Tonight?" On the 20th November, "The West Australian" reported that the Victorian Government had a plan which would end the deadlock, and said—

> The Federal Cabinet will consider tomorrow a Victorian proposal to break the deadlock between the Commonwealth and the States on the price of wheat used for stockfeed. After a meeting of Commonwealth and State Ministers of Agriculture had failed to reach agreement tonight, the Minister for Agriculture in Victoria, Mr. Moss, submitted a compromise proposal.
>
> He suggested that stockfeed wheat should be sold to the pig, poultry and dairying industries at 12s. per bushel and that the Commonwealth should pay a subsidy to bring the return to the wheatgrowers to 16s. per bushel.
>
> The Commonwealth Minister, Mr. McEwan, said tonight that he expected Cabinet to reach a decision this morning.

There is no mention in that article of the question of any freight concession to the two importing States. On the 21st November, "The West Australian" reported that the deadlock had been broken, and said—

> The deadlock between the Commonwealth and five States on the wheat for stockfeed price subsidy scheme had been broken. The Federal Cabinet tonight agreed to compromise so that

> growers would get 16s. 1d. for all wheat sold for stockfeed, but poultry farmers, pig-raisers and dairymen would not pay more than 12s. per bushel and that the Commonwealth would carry the difference of 4s. 1d. by subsidy.

That article went on to give indications of the prospective increases in the price of various commodities such as eggs and pig-meat, but again no reference was made to the question of freight concessions. Then the Minister for Agriculture arrived home full of beans. He had, as the member for Avon Valley said, more tickets on himself than there are on the Attorney General's travelling bag. He said he had saved the wheatgrowers of Australia £8,000,000, though how he had arrived at that devastating conclusion no-one seemed to have found out; but, seeing that the amount which the growers would have got under the original proposal was £8,000,000, a student of mathematics would not have had to rack his brains before observing that the difference was precisely nil.

In order to receive this mythical increase, the growers had to give away about £1,500,000 in freight concessions to Tasmania and Queensland. One member of Cabinet said to me that the Government of this State should be pleased to do something for Tasmania. On a "Love thy neighbour" basis, that is probably quite all right, and is a most desirable gesture; but let us look at the Tasmanian attitude towards the mainland wheatgrower in the past. I have obtained some comments from a gentleman with the necessary knowledge, and his summing up of the assistance which the wheat industry received from Tasmania in the past is worth quoting. I will do so, even at the risk of wearying the House, because this sets out the position fully and dispassionately—

> During the depression years it became evident that because of an unprecedented fall in wheat prices some assistance was essential to retain the industry for the sake of both the individuals engaged therein and the sake of the nation, because of Australian reliance on primary production, of which wheat was the major section. In the early days of the depression, the assistance came direct from Treasury grants, but in 1933 Parliament decided to put the matter on a more stable basis. Parliament decided that this assistance should be given by way of a flour tax designed to charge for all wheat used in the production of flour a sum equivalent to 5s. 2d. per bushel, and the Flour Tax Assessment Act, No. 43 of 1933, and the Flour Tax Acts, Nos. 1, 2 and 3 of 1933, were brought down in that year by Mr. Casey, Assistant Treasurer in the Lyons Government.
>
> These Acts provided for a contribution on a flat rate basis of £4 5s. per ton. To enable these Acts to become operative, it was essential that all States should agree to the proposals, and this was obtained with the exception of Tasmania, but this State's attitude threatened the success of the proposed legislation and in order to obtain unanimity the Wheatgrowers' Relief Act, No. 59 of 1934, provided for a special grant to Tasmania under Section 9, which read—
>
> > There shall be granted to the State of Tasmania by way of financial assistance the sum of £4,100 in each month during which the flour tax is imposed on flour by the Flour Tax Acts, Nos. 1, 2 and 3 of 1934.
>
> On the 9th December, 1935, a special Act, called the Tasmanian Grant Flour Tax Act, No. 73 of 1935, was introduced to appropriate a sufficient sum to carry out the rebate on Tasmania, and this provided that there should be a sum paid by way of financial assistance to Tasmania of £4,300 for each month for a period commencing on the 7th January, 1936, during which time a tax is imposed by the Flour Tax Acts Nos. 1 and 3 of 1934-35. Perusal of the legislation mentioned above shows conclusively that grants and rebates to Tasmania completely equalled the collections from flour tax made by this State. In other words, Tasmanian growers did not render any financial aid to mainland growers.
>
> Although there is no actual evidence, it would appear that the millers paid the freight and were recouped by the Tasmanian Government out of the rebates made.
>
> At the end of 1935 the Taxing Acts were repealed, but after two years of fairly satisfactory prices a considerable reduction in oversea markets again made it necessary to further assist the industry and a resolution adopted at a Premiers' Conference on August 26th, 1938, drew up some recommendations, which were communicated to Mr. Lyons, Prime Minister. These recommendations again included provision for a special rebate to Tasmania on much the same lines as that operating previously.
>
> As there was then no pool, Tasmanian millers still had to buy their supplies from wheat merchants in Victoria and South Australia at export level and pay the freight. No provision was made for the transportation costs and all that existed was a rebate of the tax collections.
>
> Tasmania has no moral claim to ask mainland growers to pay their freight since Tasmania did not at any time have freights paid for her except during the dispute between the Minister and the board for several months during 1939, and as the entire Tasmanian

flour tax collections have been repaid to that State, they have no claim whatsoever on mainland growers.

As a matter of fact, by allowing Tasmanian growers to sell all their wheat for home consumption at the home consumption price, and participate in the average pool realisations, mainland growers made a contribution of between £80,000 and £90,000 per annum. In addition to this, mainland growers were forced to contribute between 2 and 2½ million bushels per annum to satisfy Tasmanian home requirements at the home consumption price, and had Tasmania not been a partner to the agreement, this wheat could have been sold oversea at, at least, the International Wheat Agreement maximum of 16s. 1d.

These two contributions by mainland growers amounted to £1,000,000 per annum, and Tasmania's claim for the payment of freight involving a further £250,000 per year is entirely unjustified.

Mr. Teasdale on the 1st November, 1950, in setting out the position for Mr. McEwen said this—"Having perused the facts, I have no hesitation in expressing the opinion that there is no moral or legal obligation upon the board to pay freights to Tasmania. If it did so, the board would definitely be committing a breach of the law created by every State Parliament, and would be undermining the foundations on which the stabilisation plan stand."

The argument has been used (by "West Australian" Leader 27/11/51) among others that the sugar agreement is an example of making home prices available at capital cities. There is no exact parallel because the sugar agreement provides for a substantial profit. As a matter of fact, the Colonial Sugar Company is one of the biggest profit makers in Australia. A closer example can be found in Tasmania itself. The island exports to the mainland each year a tonnage of potatoes greater than the tonnage of wheat imported. These potatoes are mostly sent to Melbourne and Sydney markets and the buyers pay freight from Tasmanian ports either directly or through the wholesale prices.

The Minister for Lands, in the course of his opening remarks, said that the plan had received the approval of the wheat section of the Farmers' Union and that a statement to that effect had appeared in the Press. That is quite correct, as far as it goes. On the 22nd November, under the heading of "Reaction of Farmers to the New Plan" the newspaper report read—

> Full details of the Commonwealth-State compromise on a price subsidy for stockfeed wheat would have to be examined in detail before being officially accepted, the secretary of the wheat section of the Farmers' Union (Mr. F. Rooke) said yesterday.
>
> Before wheatgrowers' organisations accepted the plan they wanted to know the proposals for distributing the maximum quantity of 26,000,000 bushels between States and details of interstate freights, said Mr. Rooke.
>
> Wheatgrowers would strongly resist the Tasmanian or interstate freights being made a charge on the Australian Wheat Board or the industry.
>
> Wheatgrowers now would receive a more realistic return for their produce used for stockfeed, said the president of the wheat section (Mr. D. W. Maisey).

The inference to be drawn from the Minister's remarks was that the wheat section of the Farmers' Union had accepted the plan without qualification. It is obvious that that is not so, because the secretary said they would strongly resist the imposition on the wheatgrowers of the cost of freight to Queensland and Tasmania. The Minister for Agriculture has argued, as he will no doubt continue to do, that the wheatgrowers would have got nothing unless he accepted the latest plan, apparently basing his argument on the fact that had the States rejected the Commonwealth proposals, the growers would have got nothing at all.

In the recent butter wrangle, if my memory serves me aright, the States were not unanimous; but the producers got what was originally proposed by the Commonwealth Government. No Government, Commonwealth or State and irrespective of political colour, could afford to see the wheat industry wither and die away. As the member for Moore pointed out, production in New South Wales alone has dropped 40 per cent. in five years and the overall decrease in acreage has been in the vicinity of from 23 to 25 per cent. This is what would assuredly have happened had the States rejected the proposals out of hand.

The acceptance of this legislation is a backdoor method of getting round the Commonwealth Constitution. The fact that it is being done by a non-Labour Government is a precedent and an indication to future Governments to adopt like principles. Apparently this is becoming a habit of Governments because the Commonwealth Treasurer, Sir Arthur Fadden, has introduced the principle of retrospectivity into taxation legislation, a principle that was resisted by non-Labour Governments for many years. Now he has adopted the principle by giving retrospective application to taxation Acts. That is an invitation and a precedent for future Governments to follow, as they assuredly will.

How the Minister for Agriculture fell for this proposal is a matter beyond my comprehension. It is quite obvious that Queensland and Tasmania, being at the

receiving end of this transaction, would agree to it. Then New South Wales, which is a Labour State, will evidently in the near future, if not sooner, become an importer of wheat. Victoria, with a Government of very doubtful parentage, one that is not eligible for inclusion in the stud book, has agreed to the proposal and has sacrificed its wheatgrowers on the altar of political expediency. South Australia was not represented when the final proposal was adopted, but the Government of this State has sought solace in the fact that South Australia has since passed the necessary legislation.

What happened in South Australia was, until the Premier lifted the jute curtain this evening, a little obscure. Very little information, inside or outside South Australia, as to their desires and intentions, was known but apparently the Government of that State has, so we are reliably informed, agreed to pass the legislation, or has actually passed it. Unfortunately the Government of this State seems to have the idea that what Tom Playford does must be all right. Therefore, as the legislation has been passed in South Australia it must have been vouched for, duly audited and found correct, and must therefore be acceptable to the Government of Western Australia. I am informed that the secretary of the Wheatgrowers Federation of Australia, Mr. Stott, M.P. is not at all happy about the proposition. However, the fact remains that the adoption of this proposal was a slap in the face for the Australian Wheat Board and a rebuff to the Farmers' Union of this State.

Both those organisations, down the years, have implacably opposed the principle of paying freights to deficiency States. As I have just mentioned, New South Wales will have very little wheat to export this year as wheat, and good judges predict that that State will soon become an importer of wheat. The position in Victoria is much the same, leaving South Australia and Western Australia as the only States with a surplus. As sure as night follows day those States will be required to export wheat to the remainder of Australia. I and a few of my colleagues will endeavour to resist the proposal contained in this measure, but in the face of the precedent which is about to be created it is obvious who is going to pay the freight if the position I have outlined arises.

The wheatgrower has never objected to the production of cheap wheat for home consumption because he has a realisation and appreciation of his obligations to the Australian community, and of the help given the industry during the days of the depression by the flour tax legislation. He does not object to subsidising and providing cheap wheat for home consumption but he does object, and justifiably so, to providing cheap wheat for the subsidising of other industries. The provision of wheat for those other industries has made terrific inroads into wheat production in Australia. The wheat industry at the moment is suffering from pernicious anaemia notwithstanding the proposals which have provided some sort of blood transfusion. But the proposal we are asked to debate tonight is another blood-letting proposition which, in the main, will destroy the transfusion which the original proposals looked like giving to the wheat industry.

Mr. May: Are you sure it is not strangulation?

Mr. CORNELL: There is no question that even in this State, which has maintained its acreages, wheat production is declining. The member for Roe, like the member for Moore and myself, represents one of the biggest wheatgrowing constituencies in the State. He will admit there are men in his area who cropped up to 1,500 acres of wheat last year, but they are without one acre of fallow this year. Once a man goes out of wheat production it takes two or three seasons to get back into it again, and it is obvious that even with this lift in wheat prices it will be some little time before the wheat industry gets back to normality. As the member for Moore pointed out, a man could sow oats with the limb of a tree in the expectation of getting some sort of crop from it, and therefore it is not surprising that a number of men have gone out of wheat production and taken up the production of oats because, firstly, they do not cost so much to grow and, secondly, there is not the work attached to the production of that type of cereal as compared with wheat.

Cabinet seems to think that it is under an obligation to support the Minister for Agriculture to the fullest extent in this matter. I admit that when a Government sends away plenipotentiaries—although at the rate that this Government is catapulting them across the continent they could easily be called "plentypotentiaries"—to negotiate it should support them to the fullest extent. I admit that there is some moral obligation to support the Minister when he is sent across the other side to negotiate but I have a hunch, and so has the member for Moore and my friend the member for Avon Valley, that the Minister went far beyond the powers vested in him.

Whether this legislation will pass this House, I would not know at the moment. I hope it does not, but if it does it will provide political historians in the future with considerable food for thought. I can imagine grand-children of the Premier saying, "What did you do in the great wheat battle, Grandpa?" And I can imagine the Premier replying, "I was an L.C.L. Premier who assisted in the nationalisation of the wheat industry." This poses the question of how far this rotten proposal conflicts with the policy of the Country Party and the Liberal and Country

League. Two cornerstones in the political set-up of the Country Party are that the produce of the land shall belong to the producer subject only to his just debts. The other is that all marketing boards shall be grower-controlled. How far the first proposal is nullified by this legislation I will leave to the House to work out. The Australian Wheat Board is grower-controlled, but that means little when its powers are filched away from it by legislation of this character.

The board is directed by this legislation to do something which it has resisted in the face of tremendous opposition from Governments of all political shades—that is the paying of freights on wheat to Tasmania. Ever since it became apparent that there would be certain opposition to this measure the Minister for Agriculture has been radio-active. Last night, for instance, he gave a post-prandial pep talk to the members of the L.C.L., and during the course of that pep talk he pointed the bone at those representing electorates which had within them some pig and poultry producers. As the member for Moore told the House, we have it from a fairly reliable source that he said if they voted against this legislation he would soon have them on the spot.

The Premier: He did not say anything of the sort. Those responsible for these party leakages seem to know a good deal of the wrong information.

Mr. Ackland: There was nothing secret about that meeting; it was known by everybody in the corridor.

The Premier: It was not said.

Mr. CORNELL: I think the Premier protests too much.

The Premier: Yes, protests against lies!

Mr. CORNELL: If that observation, on behalf of the Minster for Agriculture, does not smell of political blackmail, then there is something wrong with my nasal organ. There is one thing that this legislation could bring about and that is, re-create a farmers' organisation as a political force. The Farmers' Union has been a spectator since its formation some years ago, yet its wishes and principles are ignored by Governments who profess to represent the interests of primary producers.

Mr. May: Stand on your own.

Mr. CORNELL: The sooner the Farmers' Union pulls on a political guernsey the better it will be for all its members.

Mr. Bovell: It will be the end of the Farmers' Union.

Mr. CORNELL: As far as I can see, the passing of this legislation will mean the end of the Farmers' Union, or a substantial section of it, anyhow. The predominant thought, which was clearly expressed by the Minister when he introduced the Bill, was based on the principle of the dangling of the carrot before the donkey. The Minister seems to think that if one dangles 16s. a bushel in front of the nose of the wheatgrower he will compromise with his principles, and that the acceptance of the money will outweigh all other considerations. That is quite obvious. The Minister said that and no-one can deny or controvert that fact. A member of the Legislative Council said so yesterday evening, in addition to which he made the statement that whilst the wheatgrowers were represented by Maisey and Roake they deserved all that was coming to them. I do not agree with that proposition either.

The Government, by direct action, will bludgeon the wheatgrower into accepting something to which he is diametrically opposed. This is foreign to the principles of the organisation and, as I have already said, it is contrary to the Commonwealth Constitution. I am not opposed to direct action, and if redress is refused the wheatgrowers should retaliate with a "no-cropping" campaign. At least it would show the Government that that organisation means business. This Bill may pass, but the farmers might be like the man who was forced into marriage. Although this proposition might be forced upon the wheatgrowers, the Government cannot make them love it. This freight baby which the Government will thrust upon them, and which will become mighty soon a pretty husky infant, will never be loved by them and if I have anything to say in the matter it will not be forced on them.

The Minister for Agriculture is leaving no stone unturned and no whip uncracked to ensure that this legislation is passed. He regards its implementation and its acceptance as a personal triumph. Time alone will tell. I fail to see how he can arrive at that conclusion. The member for Melville might be able to assist me in this regard. Is there not a little poem where Old Kaspar sat down at the end of the day and looked down at a skull as, no doubt, the Government will later look down on the "skull" of a withered wheat industry if this legislation is allowed to go through? I forget the exact lines, but I think Peterkin said to Old Kaspar, "Now tell us all about the man and what they fought each other for"—and afterwards he asked "And what good came of it at last?"—This came from old Kaspar—

> 'Well, that I cannot tell,' quoth he,
> But 'twas a famous victory.'

The Minister cannot tell what good this Bill will do, but it is a famous victory. I oppose the second reading.

On motion by Mr. Mann, debate adjourned.

ADJOURNMENT—SPECIAL.

THE PREMIER (Hon. D. R. McLarty—Murray): I move—

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

Question put and passed.

House adjourned at 11.55 p.m.