

member of Parliament. But my intention was that there should be two representatives of this Chamber who could ferret out the details—names addresses and everything else—of specific cases and submit them to the Minister. But I am handicapped in many respects, as are all other private members. As a result, I have to rely on the integrity of other people. I have had to visit, beg and cajole in order to extract certain information.

I have submitted that information to the House, and may I say finally that if it could be demonstrated to me, not by any whitewashing process but by proper examination, that all the matters of which I have spoken are untrue, then I would be exceedingly happy; but it is impossible for that to happen as I know of my own knowledge. I am aware of discrepancies and irregularities that have occurred—particularly when we are mindful of the seriousness of the present position. There is no need for me to go into the details of the harrowing stories of the circumstances of many people today. If they had to wait because there was a genuine shortage, unfortunate though that might be, there would be very little that we, as members, could do about it, but when we find persons in no way entitled to consideration, being allocated houses by one device or another—particularly I am informed in the way of alterations or additions to homes, apart from the aspect of new houses being constructed—then it is time we took a definite stand.

As I said at the outset, whether we have one woman or a hundred women; whether we have an ex-Serviceman or not, and whether the Housing Commission consists of three, five, or fifty members, that in itself will make no difference whatsoever to the general housing and building programme. When houses can be secured without any valid claim, and when building materials can be purchased without permits, notwithstanding that there is an authority to police these matters, then I say we are merely tinkering with the whole subject by the proposition, no matter on how legitimate grounds, to increase the number of persons to be appointed to the Housing Commission. I support the Bill and do hope and trust that the Government will take some cognisance of what I have said, but not my remarks alone. I repeat, I am, with one

or two exceptions, the only member who has quoted a number of cases, but I say that practically every member could tell stories similar to what I have put forward.

Hon. E. H. H. Hall: I quoted a case and gave the name.

Mr. GRAHAM: Exactly. I ask members to do so when the occasion warrants, but it should not be necessary. I feel the Government is sufficiently aware of what is going on to initiate some action to overcome the present shocking state of affairs, without any beseeching on my part.

On motion by Mr. Leslie, debate adjourned.

*House adjourned at 6.5 p.m.*

## Legislative Council.

Tuesday, 16th September, 1947.

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

### CHAIRMEN (TEMPORARY) OF COMMITTEES.

The PRESIDENT: I desire to announce that I have appointed Hon. G. Fraser, Hon. A. L. Loton and Hon. W. J. Mann to be temporary Chairmen of Committees for the session.

**QUESTIONS.****HOUSING.***As to Applicants for Homes, Fremantle Area.*

Hon. G. FRASER (on notice) asked the Minister for Mines:

(1) How many applications have been received for homes under the Commonwealth-State Housing Scheme from residents in the Fremantle area?

(2) How many contracts have been signed by the present Government for homes under this scheme in the Fremantle area?

(3) When can Fremantle area residents expect some housing activity in their districts by the present Government?

The MINISTER replied:

(1) There are 630 applications pending for rental homes in Fremantle. Of the applicants 100 are at present housed in converted military camps in the Fremantle district.

(2) Tenders were invited for 20 homes at Hilton Park but the price was considered excessive. Contracts have been arranged for an additional 45 houses at Mosman Park which should assist in relieving the pressure at Fremantle.

(3) Every effort is being made to interest contractors in the building of houses for the Commission in the Fremantle area and action is now being taken to commence a building programme of workers' dwellings under the freehold and leasehold provisions of the State Housing Act.

**ELECTRICITY ACT.***As to Cinematograph Operators' Examinations.*

Hon. A. L. LOTON (without notice) asked the Minister for Mines:

In connection with the cinematograph operators examinations—

(1) How many candidates sat for the last three examinations?

(2) The number of candidates successful in such examinations?

(3) The number of passes and failures in the separate sections of such examinations, viz:—

- (a) Regulations;
- (b) Electrical;
- (c) Mechanical?

(4) Will the Minister lay on the Table complete copies of the last three examination papers?

The MINISTER replied:

(1) Eighteen, 23, and 19.

(2) Passed—three, one and five. Qualified for supplementary examination—five, eight, and eleven.

(3) (a) Regulations: Passed—oral, nil, 18, 12; written, 9, 20, 11. Failed—oral, nil, 5, nil; written, 9, 3, 1.

(b) Electrical: Passed—oral, 12, 15, 9; written, 9, 7, 9. Failed—oral, 6, 8, 3; written, 9, 16, 1.

(c) Mechanical: Passed—oral, 2, 3, 8; written—4, 1, 4. Failed—oral, 16, 20, 8; written, 15, 22, 12.

(4) Yes.

**MOTION—ELECTRICITY ACT.***To Disallow Cinematograph Operators' Regulations.*

**HON. A. L. LOTON** (South-East) [4.40]:  
I move—

That Regulations Nos. 71, 78, 80, 82, 86, 89, 103, 104 and 162, made under the Electricity Act, 1945, as published in the "Government Gazette" of the 27th June, 1947, and laid on the Table of the House on the 5th August, 1947, be and are hereby disallowed.

These regulations are a glaring example of government by regulation.

Hon. C. B. Williams: It is your Government now, remember, not ours.

Hon. A. L. LOTON: I expected that. Under the Electricity Act, the Electricity Commission was constituted and the Commission has set up four boards, an Electrical Workers' Board consisting of five members, a Cinematograph Operators' Board consisting of three members, a Radio Workers' Board, consisting of three members and an Electrical Contractors' Licensing Board consisting of four members.

Hon. C. B. Williams: Do those members receive payment?

Hon. A. L. LOTON: Yes. All are appointed for a period of three years.

Hon. C. B. Williams: How much do they receive per sitting?

Hon. A. L. LOTON: I do not know.

Hon. C. B. Williams: I thought I might apply for appointment to one of them.

Hon. A. L. LOTON: The regulations made under the Act total 332 and I have moved to disallow certain of them under Part III. relating to the examination and licensing of cinematograph operators.

Hon. C. G. Latham: And arranged with other members to move for the disallowance of other regulations.

Hon. A. L. LOTON: I have not arranged anything with other members. I am chiefly interested in the part dealing with cinematograph operators. It is unfortunate that a member cannot move to have a certain portion of a regulation amended and that it is necessary to move for the disallowance of the whole of the regulation. That is part of our system of legislating; therefore, in order to get a regulation amended, it has to be disallowed, sent back to the Commission and then be re-submitted.

Regulation 71 provides that, for the purpose of this part, there shall be appointed a Cinematograph Operators' Board consisting of three members, one representing the Commission who shall be chairman, one representing the employers of cinematograph operators and one representing cinematograph operators. The second member need not be an employer; it says one member representing employers.

Hon. C. G. Latham: He might be a lawyer.

Hon. A. L. LOTON: Yes, or a farmer or a union representative; he is only representing the employers. This is where I want an alteration made. Students, which term, I take it, would cover the people who wish to become operators, may attend the Perth Technical College where a class is conducted for them, and I consider that the tutor should be one of the persons to sit on the examination board. That is the system which is being introduced in our public schools. The result of one examination is not taken as a test; it is the term work that counts. A student might fail in the set examination, but in his term work might have been second or third in the class or even at the top. Thus it is all-round efficiency that counts and not merely the set examination.

Regulation 78 sets out the functions of the board, which shall include the examination of or the arrangement for the examina-

tion of all persons required to sit. I consider that the board should not conduct the examination. No special ability is required of any member of the board, with the exception of the chairman. The other two members of the board are representative of the employers and the operators, and it does not follow that they have any qualifications to conduct examinations.

The Minister for Mines: The third one must be an operator.

Hon. A. L. LOTON: A person who was operating a cinematograph before the passing of the Act in 1935 was automatically registered and, therefore, might have practically no technical knowledge. The Technical College where the classes are held should conduct the examination and the tutor should have a say.

Hon. L. Craig: Do all students have to go to the Technical College?

Hon. A. L. LOTON: I shall come to that presently.

Hon. C. B. Williams: You are getting very sharp!

Hon. A. L. LOTON: Regulation 80 provides that no person shall be eligible to sit for examination unless he has had at least two years continuous practical training under the direct supervision of a senior operator. I think that period is too great, particularly for country operators. Up to 1935 anyone who could operate a cinematograph plant, more or less, was granted a license, and many of those persons have not the requisite knowledge to impart to trainees the information necessary to enable them to pass the examination.

Hon. C. G. Latham: One might be operating every night in the week and another only one night a week.

Hon. A. L. LOTON: Instead of providing for two years' continuous practical training, I would favour a person being eligible to sit if he had had five nights of continuous practical training over a period of six months. That would enable trainees to come to Perth from the country in order to take an intensive course.

Hon. C. B. Williams: Mr. President, is the hon. member addressing you or Mr. Latham?

Hon. A. L. LOTON: Thirty-six to 40 hours is all that would be required in a five-day week to enable a student to make

an intensive study, and he should then be eligible to sit for the examination. Regulation 82 sets out that the examination shall consist of five parts and really means that it shall be practical and theoretical. I maintain that a person who is capable of operating these plants should be given a license. The figures given today by the Minister—I regret that they were not available to me earlier—convey some idea of the large number of candidates who have failed in the examination. This seems to indicate, either, that the training syllabus is not up to date, or else that the examinations are being conducted in such a way as to make of this industry a close preserve and to limit the number of students to be admitted.

Regulation 86 reads:

No person shall be licensed unless he has attained the full age of twenty-one years.

If a man is fit to fight when he is eighteen, surely he should be fit to sit for an examination, particularly if my proposal for six months' continuous training instead of two years becomes effective. But under this regulation a man must be 21 before he can be licensed. I do not follow the reason for that. Regulation 89 reads:

If any licensed operator fails to renew his license within 12 months after the date of its expiry, the right of renewal shall be forfeited, and the operator concerned must make another application for a license and the board may require him to undergo another examination.

Closely allied to this regulation is No. 103, which sets out the periods and the fees payable. To sit for an examination a person must pay a fee of £1; if he fails he may be granted a permit at a cost of 5s. If he wishes to sit for another examination he must pay another £1. Then we find this in Regulation 103:

(e) For the renewal of a license—

1. Not later than one month after its expiration, 2s. 6d.
2. Later than one month but not later than three months after its expiration, 5s.
3. Later than three months but not later than six months after its expiration, 10s.
4. Later than six months, but not later than 12 months after its expiration, £1.

(f) For the issue of a permit, 5s.

I fail to see why, if a person wishes to renew his license between the nine months and 12 months period he should not pay

the same as for the one-to-three months period. But if he wishes to take out another license he must pay £1. The next regulation to which I take exception is No. 104 which reads:

(1) The license or permit of any cinematograph operator may be suspended or revoked by order of the board, if:—

- (a) such license or permit has been obtained by fraud or misrepresentation; or
- (b) he has been convicted of a felony or misdemeanour; or
- (c) he has been convicted of any offence against this part of these regulations; or
- (d) his physical condition is such as to render him incapable of carrying out the duties of a cinematograph operator in a competent manner.

I do not see why it should be the business of the Commission to say that after being convicted, a man can sit for an examination and obtain a license, whereas if he is in possession of a license he may forfeit it. There should be one punishment for one crime. Perhaps the Minister may have a different interpretation of the matter, but that is how I see it. The other regulation with which I disagree is No. 162 which reads:

In addition to, and notwithstanding any penalty which may be inflicted under these regulations, or otherwise, if a person licensed as an electrical contractor—

- (a) has made, or caused, or allowed to be made or produced in or in connection with any application by him, or on his behalf, for a license or renewal of a license as an electrical contractor, any false or fraudulent declaration or representation, whether in writing or not in writing; or
- (b) has, in the opinion of the board, infringed in the carrying out of any contract for any electrical work; or
- (c) has, in the opinion of the board, committed a breach of these regulations, or of the S.A.A. Wiring Rules; or
- (d) ceases to carry on business as an electrical contractor; or
- (e) is not carrying on at and from his registered business address the business of electrical contracting; or
- (f) becomes bankrupt or insane; or
- (g) applies to have his license cancelled or suspended,

the board may, even though the license has been renewed since the occurrence of the rele-

vant event, cancel or suspend, or refuse to renew the license of that person as an electrical contractor, or may suspend his license for such period as it shall think fit.

I cannot understand why if a man has become a bankrupt, he should not be allowed an opportunity to earn his living. This regulation makes things a little too hard for him.

On motion by Hon. E. H. Gray, debate adjourned.

### **BILL—LOTTERIES (CONTROL) ACT AMENDMENT (CONTINUANCE).**

*Third Reading.*

**THE MINISTER FOR MINES** (Hon. H. S. W. PARKER—Metropolitan-Suburban) [4.55]: I move—

That the Bill be now read a third time.

**HON. C. B. WILLIAMS** (South) [4.56]: Through illness I was not here when the second reading of this Bill was debated, but I intend to support it wholeheartedly. In doing so I want to express my utter disgust that any Labour man should get up in Parliament and state that he believes in street collections. I quite approve of the remark attributed by "The West Australian" to Mr. Baxter, that he opposed street collections. I am one who at all times has supported this measure and I believe in it for this reason: It is a way of harnessing up for local use a certain amount of money that would otherwise go to the Eastern States. But I did not ever believe and do not believe in people being harassed every Friday in this city by folk who own hundreds of thousands of pounds worth of property and who do not do what they are supposed to do—namely, stand in a certain position and accept what is offered to them—but chase people along the street in an endeavour to get money out of them.

The Labour movement does not believe in that sort of thing, but in the necessary legislation being provided to keep cadging away from the streets. I want to inform the Minister for Mines and his colleagues that the Government under which they previously served—the last coalition Government—lost a good deal because people were utterly disgusted with the cadging that occurred in the metropolitan area, and they should be warned in time that this practice must stop. There were many members of this House

who definitely gave their vote for this measure when it was first passed, thinking that it was designed purely and simply for the purpose of doing away with continual cadging and humming in the streets of Perth and Fremantle.

If one had time to turn back the pages of "Hansard," one would find the speeches of Mr. Gray and Mr. Kitson and Mr. Drew dealing with that aspect of the matter. I rose to support the Bill and voice my protest, and to ask the Minister to see that these street collections are knocked clean out. Never mind about reducing the number from 50 to 24! Recently we had the Salvation Army collecting in the streets, and the next day they were cadging from house to house. They double-banked at my place.

Hon. W. R. Hall: They knew it was a good place to go to!

Hon. C. B. WILLIAMS: No. They got nothing from me at all: not a zac, not even a kind smile. They had already been there once and received their quota from the lady of the house. But they came along again. On top of that, it is interesting to note how many thousands of pounds the Salvation Army received from the Lotteries Commission.

Hon. E. H. Gray: It received nothing.

Hon. C. B. WILLIAMS: Does the hon. member tell me that? If so, he is getting older than I thought he was. That organisation certainly received money from the Lotteries Commission for its homes. It is one of the Protestant Churches that does. That is why there are some arguments about the Commission, which does a good job in distributing money. I am not interested in those churches which do not take money from the Commission, nor do I listen to their arguments. Now that the war is over and there are no longer conditions of emergency, people should not have collection-boxes thrust in their faces every Friday. Labour does not believe in cadging.

I am surprised at Mr. Gray, our Labour leader in this House, criticising another member because he considered the time for cadging in the streets had long passed. Both sides in politics stand for hypocrisy such as we find when the police arrest people every Saturday and every other day in the week for obstructing traffic, and yet tolerate the collections by a few harpies, as some of them may be termed. The police could tell

the hon. member how many of these collectors have been kicked out of the job. It is all very well for Mr. Gray to shake his head. He rides in a motorcar, and people who ride in motorcars dodge these collectors. Only those who, like myself, have to walk are insulted by these people. The sooner the Government puts a stop to cadging in the streets, the better chance will it have of preventing its defeat at the next election.

Question put and passed.

Bill read a third time and transmitted to the Assembly.

### **BILL—THE FREMANTLE GAS AND COKE COMPANY'S ACT AMENDMENT.**

*Third Reading.*

**THE MINISTER FOR MINES** (Hon. H. S. W. Parker—Metropolitan-Suburban) [5.4]: I move—

That the Bill be now read a third time.

**HON. C. G. LATHAM** (East) [5.5]: I draw attention to the fact that the Title of this Bill includes the word "The," whereas that word does not appear in the Title of the Act itself. When this legislation comes to be indexed, it will probably be difficult to trace it, for that reason. Will the Minister for Mines ask the Parliamentary Draftsman to give consideration to the question whether an alteration can be made in another place so that the word "The" may be removed from the Title?

**THE MINISTER FOR MINES** (Hon. H. S. W. Parker—Metropolitan-Suburban—in reply) [5.6]: I shall draw the attention of the Minister who will deal with this Bill in another place to the representations that have been made by the hon. member.

Question put and passed.

Bill read a third time and transmitted to the Assembly.

### **BILLS (2)—THIRD READING.**

- 1, Constitution Acts Amendment (No. 1).
- 2, Industries Assistance Act Amendment (Continuance).

*Passed.*

### **BILL—PUBLIC TRUSTEE ACT AMENDMENT.**

Received from the Assembly and read a first time.

### **BILL—DENTISTS ACT AMENDMENT.**

*Second Reading.*

Order of the Day read for the resumption from the 9th September of the debate on the second reading.

Question put and passed.

Bill read a second time.

*In Committee.*

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

### **BILL—DRIED FRUITS ACT, 1926, RE-ENACTMENT.**

*Second Reading.*

Debate resumed from the 9th September.

**HON. C. G. LATHAM** (East) [5.12]: I asked for the adjournment of the debate so that I could ascertain whether provision had been made for the continuance of the Act after it had been reinstated on the statute-book. I have the assurance of the Minister that that will be so. Having looked at the Bill, however, I believe that a precedent has been adopted as to this form of legislation. Whether it was the intention of the Minister who was previously in charge of the Act when it expired last March to allow it to lapse, I do not know. Evidently something went amiss. Either that occurred through carelessness or it was the intention of the then Government not to continue this legislation. The Minister has not advised the House on the subject, and I suppose he was unaware of what was in the mind of his predecessor.

It does seem extraordinary to attach the Act it proposes to reinstate as a schedule of the Bill. If this Bill is printed with a schedule comprising the Act, will it be possible to amend it? I do not think the schedule of an Act of Parliament can be amended unless the Act itself is re-introduced. I think the draftsman has gone about this matter in a clumsy way. Why should he not have drafted the Bill to continue the operation of the Act as from the date in March when it expired, and in doing so send forward a fresh Bill? That would

have been easier. I do not know how we shall be able to deal with it. I suppose there has been another precedent established.

When legislation has been re-enacted some years after it has lapsed, it has always been done by the introduction of a new Bill. I suppose this is an innovation on the part of the new Parliamentary Draftsman. It is not an easy matter to deal with such legislation. I hope the Minister will look into the question before the Bill reaches another place to ascertain whether there is some other way to remedy the defect. There are only two clauses in the Bill dealing with the subject matter concerned. One clause continues the operations of the Act from March of this year until a new continuance Bill is put through. The Bill also ratifies anything that has been done in the meantime, and legalises it. Clause 4 says that no person shall be liable to prosecution or punishment for offences under the Dried Fruits Act, 1926, during the time when it was not in operation. I do not know what is meant by that. It cannot be imagined that any offences could have occurred under an Act which did not exist. I presume this was found out some time afterwards.

I do not know what was in the mind of the previous Government or its officers at the time, or whether it was intended to allow the legislation to lapse. It may be that it was not realised that the Act would expire in March. The Honorary Minister may have some information on the subject. He is not to blame, because he had nothing to do with it, although he was in a position, as a private member, to bring down a Bill to re-enact the legislation. I hope he will look into the question of the Act being attached to the Bill as a schedule.

**THE HONORARY MINISTER** (Hon. G. B. Wood—East—in reply) [5.14]: I do not know why a Bill was not brought down to re-enact this legislation last session. I have made inquiries and can only conclude that this was just a mistake, and nothing else. Some years ago it was customary for this legislation to be re-enacted annually. It was then decided that it should run for a three-year term, but when the third year was close to expiration the matter was simply forgotten. It was not my business as a private member to introduce any legislation dealing with this question last session:

it was the responsibility of the then Minister for Agriculture. The Bill is introduced to rectify the mistake that was made and it is desired to pass the legislation as quickly as possible. With regard to the clause referred to by Mr. Latham, relative to persons being liable to prosecution, actually anyone who spent money or did anything under the terms of the measure was doing an illegal act.

Hon. C. G. Latham: And you are legalising that sort of thing now?

The HONORARY MINISTER: Yes; the object is to legalise any such action that was taken in good faith. When the position was realised, I was asked what could be done about it and I advised that nothing should be said concerning the point and that legislation would be introduced to legalise the matter as soon as possible. Obviously no-one has suffered in consequence of the mistake and so I suggested that they should proceed with the work and rely upon legislation being passed to remedy the position.

As to Mr. Latham's criticism of the drafting of the Bill, I was not very happy about it myself. I conferred with the Attorney General and others who know more about such matters than I do, and the information I obtained was that the Bill is in order. Clause 3, which is the interpretation clause in respect of retrospectivity, has the effect of restoring the lapsed Act to the statute book and that measure will be deemed to have operated continuously up to the date when it automatically lapsed. When the Bill is passed, another measure will be introduced to continue the Act and make it permanent. It will also include one or two slight amendments with regard to elections. I think that answers the queries and objections raised by Mr. Latham. My advice is that the Bill is quite in order and, although there may be better ways of accomplishing what was sought, it represents quite a proper method.

Question put and passed.

Bill read a second time.

# **BILL—CONSTITUTION ACTS AMENDMENT (RE-ELECTION OF MINISTERS).**

*Second Reading.*

Debate resumed from the 10th September.

**HON. G. FRASER** (West) [5.19]: I have looked through the Bill and can find no objection to take to it. I do not intend to oppose the second reading.

Question put.

The **PRESIDENT**: This Bill represents an amendment to the Constitution Act and therefore it is necessary that it shall be passed with the concurrence of an absolute majority of the members present. I shall have to ask the House to divide.

Division taken with the following result:—

Ayes	..	..	..	20
Noes	..	..	..	1

Majority for .. 19

**AYES.**

Hon. C. F. Baxter	Hon. E. H. Gray
Hon. L. B. Bolton	Hon. W. R. Hall
Hon. R. J. Boylen	Hon. A. L. Loton
Hon. Sir Hal Colebatch	Hon. W. J. Mann
Hon. L. Gra'g	Hon. H. S. W. Parker
Hon. H. A. C. Daffern	Hon. A. Thomson
Hon. E. M. Davies	Hon. P. R. Welsh
Hon. J. A. Dimmitt	Hon. C. B. Williams
Hon. G. Fraser	Hon. G. B. Wood
Hon. F. E. Gibson	Hon. G. W. Miles

(Teller.)

**NOES.**

Hon. C. G. Latham  
(Teller.)

The **PRESIDENT**: There being more than a constitutional majority, I declare the question passed in the affirmative.

Question thus passed.

Bill read a second time.

*In Committee.*

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

**BILL—RURAL RELIEF FUND ACT  
AMENDMENT.**

*Second Reading.*

**THE HONORARY MINISTER** (Hon. G. B. Wood—East) [5.25] in moving the second reading said: The object of the Bill is to afford relief to certain farmers who received financial assistance under the Rural Relief Fund Act. State legislation was passed in 1935 to implement the Commonwealth proposal for a direct and immediate appropriation of £10,000,000 to the States for the relief of excess responsibilities in

respect of farmers' debts. The State Act contained a provision that money advanced to the farmer should be a charge upon all his property, whether then held or subsequently acquired, and should be repayable, free of interest, over a period of 20 years with an exemption of payment for the first five years. Up to the present an amount of £60,643 out of a total advance of £1,283,000 has been met, plus advances ex repayment account of £2,543, making a grand total of £1,285,543 to 3,742 cases. The State was under no obligation to repay the advances.

Hon. L. Craig: Except under a moral obligation.

The **HONORARY MINISTER**: I would not say it was under a moral obligation to repay the advances, in view of the circumstances in which the money was made available. As I say, the State was under no obligation to repay the advances, but a section in the Commonwealth Act provides that if moneys are repaid wholly or in part to the State, the money so repaid shall be applied by the State for the purposes of the State scheme—in other words, it was to be a revolving fund—and for the purposes of the section should be deemed to be moneys granted to the State under the Act. That section makes it impracticable, without the consent of the Commonwealth, to consider making repayment to those who have met their obligations in whole or in part.

The 1942 amendment to the Act gave the trustees power to write-off indebtedness, where the debtor had since the making of the advance seen active service with the Armed Forces, had abandoned his farm, had received from the first mortgagee a writing-down of his indebtedness, and in other circumstances which the trustees thought proper. Because the provision also made reference to properties in the marginal areas, the majority of the amounts, written off or contemplated, represent advances on farms that were subsequently abandoned. Out of 3,742 cases, 355 have had a total writing-off, at an average of £364 per case, of £129,005. Of these cases, 76 have had a 50 per cent. writing-off at an average of £253, or a total of £19,261. Some 43 cases have had a partial writing-off of less than 50 per cent., amounting to a total of £14,042, thus making a total written off of £162,308 out of a total sum of £1,285,543 that had been advanced, with an estimated extra £264,184



which could take place under the 1942 Act, leaving a balance of the fund due by the farmers of £800,151. That is the amount involved today and with which we are now asking the House to deal. After making allowances for all writings-off and anticipated writings-off, a total of 2,532 cases of an average advance of £316 remains.

The provision that the advance should be a charge upon all assets held or subsequently acquired has in many cases proved detrimental to farmers' trading. That can very easily be accounted for. A man may invest all he has at the time and when he requires assistance at some future date he has no security. The Bill seeks to alter that. The trustees exercise to some extent their discretionary power to write off. No Commonwealth sanction is required to cancel a mortgage. State and Commonwealth legislation is required to terminate the appointment of the trustees, and Commonwealth legislation is necessary to authorise repayment of amounts collected from farmers. By this Bill it is not proposed to repay to those farmers any moneys which they may have already repaid on account of advances made to them. Without that consent the State is under obligation to retain the moneys in a fund for future use.

Towards the end of 1946 the matter was referred to the Commonwealth, which finally declined to agree to the State's suggestion to introduce legislation because of the number of cases in the past in which Commonwealth assistance had had to be given to farmers and also because, should refunds be made in this State, it might lead to similar demands in other States, ending in the Commonwealth having to find additional funds. But the State does not intend to make refunds, even if it had legislative or other authority to do so, and the matter of additional funds would be one for Commonwealth discretion. One can readily imagine what would happen; there would be thousands of applications. As I have said, this State does not intend to refund to farmers any sums which they may have paid back into the pool. Such a course could not possibly be taken without Commonwealth sanction.

Hon. L. B. Bolton: That seems to be unfair.

The HONORARY MINISTER: I agree that it is perhaps unfair, but the Common-

wealth will not agree. The previous Premier (Hon. F. J. S. Wise) did make representations to the Commonwealth, but his application was refused for the reason which I have just given, that the Commonwealth thought it would involve too much money and that it would have to provide the additional funds. I now come to the crux of the Bill. Provision is made that on repayment, either by instalments or by a lump sum, of from five per cent. to 20 per cent. of the amount advanced, the remainder of a farmer's debt can be written off. Such amounts so paid, together with the moneys already in hand, shall provide a revolving fund to deal with all circumstances that may arise in the future.

Hon. A. Thomson: Provided a farmer pays off any sum representing from five to 20 per cent. of his indebtedness to the fund, the remainder will be written off?

The HONORARY MINISTER: Yes. The amount so paid off will be placed in a revolving fund, which it is estimated will amount to £250,000. The Bill does not propose to abolish the positions of the trustees. They will be required to administer the revolving fund I have mentioned.

Hon. A. L. Loton: Will the money in the revolving fund be used in the future for drought relief?

The HONORARY MINISTER: Yes. The need for the services of the trustees will not be so great in the future as they will not have so large a fund to administer. The trustees will retain their existing powers and the right to deal with, and make recommendations in respect of the moneys forming the fund. It has been suggested that the Commonwealth might challenge this proposed legislation; but similar legislation has been passed in Tasmania and South Australia. As that has escaped challenge, I have every reason to believe that the Commonwealth will not challenge this measure. The position in the other States is as follows:—

New South Wales.—Repayment is required at 2½ per cent. interest, but latitude is exercised where farmers, through causes beyond their control, cannot pay.

Victoria.—Extension of time to pay is granted and long-term interest-bearing bonds are accepted at face value. Repayments total approximately £100,000 per annum.

Queensland.—Writings-off occur only where realisation takes place and a loss is incurred. No interest is charged.

South Australia.—55 per cent. of advances is made as a gift and the balance is repayable with interest; £2,165 only has been written off.

Tasmania.—25 per cent. of advances is a gift and the balance is repayable free of interest.

Therefore, it appears that other States also have made concessions. Under this Bill, Western Australia, I am pleased to say, proposes to make a greater concession—that is, if Parliament approves of the measure. The intention of the parent Act was to relieve the farmer of his obligations and excess liabilities, not to replace one debt with another. None of the powers contained in the 1942 Act are abrogated; and if repayment of from five per cent. to 20 per cent. proves to be a hardship, the trustees are still at liberty to write off the debt. I move—

That the Bill be now read a second time.

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

### **BILL—INCREASE OF RENT (WAR RESTRICTIONS) ACT AMENDMENT. (CONTINUANCE)**

Received from the Assembly and read a first time.

### **BILL—INSPECTION OF MACHINERY ACT AMENDMENT.**

*Second Reading.*

Debate resumed from the 9th September.

**HON. G. FRASER** (West) [5.37]: I secured the adjournment of the debate in order to study the effect of this amending Bill. After having examined it carefully, I am satisfied that it merely deletes the words "British subject" in the parent Act. I was particularly concerned about the provision relating to the speaking of the English language, but that has not been altered. I have no objection to the Bill and support the second reading.

Question put and passed.

Bill read a second time.

*In Committee.*

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

*House adjourned at 5.40 p.m.*

## **Legislative Assembly.**

Tuesday, 16th September, 1947.

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

### **QUESTIONS.**

#### **COOLGARDIE STATE BATTERY.**

*As to Delay in Re-starting.*

Mr. KELLY (on notice) asked the Minister representing the Minister for Mines:

(1) What is the reason for the continued delay in re-starting the Coolgardie State Battery?

(2) Has consideration been given to the possibility of having the fault rectified at some other foundry either in Kalgoorlie or at the State Implement Works?

(3) If so, what decision was reached?

(4) What further delay is it anticipated will take place in re-starting the Coolgardie State Battery?

The CHIEF SECRETARY replied:

(1) Delay at Kalgoorlie Foundry in repairs to main counter shaft, which was sent to the foundry immediately the battery stopped.

(2) Answered by No. (1).

(3) Answered by No. (1).

(4) Shaft promised definitely by the 12th. If promise fulfilled, battery should recommence crushing about the 18th instant, providing enginedrivers are available.