

and I hope that when passed it will not be regarded as the be-all and end-all of our responsibility towards these of our fellow-citizens. I hope that a great many people will change their attitude and be a bit more kindly in their approach to our coloured folk and hold out a helping hand to them just as they do to others of their fellow-beings.

We should not regard the coloured section of our population as something apart and alien in our midst. Many of them are, I believe, superior to some who are akin to us. I hope the public conscience will be awakened and that most of us will realise that these people require a considerable amount of assistance. Of course, many of them could stand on their own feet but there are those who have not had the benefit of education and they should be given the opportunity to be educated if they so desire. They should have extended to them reasonable opportunities to live a decent life. We should give them all the assistance possible to enable them to become respected citizens of this country.

On motion by Mr. Ackland, debate adjourned.

House adjourned at 11.5 p.m.

Legislative Council

Thursday, 26th November, 1953.

CONTENTS.

	Page
Bills : State Government Insurance Office Act Amendment, 3r., defeated	2053
Workers' Compensation Act Amendment, Com.	2053
As to inaccurate division list	2056
Industrial Arbitration Act Amendment, 1r.	2056
Prices Control Act Amendment and Continuance, 1r.	2056
Upper Darling Range Railway Lands Revestment, 1r.	2056
Water Boards Act Amendment, 1r.	2056
Inspection of Machinery Act Amendment, 1r.	2056
Police Act Amendment, 1r.	2056
Veterinary Medicines, 2r., Com., report	2056
Licensing Act Amendment (No. 2), Com.	2058
Land Act Amendment, 2r.	2066
Electricity Act Amendment, 2r.	2068
Electorate Act Amendment (No. 2), 2r., Com., report	2070

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

BILL—STATE GOVERNMENT INSURANCE OFFICE ACT AMENDMENT.

Third Reading—Defeated.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [4.35]: I move—

That the Bill be now read a third time.

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

Ayes	....	....	....	11
Noes	....	....	....	13
Majority against				2

Ayes.

Hon. C. W. D. Barker	Hon. E. M. Heenan
Hon. G. Bennetts	Hon. C. H. Henning
Hon. R. J. Boylen	Hon. A. L. Loton
Hon. L. C. Diver	Hon. H. C. Strickland
Hon. G. Fraser	Hon. E. M. Davies
Hon. W. R. Hall	(Teller.)

Noes.

Hon. N. E. Baxter	Hon. H. L. Roche
Hon. J. Cunningham	Hon. C. H. Simpson
Hon. A. F. Griffith	Hon. J. McI. Thomson
Hon. J. G. Hislop	Hon. H. K. Watson
Hon. A. R. Jones	Hon. F. R. Welsh
Hon. J. Murray	Hon. H. Hearn
Hon. H. S. W. Parker	(Teller.)

Question thus negatived.

Bill defeated.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

In Committee.

Resumed from the previous day. Hon. W. R. Hall in the Chair; the Chief Secretary in charge of the Bill.

Clause 17—Second Schedule amended:

The CHAIRMAN: Progress was reported after Clause 16 had been dealt with.

Hon. J. G. HISLOP: I move an amendment—

That all words after the word "is" in line 1 be struck out with a view to inserting the words "repealed and re-enacted as follows:—"

SECOND SCHEDULE.

TABLE.

Baris of Computation : 100% Disability—£2,000.

Nature of Injury.	Percent- age.	Recom- mendation (amount).
1. Total loss of the sight of both eyes	112½	£ 2,250
2. Total loss of the sight of an only eye	112½	2,250
3. Total loss of the sight of one eye	50	1,000
4. Loss of binocular vision	50	1,000
5. Partial to total loss of sight of one or both eyes :—		

*Schedule of Assessments for Uncorrected but
Correctable Visual Defects.*

One Eye 6/6 or 6/9.		One Eye 6/12.	
The Other Eye.	6/9 } Nil 6/12 } 6/18 } From negligible 6/24 } to 10% 6/36 } from 10% 6/60 } from 20%	The Other Eye.	6/6 or 6/9 } Nil 6/12 } 6/18 } from negligible to 10% 6/24 } from 10% 6/36 } from 20% 6/60 } from 30%

One Eye 6/18.		One Eye 6/24.	
The Other Eye.	6/6 or 6/8—Nil 6/12—negligible to 10% 6/18—from 10% 6/24—from 20% 6/36—from 30% 6/60—from 40%	The Other Eye.	6/6 or } from negligible 6/9 } to 10% 6/12—from 10% 6/18—from 20% 6/24—from 30% 6/36—from 40% 6/60—from 50%
One Eye 6/36.		One Eye 6/60.	
The Other Eye.	6/6 or 6/9—from 10% 6/12—from 20% 6/18—from 30% 6/24—from 40% 6/36—from 50% 6/60—from 60%	The Other Eye.	6/6 or 6/9—from 20% 6/12—from 30% 6/18—from 40% 6/24—from 50% 6/36—from 60% 6/60—from 70%

One Eye (3/60) Less than 6/60.		One Eye Blind.	
The Other Eye.	6/6 or 6/9—from 30% 6/12—from 40% 6/18—from 50% 6/24—from 60% 6/36—from 70% 6/60—from 80%	The Other Eye.	6/9—55% 6/12—from 60% 6/18—from 70% 6/24—from 80% 6/36—from 90% 6/60—from 100% 6/60—from 100% to Blind

Loss of fields of vision :—	
Loss of all but central vision within 5° circle (bilateral)	90 per cent.
Loss of all but central vision within 5° circle (unilateral)	45 per cent.
Loss of central vision but fields full (bilateral)—Patient has no useful vision—" Blind "	95 per cent.
Loss of central vision but fields full (unilateral)—Patient has no useful vision	90 per cent. of one eye.
In partial loss the fields are considered to be divided into three arbitrary concentric zones to 30 deg., 60 deg., and 90 deg.	
Relative importance of loss of outer zone	20 per cent.
Relative importance of loss of middle zone	30 per cent.
Relative importance of loss of inner zone excluding macular vision	50 per cent.
Unilateral Aphakia with vision correctable to 6/6 and with 6/6 vision in other eye and full fields	70 per cent. minimum.

Nature of Injury.	Percent- age.	Recom- mendation, (amount).
6. Total loss of hearing	60	£ 1,200
7. Loss of hearing to be based on percentage of total loss of hearing, and shall be based on audiometric testing and assessed on the basis that the relative values of the four octaves from 256 to 4,096 cycles comprise the entire speech range and are :—		
256 to 512 15% 1,024 to 2,048 35%		
512 to 1,024 30% 2,048 to 4,096 20%		

Assessment Table.				
Frequency (dvs) = 512		1024	2048	4096
Decibels loss	Percentage Loss.			
10	.2	.3	.4	.1
15	.8	.9	1.3	.3
20	1.1	2.1	2.9	.9
25	1.6	3.6	4.9	1.7
30	2.6	5.4	7.3	2.7
35	3.7	7.7	9.8	3.8
40	4.9	10.2	12.9	5.0
45	6.3	13.0	17.3	6.4
50	7.9	15.7	22.4	8.0
55	9.6	19.0	25.7	9.7
60	11.3	21.5	28.0	11.2
65	12.8	23.5	30.2	12.5
70	13.8	25.5	32.2	13.5
75	14.6	27.2	34.0	14.2
80	14.8	28.3	35.8	14.6
85	14.9	29.3	37.5	14.8
90	15.0	29.9	39.2	14.9
95	.....	30.0	40.0	15.0
100	.....	.....	.....	.....

The hearing loss of an individual as a result of audiometer tests is measured by providing that the percentage of loss to be assigned to each frequency is the value shown in the table for that frequency.

In calculating the percentage loss for the two ears combined the value of the better ear is rated at seven times the value of the poorer ear. The actual value of the poorer is added and the sum when divided by 8 gives the combined percentage loss for both ears.

Nature of Injury.	Percent- age.	Recom- mendation (amount).
8. Loss of both hands	112½	£ 2,250
9. Loss of both feet	100	2,000
10. Loss of a hand and a foot	100	2,000
11. Total and incurable loss of mental powers involving inability to work	125	2,500
12. Total and incurable paralysis of the limbs or of mental powers	125	2,500
13. Total loss of the right arm or of the greater part of the right arm	80	1,600
14. Total loss of the left arm or of the greater part of the left arm	75	1,500
15. Total loss of the right hand or of five fingers of the right hand, or of the lower part of the right arm	70	1,400
16. Total loss of the same for the left hand and arm	70	1,400
17. Total loss of a leg	70	1,400
18. Total loss of a leg with sufficient remaining to attach artificial limb	65	1,300
19. Total loss of a foot or the lower part of the leg	62½	1,250
20. Total loss of the thumb of the right hand	35	700
21. Total loss of the thumb of the left hand	30	600
22. Total loss of a forefinger	5	100
23. Total loss of middle finger	5	100
24. Total loss of index and middle finger	20	400
25. Total loss of a joint of the thumb	20	400
26. Total loss of middle and ring finger	12	240
27. Total loss of the first joint of the forefinger of either hand	3	60
28. Total loss of the little or ring finger of the hand	} 3% each 10% both	60
29. Total loss of any other finger joint		20
30. Total loss of the great toe of either foot	20	400
31. Total loss of a joint of the great toe of either foot	5	100

I have taken this step in order to make this a scientific document, instead of one based on guess-work. When workers' compensation was introduced no one had any idea how the various clauses would work out. Some of the things I have suggested would not have been thought possible in the worker's original condition or injury. I have prepared what I believe to be a scientific document for presentation to Parliament, hoping that it will prove acceptable. I have set out the basis of computation as 100 per cent. disability. I took that round figure because it was thereby easy to handle the amounts.

I would point out one or two things in the old schedule which impelled me to look at this scientifically. In No. 16 of the original schedule, partial deafness of both ears is fixed at a set amount of compensation. I cannot see how that is acceptable to a worker or an insurance company, because partial deafness might mean anything. A person who loses the essential range of hearing is very much worse off, because he loses by far the greater part of the speech area of sound. If, however, the octaves that are lost are very low or very high, then the individual is not so severely handicapped.

Looking at No. 7 in the schedule I have prepared it will be seen that loss of hearing is "to be based on the percentage of total loss of hearing, and shall be based on audiometric testing". That is an accepted means of testing hearing; so much so that the Commonwealth Government has established a department in Perth for testing in that way. It will be found that the range of speech is from 256 to 4,096 cycles. If a person lost the first quarter range, and the last quarter range, he would only lose 35 per cent. of the speech hearing senses. But if he lost the two middle ranges from 512 to 2,048, he would lose 65 per cent. of his hearing. I have therefore suggested that the hearing of such a person be treated on the basis of his audiometric test; or, in other words, the amount of hearing loss he has sustained in regard to speech. It is really in regard to speech that he is handicapped when it comes to a question of employment.

I have done the same thing with the eyes, for this reason: The old schedule deals with partial loss of the sight of one eye, again fixed at a set amount. The partial loss of the sight of one eye may not mean very much at all; or it may mean a great deal. The effect of the loss of the sight of an eye should depend entirely on the sight of the uninjured eye. The proposal I have put forward contains a series of tests which have been accepted by the Repatriation Department since 1947, and which are in daily use by specialists in this city for the judging of sight disability. The result is that an individual now receives a much fairer estimate of his injury in regard to sight, when these tables are accepted as a means of estimation.

There are fields of vision which are also accepted by the Repatriation Department. We have never accepted fields of vision; yet an injury, or concussion, which could limit a person's field of vision, would handicap him just as severely as if he had injured the sight of one or both eyes. I have added these instances to the schedule. I say, in passing, that the question of hearing-testing is worked out by the Council of Physical Education of the American Medical Association, and has long since been accepted and recognised by insurance companies and by the Repatriation Department; in addition, it is used by specialists in this work.

The rest of the schedule has been considered by those who are expert in this work—namely, orthopaedic surgeons and the like—and it is presented on the basis of loss of earning capacity in relation to a particular injury. In the past large sums have been paid for minor injuries, yet we felt those minor injuries did not deserve the amount of compensation at first thought to be necessary. If the schedule is accepted, it will allow a much greater sum of compensation to be paid to people who are gravely injured.

For instance, we have taken £2,000 as the basis of total disability, but we have regarded the total loss of sight of both eyes as being over 100 per cent. We have regarded it as 112½ per cent., for the reason that the individual who is blind must call upon the services of other people in his house, at least for a fairly long period before he has been trained. Therefore he is more than totally disabled. When it comes to the total loss of the sight of the only eye, the man is regarded as blind.

When a man has lost all physical and mental powers, we have suggested that he is more drastically injured than to the extent of a total disability of 100 per cent. If a man with a lack of mental powers and unable to move his limbs is existing in his home, a considerable amount of effort on the part of the family must be required to care for him, and we have awarded 125 per cent. Therefore we have provided for the various other injuries in relation to the effects they have on the individual's earning power, and have simplified some of them.

I believe that I have presented to the Committee a fair and equitable schedule which will meet modern scientific requirements, which will make equitable provision for the drastically injured, and which will prevent the payment of undue sums for very minor injuries. Therefore I consider that the schedule is one which could be accepted and which could apply as long as the existing one has operated.

THE CHIEF SECRETARY: I hope that the Committee will not accept the amendment. If members compare the proposed new schedule with the one in the Act, they will realise that it entails a considerable

change. This is really a question for specialists to decide. We are not in the position to give a clear decision on such a radical change, particularly in regard to disabilities of the ears and eyes. I appreciate greatly the considerable amount of work that the compilation of the schedule has involved; and, on the surface, the new schedule would appeal to me as being an improvement on the existing one. However, I should like to have it examined by experts before accepting it.

Hon. L. Craig: Why not do so?

The CHIEF SECRETARY: If Dr. Hislop will withdraw his amendment, we could have the schedule examined between now and next session and then, if necessary, the proposed new schedule could be adopted.

Hon. J. G. HISLOP: Details of this proposal have appeared on the notice paper for nearly a week, and I gave the Chief Secretary a copy before putting my amendment on the notice paper. I do not think it would have taken his department two minutes to find out that the eye section has been accepted for the last six years by the Repatriation Department, and that the hearing test is accepted by those who are doing advanced work in that line. Had the Minister telephoned any of those gentlemen, he would have been informed of the value of the schedule. Therefore I cannot see why consideration should be deferred.

Hon. E. M. HEENAN: The proposed new schedule is certainly a radical departure from the one which has been in the Act for many years and which is fairly well understood by all concerned. Whether the Chief Secretary could have obtained further information during the week, I do not know; but I confess that Dr. Hislop's explanation is beyond me, and I feel that I should not be required at this stage to vote on the amendment. I appreciate the amount of work that its preparation has involved, and it possibly is an estimable achievement, but I believe that all members would require further clarification.

Hon. L. Craig: Do you think we understand the old schedule?

Hon. E. M. HEENAN: The items in the existing schedule deal with the total loss of a leg and the total loss of a middle finger, etc., and are easily understood, but this is a matter for expert study. We have been given no opinion other than that by Dr. Hislop; and, although I respect his opinion highly, we should not be asked to vote until further information is made available.

The CHIEF SECRETARY: We did endeavour to get the schedule from the Repatriation Department, but were told that the Government would have to apply to Canberra before it could be supplied.

Hon. J. G. Hislop: I could let you have a copy in the morning.

The CHIEF SECRETARY: I think the best course to adopt would be to report progress.

Hon. A. L. Loton: Will you make inquiries also?

The CHIEF SECRETARY: We shall do our best to get the information by Tuesday next, and if Dr. Hislop will make the repatriation schedule available, that will assist us.

Hon. H. Hearn: I am in accord with what you say.

The CHIEF SECRETARY: A somewhat awkward position has arisen, and it may be necessary for Dr. Hislop to withdraw his amendment temporarily. Then I could move for progress on Clause 17, and on Tuesday Dr. Hislop could resubmit his amendment.

Hon. J. G. Hislop: I would not desire to move for the recommittal of the Bill.

The CHAIRMAN: The position on Tuesday will be the same as it was today.

Hon. J. G. HISLOP: I ask leave to withdraw the amendment temporarily.

Amendment, by leave, withdrawn.

Progress reported.

As to Inaccurate Division List.

The PRESIDENT: In connection with the minutes of yesterday, I wish to make a correction regarding a division on the Workers' Compensation Act Amendment Bill. The division on the amendment to delete paragraph (d) of Clause 7 has been incorrectly recorded. The name of Hon. E. M. Davies in the list of Ayes should be deleted, and the name of Hon. L. C. Diver substituted. The correction will be made in a reprint of the minutes.

BILLS (6)—FIRST READING.

- 1, Industrial Arbitration Act Amendment.
- 2, Prices Control Act Amendment and Continuance.
- 3, Upper Darling Range Railway Lands Revestment.
- 4, Water Boards Act Amendment.
- 5, Inspection of Machinery Act Amendment.
- 6, Police Act Amendment.

Received from the Assembly.

BILL—VETERINARY MEDICINES.

Second Reading.

Debate resumed from the previous day.

HON. C. H. HENNING (South-West) [5.8]: I desire to commend the Government for introducing this Bill and at long last bringing Western Australia into line with the other States of the Commonwealth as far as veterinary medicines are concerned. A certain portion of the Health

Act protects the public generally against dangerous drugs and patent medicines, and the same broad principles are embodied in this measure, the standard of drugs laid down here being the same as that in the relevant part of the Health Act.

If this Bill becomes law, certain persons will suffer, but they are only those that can be described as go-getter salesmen and charlatans. This legislation will be welcomed, I have no doubt, not only by stock-owners but also by all reputable manufacturers and dealers in stock medicines. Some of those are of Australian-wide repute, and others are English or American firms, with branches in Australia, engaged in the manufacture of stock medicines.

One of the main points about the drugs supplied by these reputable firms, apart from the reputation behind them, is the fact that one is told what the drugs are for, and what they are capable of doing. Such firms make no false claims as to the use and efficiency of their drugs in treating stock. That, of course, is what we all desire, but unfortunately it is not what is happening in a few cases in this country today. I desire to tell the House, shortly, something of what is happening, and will first mention one or two of the clauses of the Bill.

First of all, there is the definition of "veterinary medicine," and it is an extremely broad one. I have discussed it with veterinary surgeons and, as far as they can ascertain, it covers every aspect of veterinary treatment which can be given by means of patent or stock medicines. The definition deals with the curing, alleviating, or treating of injuries to stock; the preventing, curing, alleviating, or treating of diseases or ailments in stock; and the destroying of any parasite or pest affecting stock. That has nothing to do with the hormones and that sort of thing used in some instances for weed destruction—

Hon. A. L. Loton: Has it anything to do with pests that annoy farmers?

Hon. C. H. HENNING: The definition deals further with diagnosis in relation to stock; improving the health or increasing the capacity of stock for work; and production and reproduction of progeny for show purposes; and the term includes aphrodisiacs and anaphrodisiacs, and dehorning preparations. Those are the things we are in trouble about at present.

Then the Bill defines "veterinary surgeon." In the whole of Western Australia, there are now only 16 registered veterinary surgeons, and of that number four are resident and practising in the country. So whatever else we think of the Bill, we must realise that the stock-owner at present has the greatest difficulty in getting fully-qualified advice in regard to his stock.

Hon. L. A. Logan: Others are dealing with diseases of dogs and cats.

Hon. C. H. HENNING: There are some that were in practice before the Act came into force. There are eight of those altogether, and four in the country; and then there are the permit holders—men without qualifications but who, in most cases, can deal with simple ailments and injuries of stock.

The committee or board to be appointed is an excellent one, and consists of the Chief Veterinary Surgeon, a Government analyst, a person who is principal of the Animal Health and Nutrition Laboratories, and a veterinary surgeon selected by the Western Australian division of the Australian Veterinary Association. I do not know where one could get a better qualified board to deal with the problems that this body will be up against. Some members may object that we have here another board; but the only alternative is to have one man, and I honestly believe that a committee such as this can and will do the work most efficiently. A further good point of the measure is that, under it, departmental officers will be the inspectors.

The mechanics dealing with the registration of veterinary medicines and how this came about is well set out. The Bill also provides that a prescribed fee shall be paid in respect of each veterinary medicine. I am told that the cost for this board will probably be slightly under £30; in other words, the entire cost should be borne by the prescription fee for having these medicines registered. The prescription of the medicine is definitely a secret and is locked away and kept. I am very pleased to note that all the medicines that are registered will be published each year in the journal of the Department of Agriculture, and that every medicine so registered will carry a special label or brand at the bottom, which will state that it is registered under the Veterinary Medicines Act of 1953.

Hon. A. L. Loton: That is, if the Bill becomes law.

Hon. C. H. HENNING: Yes. It prevents anybody from selling veterinary medicines unless the medicine is registered. I do not think that anyone who has a reputable product will wish to sell it without first having it registered. I remember an incident which occurred over 20 years ago, when the late Mr. Murray Jones was chief veterinary officer. That was in the penicillin days, when a certain product costing 15s. 6d. for 5 cubic centimetres was put on the market for the treatment of mastitis. The directions stated that it was necessary to inject only one centimetre into the cow and she would then be free of mastitis for the rest of her life. I took the medicine to Mr. Murray Jones. He analysed it a few days later, and told

me that all it contained was a few drops of lysol in water. Now, of course, times have changed. Today we find there is a high-pressure group running around the country and concentrating on particular districts. They come along in a very well-kept car; they wear white overalls with green braid, and have a nice big star on their left breast.

Hon. A. L. LOTON: Why left breast?

Hon. C. H. HENNING: Because it is nearest the heart! Their dress and their bearing implies that they may well be research or extension officers. They go along the road and if they happen to see a dead animal in a paddock, they may condescend to go over to it; as long as they see it that is sufficient. Having seen it, they drive up to the farmer and tell him they have seen such-and-such an animal which appears to have such-and-such a complaint. By their approach, and by implication, they endeavour to convey the impression to the farmer that it is something important. If they are mistaken for research or extension officers, so much the better for their purpose. They then proceed to sell the farmer remedies which they maintain are recommended by high authorities; if it can be worked in without inconvenience, they mention the C.S.I.R.O. The farmers, quite naturally on that authority, have great respect for the medicines and readily buy them.

A case occurred recently at Boyup Brook: Mr. Craig was there at the time I was told of it. We heard that a person was sold £30 worth of stuff for which he paid by cheque. There happened to be something wrong in the writing of the cheque and payment was held up. That was fortunate, because he later discovered that the medicines were not all that they were supposed to be. Only the other day a well-known farmer in the Moora district was up for £180-odd. These people, who go around in these well-kept cars, concentrate on and work quickly in one area; and it is only after they leave that letters and complaints of their worthless wares start rolling in. I am quite certain that the Minister for the North-West could tell the House that there is a file six inches thick in the Department of Agriculture dealing with these matters.

Another good thing from the point of view of these men is the natural readiness of one farmer to telephone his neighbour advising him of a coming visit from these medicine men. On that recommendation, it is only natural that the neighbour will be prepared to buy the product. I hope this Bill will get through with the minimum of delay so that it can become operative immediately and prevent stock-owners from being imposed upon as they are at present.

Question put and passed.

Bill read a second time.

In Committee.

Hon. W. R. Hall in the Chair; the Minister for the North-West in charge of the Bill.

Clauses 1 to 8—agreed to.

Clause 9—Application for registration of veterinary medicine.

Hon. A. L. LOTON: I wonder whether it is not possible for some primary dealers to be penalised if they have bought large consignments from the Eastern States, or from England or America, and have big stocks of these medicines on their hands at the expiration of the period mentioned. It is possible that these medicines may be used out of season as in the case of mastitis and cleansing powders. During the summer there is very little demand for them. Could the Minister tell us if any special exemption is made for the people to whom I refer?

The MINISTER FOR THE NORTH-WEST: As I see it, anybody who has a considerable quantity of these medicines on hand and does not comply with the provisions of the Act, will surely continue to have them on his hands. A lot of publicity has been given to this measure, and I doubt very much whether anybody would have on hand medicines which do not comply with the requirements of the Act. Any known remedies, or any remedies from the Eastern States, would, of course, have passed the requirements of the State or country of origin before they were branded, and they would be all right. The only person who would suffer would be the man whose medicine did not come up to standard.

Clause put and passed.

Clauses 10 to 22, Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—LICENSING ACT AMENDMENT (No. 2).

In Committee.

Hon. W. R. Hall in the Chair; Hon. R. J. Boylen in charge of the Bill.

Clause 1—agreed to.

Clause 2—Section 122 amended:

Hon. R. J. BOYLEN: The first amendment appertains to bona fide travellers and provides that the words "a bona fide traveller" shall be inserted in paragraph (a) of Subsection (2) of Section 122. I have had a number of requests for this from the travelling public; and, in the last few days, have spoken to a number of hotel-keepers in the country and the city, and they consider the provision worth while.

The CHAIRMAN: What the hon. member is referring to is in the Bill. His amendment is on the notice paper and has reference to subparagraph (ii) of proposed new paragraph (d) of Subsection (2) of Section 122.

Hon. H. S. W. PARKER: I have a prior amendment. I move an amendment—

That paragraph (a) be struck out.

I do not like this reintroduction of the old bug-bear of the bona fide traveller. We altered the law previously so as to make it a free, simple matter, having relation to certain hours of trading. The existence of the bona fide traveller provision was the one that brought the liquor trade into disrepute, and caused all the trouble amongst those who, quite rightly, objected to liquor being consumed on Sundays.

Hon. N. E. BAXTER: I support the amendment. Mr. Boylen stated that he had interviewed a number of country publicans and city licensees. This part of the clause has nothing to do with city licensees, and they would not be the least concerned whether it was included or not. Since the Bill was introduced, the hon. member could not have seen many country licensees; but I know what their views are on this subject. They consider the provision would be an absolute nuisance. The party to which the sponsor of the Bill belongs is supposed to be a great exponent of the 40-hour week; yet he is asking the licensees to work up to 80 hours a week, and to do Sunday work.

The Minister for the North-West: They could employ somebody.

Hon. N. E. BAXTER: It must not be forgotten that when a licensee employs a man in the bar on Sundays he has to pay him double time, but he does not obtain double prices for his liquor. It is entirely unfair to ask a country licensee to serve bona fide travellers on Sundays, particularly when the provision has no application to city licensees. Any person going 50 miles out of the city can be regarded as a bona fide traveller and can obtain a drink, but country people coming to the city from a distance of 50 miles, do not fall within that category and cannot get a drink.

Hon. F. R. H. Lavery: When Mr. Baxter referred to this provision being a nuisance to the licensee, did he have in mind the cost of employing labour or the time he would have to be at the hotel?

Hon. N. E. BAXTER: I would say that in every country hotel, the usual practice on Sunday morning is to take stock and have a general extra clean-up for the week. With two people working, that occupies two hours solid labour. That applies to the work in a medium-sized or small-sized country bar. Then there is the trading hour from 12 p.m. to 1 p.m.; and if a licensee is to be interrupted by bona fide travellers, he will have difficulty in getting through his work. He usually has lunch between 1 p.m. and 2 p.m. and the only time he has for a stroll is between 2 p.m. and 5 p.m.

Hon. L. C. DIVER: Mr. Baxter has made it appear that the publicans are going to be disturbed all day Sunday.

Hon. N. E. Baxter: I did not say all day.

Hon. L. C. DIVER: Well, Sunday morning. I would point out there is no compulsion on anyone to be a publican. An individual chooses his mode of life. I have worked many a Sunday morning. I do not growl about that, because it is part of my occupation. Are publicans not going to serve the public?

Hon. L. Craig: Not on Sunday, I hope.

Hon. L. C. DIVER: Why not, if they are bona fide travellers? Doubtless most members have, like myself, experienced what it means to travel long distances, perhaps with womenfolk, and being unable to get service, not only from publicans, but from others, so that one almost drops dead on the track because one cannot get a drink of water.

Hon. N. E. Baxter: That is entirely wrong.

Hon. L. C. DIVER: It is not wrong. I have travelled from Geraldton to Perth since the Act was amended. I and my party have called in at several places, but because we did not happen to arrive at the "trough" hour, we were unable to get a drink; and it was a dreadfully hot day.

Hon. H. S. W. Parker: You could have demanded anything except intoxicating liquor.

Hon. L. C. DIVER: The trouble is to find anyone about the premises. I agree with the objection to people going to a hotel just for the sake of having a drink, but some facilities should be available for the travelling public.

Hon. C. W. D. Barker: The publican should give service.

Hon. L. C. DIVER: That is the point. These publicans want to collect and enjoy all the sweets of their occupation without putting up with the disabilities.

Hon. N. E. Baxter: Where are all the sweets?

Hon. L. C. DIVER: They are enjoyed six days a week. In fairness to the travelling public, these words should be reinserted in the Act.

Hon. E. M. HEENAN: This provision was omitted from the last amending Bill, largely through inadvertence. There are those who think that people should be able to do without a drink on Sunday. I have in mind the Goldfields, where folk have to travel long distances over very rough roads and in pretty severe climatic conditions.

Hon. J. G. Hislop: They could obtain a cup of tea.

Hon. E. M. HEENAN: When motor-ing from Kalgoorlie to Menzies, where can one obtain a cup of tea in Menzies on a Sunday afternoon? I do not know. The same applies to Laverton, Leonora, Gwalia, and any of those towns. It is difficult for some members to appreciate the conditions under which people work, travel, and live in the outback. If a person in Perth wants a drink on Sunday he can go to a club.

Hon. N. E. Baxter: This does not concern Perth in any way.

Hon. E. M. HEENAN: That is so; and the people here have very little sympathy for it. A person who takes a long journey over a dusty road really appreciates a drink, and the hotel-keeper has no objection to giving it. It would be a good thing to reinstate this clause. No one wants the hotel-keeper to work all hours. He is entitled to time off, and if he is out on a Sunday morning or afternoon, the traveller cannot get a drink. Our licensing laws should be framed so as to provide comfort and amenities for the public, whether travelling or on holidays.

Hon. N. E. Baxter: Are members of the travelling public prepared to pay double prices? Of course not!

Hon. E. M. HEENAN: I am sure not one of the hotel-keepers in the Eastern Goldfields would object to this provision. They should provide bedrooms and drinks at a reasonable price. They are entitled to make a fair profit, and the travelling public has no objection to paying a reasonable amount for a decent service.

Hon. J. M. A. CUNNINGHAM: The Bill is designed to meet the conditions in the area concerned. A man who goes on holiday from Kalgoorlie usually leaves at the week-end; and in whichever direction he goes, he has to travel long stretches of featureless country before arriving at any licensed premises, which are really no more than wayside inns. I know the licensees in the areas that I am speaking about, and I call them by their first names. They have no objection to staying open on Sunday, or at any other time, to serve the public. Through the year they probably do not get sufficient trade to make a good living. They are quite prepared, if for no other reason than that of social intercourse during the day, to provide this service. The fear that members have expressed about excessive drinking on Sundays is not justified in connection with the areas we are talking about.

Hon. C. W. D. BARKER: I hope the Committee will not agree to the amendment. Mr. Baxter would have us believe that the public has to consider the hotel-keeper. In my opinion the hotel-keeper is the servant of the public. When he takes over a hotel he knows that he has a seven-day-a-week job.

Hon. H. L. Roche: He is like the service-station proprietors.

Hon. C. W. D. BARKER: He may be. We are only asking for an amenity. Several speakers have said that this provision was left out of the Act last time by mistake. Surely we can rectify an error. I know what it is to travel 150 to 200 miles from one town to another in the North. After such a journey a man is entitled to go to a hotel and ask for a drink. Mr. Baxter was talking about double time for his staff. Well, he is paid double time all the week, and he is entitled to give the public service.

Hon. N. E. BAXTER: What happened at Sawyer's Valley and Rockingham when we had the bona fide traveller provision? There was a drinking orgy all day long and if this provision is agreed to we will have that sort of thing again. Under the measure, a party could leave Perth go to Sawyer's Valley for the morning session, and then go on to York and, as bona fide travellers, start another session. The publican at York would be tied up until 5 o'clock at night with them.

Hon. C. W. D. Barker: Are you suggesting we are a race of drunkards?

Hon. N. E. BAXTER: I am not suggesting anything. I am telling the Committee what happened in the past, and what will happen if this clause is agreed to.

Both Mr. Cunningham and Mr. Heenan referred to the long distances which had to be travelled in the North and on the Goldfields. Much as I sympathise with them in their difficulties, I feel that if a person is so foolish as to commence a journey entailing long distances between towns, and he does not carry any form of refreshment—he could take something in a thermos, or even stop and boil a billy—he deserves to go without a drink.

Because the subject under discussion is beer, the hotel it seems, must be open for bona fide travellers. Mr. Diver said he travelled from Geraldton along the Midland line and could not get a drink. He said it should be the duty of the publican to serve the public. That is all very well, but tearooms have a right to stay open on Sundays to serve bona fide travellers; and, if they do not, why not introduce a law to make it mandatory for them to do so?

Hon. L. C. Diver: They do not deal in exclusive beverages.

Hon. N. E. BAXTER: This is not dealing with exclusive beverages, but with refreshment.

Hon. C. W. D. Barker: Would you allow tearooms to sell beer?

Hon. N. E. BAXTER: No, I cannot allow them to because of the Licensing Act which prohibits them from so doing. That is a ridiculous question. Those are my reasons for opposing the provision. They are sound common sense, and they would help to make sound law.

Hon. G. BENNETTS: I am not a drinker.

Hon. H. L. Roche: You do not know what you have missed.

Hon. G. BENNETTS: Perhaps I would have put on some condition if, instead of drinking lemonade, I had drunk beer. I have no objection to a person who has to travel long distances having a drink. Only recently I was one of a party of seven that travelled with a Minister of the Crown from Ravensthorpe to Perth. We had a lot of car trouble on the way, and we were late in reaching Lake Grace; we arrived there at a quarter-past seven. We had no water, and we could not get a drink or a meal in the town.

Hon. N. E. Baxter: Did you not go to the publican and ask him?

Hon. G. BENNETTS: We did not think it right to go to a hotel, because we were members of Parliament, and we did not want the licensee to break the law.

Hon. N. E. Baxter: I meant go to him and ask him for a meal and refreshments.

Hon. G. BENNETTS: It was a quarter-past seven in the evening, and we did not want to ask the publican to put on a meal especially for us. We went to a restaurant and knocked at the door for ten minutes. We could see the people through the glass door. Eventually they came out and told us that the place was closed, and they did not intend to serve us. We proceeded to Perth and arrived there at three o'clock in the morning. Had the words "a bona fide traveller" been in the Act, we could have gone to the hotel and had a drink.

Hon. C. W. D. Barker: Demanded it.

Hon. G. BENNETTS: There were no cool-drink shops open. I always carry equipment to make a cup of tea when I am travelling long distances, but on some occasions one likes a cool drink. Mr. Baxter mentioned Sawyer's Valley, and the fact that people would go from there to York. I do not think the publican would open his hotel and allow such people to sit drinking all the afternoon.

Hon. N. E. Baxter: What happened at Sawyer's Valley and Rockingham when the bona fide traveller provision was in the Act?

Hon. G. BENNETTS: I cannot see any harm in the Bill. Sometimes on a long trip a man's tongue sticks out because he is so dry. The flies get on his tongue, and he needs something to wash them off. I do not think a glass of beer would hurt the average driver.

The MINISTER FOR THE NORTH-WEST: The discussion is getting right away from the intention of the Bill, which is to allow bona fide travellers to get a drink of liquor on Sundays. It has nothing to do with tea, cool drinks, petrol, or any-

thing else. Some members have said that if this measure were passed publicans would be put to a lot of trouble. The publican is a privileged person; he is given a monopoly to supply a service to the public.

Hon. N. E. Baxter: Where is this monopoly?

The MINISTER FOR THE NORTH-WEST: A tea-shop cannot sell beer.

Hon. N. E. Baxter: Do you mean that there is no opposition to publicans? What about clubs?

The MINISTER FOR THE NORTH-WEST: There is opposition only between themselves. Licences are limited, and so it is a protected industry.

Hon. N. E. Baxter: Very much protected today under price-fixing!

The MINISTER FOR THE NORTH-WEST: I do not know anything about that. It seems that publicans do not need this extra business and do not want to give this extra service to the public. Nowadays, in most places, it is "take it or leave it."

Hon. N. E. Baxter: It is not that good, I can assure you.

The MINISTER FOR THE NORTH-WEST: I cannot see anything wrong with introducing the bona fide traveller clause. I cannot remember reading of a great number of prosecutions at Rockingham or Sawyer's Valley when the bona fide traveller section was in the Act.

Hon. N. E. Baxter: Did you ever see the spectacle that there used to be at those places every Sunday?

The MINISTER FOR THE NORTH-WEST: I have never had a drink at those places on a Sunday.

Hon. N. E. Baxter: Then you have never seen it.

The MINISTER FOR THE NORTH-WEST: If one goes to some hotels on pay nights one is likely to see similar sights.

Hon. N. E. Baxter: I very much doubt that.

The MINISTER FOR THE NORTH-WEST: If the public requires a service, we should give it to them; and this amendment will be of assistance to the travelling public, and should not place much extra work on the publican. If there are two of them in a town they can work it in such a fashion, if they do not want to do the business, that it will not come too hard on them.

Hon. A. F. Griffith: From your knowledge, has there been much demand for this from the public?

The MINISTER FOR THE NORTH-WEST: There is an urgent necessity for it in my area.

Hon. H. S. W. PARKER: The Minister just made a rather interesting remark when he said that if there were two publicans in a town they could arrange between themselves as to which one would open.

The Minister for the North-West: I did not say that. I said they could arrange to work it between them.

Hon. H. S. W. PARKER: They cannot do that. The law says that they shall supply. A person can go along as a bona fide traveller and demand liquor from any publican.

The Minister for the North-West: But you never can. It says that the publican shall supply if, in his opinion, you are a desirable person.

Hon. H. S. W. PARKER: I thought this was for desirable people. It has been suggested that this provision was inserted in error in 1951.

Hon. H. Hearn: It was taken out.

Hon. H. S. W. PARKER: On the contrary, a new subsection was inserted in 1951. Surely any person travelling anywhere in Western Australia, except north of Geraldton, would be able to start or finish in the day-time during the period the hotels were open on a Sunday.

Hon. R. J. Boylen: No, because some distances are too long.

Hon. H. S. W. PARKER: I am opposed to bringing in the bona fide traveller provision because it was especially eliminated to overcome the way it was being abused.

Hon. E. M. HEENAN: This amendment is designed to meet the comfort and convenience of the bona fide traveller. People travelling on Sundays in the outback areas of the State travel over rough roads and under rough conditions, and frequently they have break-downs and punctures on the way.

Hon. N. E. Baxter: How often would that happen?

Hon. E. M. HEENAN: Frequently. Surely a person is entitled to a drink if he arrives at a place and he is hot, dusty and thirsty. Some people abuse these privileges, as apparently happened at Rockingham and Sawyer's Valley.

Hon. A. F. Griffith: Not some, but hundreds.

Hon. E. M. HEENAN: The distance is now 50 miles, and I cannot imagine people travelling that far to get a drink on a Sunday. Only the no-hoppers would go that far, and they would get a drink by hook or by crook.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. R. J. BOYLEN: I hope the Committee will not agree to the paragraph being struck out. I feel that it was only as a result of inadvertence that the words

were omitted from the previous Bill brought before the House, and it is no use saying they were not, because these things do occur. We have had an opportunity of experimenting with the licensing laws without this bona fide clause, and there is no doubt that many people are complaining about it. We have to legislate for the travelling public, and the public generally. Mr. Baxter stated that if the paragraph were agreed to licensees would be interrupted in their stock-taking, and matters of that nature. My experience of hotel-keepers is that they make sufficient from bona fide travellers to recoup themselves for any loss of time that might have been used in stock-taking.

As for people travelling 20 and 30 miles in order to go on a bender I consider that is a ridiculous statement. There are hotels 30, 40, and 50 miles from Kalgoorlie, and no parties are ever held in them after hours; and I venture to say that the same applies elsewhere in the State. Take a traveller who is proceeding from Kalgoorlie to Norseman, for instance. He cannot get a drink at Coolgardie; and if he is travelling during the summer, when there is excessive heat and dust, he has to wait until he reaches Widgiemooltha before he can obtain one. I am sure that the licensee of the Widgiemooltha Hotel is only too glad to have that custom. In fact, that is how the majority of hotel-keepers get their living.

Hon. N. E. Baxter: Oh yes? Not today!

Hon. R. J. BOYLEN: The hon. member may be one of the fortunate ones. Dr. Hislop mentioned that travellers could always get a cup of tea. If the proprietors of tearooms were as hostile as some of the hotel-keepers when approached for service, they would not even be able to get a cup of tea. I hope that little notice will be taken of what has been said of the circumstances surrounding the conduct of the Sawyer's Valley hotel. Those premises were run shockingly. However, the same circumstances do not exist today. Certainly, it is outside the 50-mile radius, but the present licensee would not lower himself to run the premises the way they were conducted during the war.

Hon. N. E. Baxter: I did not suggest that. I was talking about further afield.

Hon. R. J. BOYLEN: And I say that the proprietor would not conduct the premises in the same way today. He might be able, under the bona fide traveller clause, to oblige people travelling to Perth from the country, but not those travelling in the other direction. I hope the amendment will not be agreed to.

Hon. N. E. BAXTER: Mr. Boylen and others have stated that through inadvertence these words were omitted from the Bill that was introduced the year before last. It is most surprising that neither the McLarty-Watts Government—which

had the opportunity—nor the Labour Government which the hon. member supports, introduced an amendment to alter the existing position and place in the statute the words which the hon. member desires to have incorporated.

Hon. A. R. Jones: The words were not included in the previous Bill.

Hon. N. E. BAXTER: No. Such an amendment was not brought forward by the Government, because of advice received from the Police Department. I know it was previously discussed in Government circles, and the Police Department did not care for this bona fide clause.

The Minister for the North-West: The police oppose every application for a license. They oppose anything that might give them some work.

Hon. N. E. BAXTER: That might be so; but the Minister knows quite well that neither the Police Department nor the Licensing Court would recommend a provision permitting bona fide travellers to enter hotels on Sundays.

The Minister for the North-West: Neither of them has been asked by this Government.

Hon. N. E. BAXTER: There is no reason why a private member should presume to know more about this position than the Police Department or the Licensing Court. Mr. Boylen also said that some licensees get a good living from the custom of bona fide travellers. That is a most ridiculous statement.

Hon. R. J. Boylen: I did not make that statement.

Hon. N. E. BAXTER: If licensees except those at Sawyer's Valley and Rockingham, had to rely on bona fide travellers for a living, they would soon go broke.

Hon. R. J. Boylen: Both those hotels are outside the bona fide range.

Hon. N. E. BAXTER: I admit that.

Hon. C. W. D. Barker: Well, what is the idea? Is this a red herring?

Hon. N. E. BAXTER: It is nothing of the sort. The hon. members knows that 50 miles is not far to travel in a car these days.

Hon. L. C. Diver: Why not make it 75 miles?

Hon. N. E. BAXTER: If the hon. member wanted this provision to apply to the Goldfields, why did he not restrict it to the Goldfields, instead of making it State-wide?

Hon. R. J. BOYLEN: In reply to Mr. Baxter, I would point out that certain requests were made to the Government to have this provision inserted in the Act, but, because of the late hour of the session, it could not be considered. I know for a fact that a request was made to the

Government to include this provision in the event of its introducing a Bill to amend the Act, and no doubt the Government would have introduced it. The hon. member asked why I have not restricted it to the Goldfields area. There is not much interest shown on the Goldfields, because they are not affected by it, and the licensees of hotels there are quite prepared to pay the higher rates to their employees on Sundays. If they are prepared to do that, why should not country hotel-keepers be willing to do so?

Hon. A. F. GRIFFITH: Did I understand Mr. Boylen to say that this provision has been inserted in the Bill as a result of a request to the Government to bring down a Bill?

Hon. R. J. Boylen: It occurred only recently during this session and the request received consideration.

The MINISTER FOR THE NORTH-WEST: Much has been said about the Government being approached in regard to this matter. I was in the North-West and missed one Cabinet meeting; but I can assure the Committee that the Police Department has not approached the Government concerning this or any other amendment to the Licensing Act, as far as I know.

Hon. A. F. GRIFFITH: This is a surprising state of affairs. A Minister of the Crown has told us that the matter has not yet been considered by Cabinet, and yet—

The Minister for the North-West: I am talking about the amendment.

Hon. A. F. GRIFFITH: —a private member can say—

The Minister for the North-West: I said the Police Department had not approached the Government.

Hon. A. F. GRIFFITH: I understood Mr. Boylen to say that an approach was made to the Government to bring down an amendment similar to the one now before the Committee, and that the Government was not prepared to do it, because of insufficient time. Have I understood Mr. Boylen correctly? It is ridiculous to state that there is insufficient time. When I was in another place there was always a cry about bringing down legislation in the dying hours of the session. We now have the excuse that a private member is introducing the Bill because the Government has not the time.

Hon. R. J. BOYLEN: I did not rush into proposing this amendment without consulting good authority. I know that requests will be made to the Government to have a provision similar to this one inserted, but the Government does not have to accede to every request. After all is said and done, Cabinet decides these matters, and not any particular department.

Hon. A. F. Griffith: You know that a month ago the Premier said that there would be no change in the licensing laws this session.

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

Ayes	.....	7
Noes	.....	15
Majority against	.....	8

Ayes.

Hon. N. E. Baxter	Hon. J. McI. Thomson
Hon. C. H. Henning	Hon. H. K. Watson
Hon. A. R. Jones	Hon. Sir Frank Gibson
Hon. H. S. W. Parker	(Teller.)

Noes.

Hon. C. W. D. Barker	Hon. E. M. Heenan
Hon. G. Bennetts	Hon. F. R. H. Lavery
Hon. R. J. Boylen	Hon. L. A. Logan
Hon. L. Craig	Hon. J. Murray
Hon. E. M. Davies	Hon. C. H. Simpson
Hon. L. C. Diver	Hon. H. C. Strickland
Hon. G. Fraser	Hon. J. Cunningham
Hon. A. F. Griffith	(Teller.)

Amendment thus negatived.

Hon. R. J. BOYLEN: I move an amendment—

That in line 3 to 6 of subparagraph (ii) of proposed new paragraph (d) of Subsection (2) the words "between the hours of ten-thirty a.m. and twelve-thirty p.m. or the hours of three p.m. and six p.m." be struck out and the words "during such hours as the Governor may from time to time proclaim under the provisions of Section 121 of this Act" inserted in lieu.

The hours proclaimed on the Goldfields at present are 10.30 a.m. to 12.30 p.m. and 3 p.m. to 6 p.m. Those hours were inserted in the Bill, but the amendment is proposed because this measure affects the whole of the Goldfields district, and the hours are not the same in each sub-district. The Licensing Court went to each sub-district and ascertained from the public what its requirements were. Some districts wanted longer and some shorter hours. If the hours I mentioned were made mandatory for the whole of the Goldfields, they would not suit some of the subdistricts, some of which have five hours, and some three.

Hon. H. S. W. PARKER: This is an ingenious amendment. Under the law, the Licensing Act fixes the hours, but this amendment allows the Minister to fix them. It is not a fair thing to put this on to the Minister because it will make his position very awkward. All sorts of political pressure will be brought to bear on him. I think the present provision of allowing the Licensing Court to make full inquiries is correct.

Hon. E. M. HEENAN: This provision was in the old Licensing Act—

The Governor may, on the recommendation of the Licensing Court, by proclamation extend or reduce the hours in any licensing district or part

of the district within the goldfields district. Any such proclamation may on the recommendation of the Licensing Court be varied or revoked by subsequent proclamation.

Pursuant to that, the Licensing Court, comparatively recently, toured the Goldfields and fixed the trading hours for Sunday in Kalgoorlie and Boulder. The hours for Norseman were modified to meet the convenience of the local residents. If the hours were made mandatory, we might find that they would not apply in Norseman, Wiluna, or the North-West. This Committee can be assured that the hours will be fixed only on the recommendation of the Licensing Court. That court has already given consideration to the hours in various districts of the Goldfields and the North-West.

Hon. N. E. BAXTER: I oppose the amendment. I do not see any need for this portion of the clause, because that is already covered in the Act.

The MINISTER FOR THE NORTH-WEST: When Mr. Boylen drew up the Bill, he was not aware that the Goldfields licensing district extended to the Northern Territory border and took in all North-West towns. The hours in those towns are different, and none are identical with those shown in the Bill. That was the reason it was decided to cut out the hours, which would have the effect of restricting the sale of bottled beer to those applying in each district.

Hon. H. S. W. PARKER: As proclaimed by the Governor and not by the Licensing Court.

Hon. R. J. BOYLEN: Mr. Parker thinks this provision contains something subtle. It would have been dishonest to leave it as it was in the first instance. Those hours would have caused considerable inconvenience because the court would have had to go out again, and recommend to the Governor the hours for each subdistrict. This clause must be inserted so as to deal with the next.

Hon. H. K. WATSON: The explanation given by Mr. Heenan is the logical one. The power to proclaim is given under Section 121, under which the proclamation can be made only on the advice of the Licensing Court. I think that covers the position.

Hon. H. S. W. PARKER: I was in error. Mr. Boylen is correct. The power still remains primarily with the Licensing Court.

Hon. N. E. BAXTER: I ask the Committee not to agree to the amendment for the reason that this portion of the clause is unnecessary.

Amendment put and passed.

Hon. R. J. BOYLEN: I move an amendment—

That in lines 3 to 5 of subparagraph (iii) of proposed new paragraph (d) of Subsection (2) the words "between

the hours of ten-thirty a.m. and twelve-thirty p.m." be struck out and the words "during such of the hours mentioned in the last preceding subparagraph as are not after one p.m." inserted in lieu.

In some districts the hours are 11 a.m. to 1 p.m., whereas in Kalgoorlie and Boulder, the morning session is from 10.30 a.m. to 12.30 p.m. The amendment will permit of the hours being fixed to suit the various Goldfields and North-West towns. This will apply simply to the morning session.

Hon. H. K. WATSON: If the amendment were passed and a member desired to oppose the whole paragraph, would he be precluded from doing so?

The CHAIRMAN: We have already amended an earlier portion of paragraph (d).

Hon. A. F. GRIFFITH: I take it that the whole of Clause 2 as amended will be put from the Chair. I am prepared to concede the bona fide traveller provision, but I do not favour the rest of the paragraph and so I shall be obliged to vote against the whole of it.

The CHAIRMAN: I cannot see how that could be avoided.

Hon. C. H. SIMPSON: Many of us are agreeable to the inclusion of the bona fide traveller provision, which could be of benefit to the travelling public, but we are not so happy about the provision for selling bottled beer during trading hours on Sunday. In a town like Kalgoorlie, a man could purchase two bottles of beer at several different hotels. In 1951, one of the objects we desired to achieve was a curtailment of the sale of bottled beer on Sunday. Much thought was given to the matter, and provision was made so that a man could get a drink at the bar but could not buy bottles of beer.

The CHAIRMAN: If some point has been missed, a motion may be moved at a later stage for the recommittal of the Bill.

Hon. C. H. Simpson: I think that ought to be done.

Hon. E. M. HEENAN: I support the amendment, the object of which is to authorise the sale of two bottles of beer during the morning session on the Goldfields and in the North-West. The morning session has been stipulated by the Licensing Court and varies in different towns. Consequently the amendment has been worded in its present form. I urge the Committee to weigh carefully the views of members who represent the people who will be concerned. There is a big demand for this concession. For 50 years the licensing laws have taken cognisance of the fact that special consideration should be extended to the Goldfields.

The possibility of a man's purchasing two bottles of beer at each of several hotels in a town like Kalgoorlie seems to be worrying Mr. Simpson, but I think there is little need for his fear. Bottled beer is expensive, and a couple of bottles would be the most that an average person could afford. I have in mind North-West towns, which are perhaps 100 miles apart and in each of which there is usually only one hotel, and the people catered for are prospectors, miners and old-age pensioners. They have no refrigerators, and so it would be useless for them to buy a couple of bottles on Saturday night because, in that climate, the beer would be too hot to drink on Sunday. This is a privilege that the residents of those parts desire and deserve, and I believe it will not be abused. Those people have received certain privileges and have paid dearly for them but have never abused them.

Hon. G. BENNETTS: If this provision is not agreed to, workers on the Goldfields will be denied their one or two bottles of beer on Sundays. I would remind members that that part of the State is dry and dusty, and residents there enjoy an occasional drink.

Hon. C. W. D. BARKER: The Bill seeks this privilege for the people on the Goldfields only. As a representative of the North-West, I say that the people in that area, if granted this privilege, would welcome it and would not abuse it.

Hon. N. E. BAXTER: Will not the amendment, if agreed to, create an anomaly? Would not the words "not after 1 p.m." mean that bottles could be purchased up to that hour on a Sunday?

Hon. E. M. Heenan: No.

Hon. N. E. BAXTER: I am sorry; I can see now that that is so. I maintain that there is no necessity for the amendment, and I see no reasonable excuse for the serving of bottles on Sundays. Such a provision would be impossible to police.

Hon. E. M. Heenan: The price would limit the purchase of bottles.

Hon. N. E. BAXTER: The hon. member knows very well that the price has never been a limiting factor on the sale of bottles, particularly on a Sunday.

Hon. A. F. GRIFFITH: I do not suggest that Goldfields members do not know what is best for those they represent, and I would be the last to vote in such a way as to create undue hardship; yet I do not think this provision, if agreed to, could be given practical application as it could not be policed.

Hon. C. W. D. Barker: You know there is only one pub in most northern towns. Hon. A. F. GRIFFITH: What about Port Hedland, Broome, and Carnarvon?

Hon. C. W. D. Barker: Yes; but there are nine towns to be considered.

Hon. A. F. GRIFFITH: Unlike Mr. Simpson, I am not happy about the provision relating to bona fide travellers and would hate to return to the position that existed for so many years. The Licensing Court has power to open the hotels in Kalgoolie all day on Sunday if it so wishes.

Hon. R. J. BOYLEN: It has not power to grant this privilege.

Hon. A. F. GRIFFITH: That is so. If the amendment is agreed to, who will re-commit the Bill? Perhaps we shall have to vote against the clause.

THE MINISTER FOR THE NORTH-WEST: I am amazed that members who do not represent the areas affected have expressed opposition to the proposal instead of accepting the word of members who do represent those areas. Why can they not take our word for what our electors want? I hope the Committee will give this proposal sincere consideration.

Hon. R. J. BOYLEN: Members need have no fear about the practical application of this provision if it is agreed to. Bottled beer was obtainable up to 1 p.m. on Sundays on the Goldfields for 30 years, and I have never seen anyone buy more than a bottle, though admittedly some might desire to purchase two. Surely Goldfields members know what their electors require.

Amendment put and passed.

Clause, as amended, put and a division taken with the following result:—

Ayes	11
Noes	13
Majority against	2

Ayes.

Hon. C. W. D. Barker	Hon. F. R. H. Lavery
Hon. G. Bennetts	Hon. L. A. Logan
Hon. R. J. Boylen	Hon. H. L. Roche
Hon. J. Cunningham	Hon. H. C. Strickland
Hon. G. Fraser	Hon. E. M. Davies
Hon. E. M. Heenan	(Teller.)

Noes.

Hon. N. E. Baxter	Hon. A. R. Jones
Hon. L. Craig	Hon. H. S. W. Parker
Hon. L. C. Diver	Hon. C. H. Simpson
Hon. Sir Frank Gibson	Hon. J. McI. Thomson
Hon. A. F. Griffith	Hon. H. K. Watson
Hon. H. Hearn	Hon. J. Murray
Hon. C. H. Henning	(Teller.)

Clause, as amended, thus defeated.

Title—agreed to.

Bill reported with an amendment.

BILL—LAND ACT AMENDMENT.

Second Reading.

THE MINISTER FOR THE NORTH-WEST (Hon. H. C. Strickland—North) [8.32] in moving the second reading said: The Bill proposes to amend Section 109A of the Act. The reason is that the department desires to speed up and avoid any unnecessary delays in connection with land that may be resumed or taken out of a pastoral lease.

Members will recall there was a similar provision before us some time ago, but it contained other amendments. This Bill deals with the one particular section, namely 109A, and it is evidently the outcome of a measure that was introduced here during a previous session concerning that particular section and others.

The amendment in paragraph (a) is designed to reduce the period allowed to lessees who desire to take up land within their pastoral area which has been applied for or which they have been notified is to be taken out of the lease and is to be resumed by the Crown. It does not affect any private individual.

Hon. L. Craig: It does not apply to anybody who applies for a private lease.

THE MINISTER FOR THE NORTH-WEST: No, not to an individual who applies for part of the lease. This provision will only apply to Section 109A, which refers to the Governor. Section 109 provides that the Governor may resume and dispose of the whole or any part of the land comprised in any pastoral lease for agricultural or horticultural settlement; also for mining or any other purpose in the public interest. Before the Governor can take such action and before any land is resumed from the pastoral lease and thrown open for selection, notice must be given to lessees and encumbrancers, if any. This notice must set out the lessees' rights under Sections 55 and 56 of the Land Act, unless they are expressly negated by the Governor under his power in Section 109.

Section 55 refers to the South-West Land Division pastoral leases only. It provides that a pastoral lessee in the South-West Land Division may apply for land within his lease, provided the application neither exceeds three separate selections adjoining his homestead, nor 20 per cent. of the land held on lease. Section 56 applies to other pastoral divisions, such as the Kimberley, North-West, Eastern, and Eucla divisions. Any pastoralist who has either 10 sheep or one large stock to each 1,000 acres leased may apply to purchase land within his lease in one or more blocks, provided the area does not exceed one per cent. of the total and does not come within a goldfield or mineral field.

The lessee in the South-West Land Division, is given three months in which to exercise his right under Section 55; while in all the other divisions, the lessees are given 12 months to make up their minds whether they want to exercise their rights or not. Paragraph (a) of Clause (2) of the Bill proposes to make it three months in either case.

Hon. L. Craig: To make it three months for the north as well as the south.

THE MINISTER FOR THE NORTH-WEST: The period of 12 months has been in the Bill since 1898, and it was inserted for the express purpose of handling correspondence which had to go to England in connection with the holders of

leases. But today, with air services and telegraphic and radio communications, it is thought that three months is sufficient time.

I do not wish members to get the idea that there is any intention to make wholesale resumptions from pastoral leases, or anything like that. The matter was brought under the notice of the department, as I have already stated, by a measure which I introduced in this House during a previous session; and the department has apparently thought my suggestions were worth writing into the Act. There is no case pending that has brought about the introduction of the Bill.

Hon. L. Craig: It is not for a specific case.

THE MINISTER FOR THE NORTH-WEST: Not at the moment. But there could be quite a lot of difficulty in the near future in the northern areas, such as the Kimberleys, particularly in respect to rice-growing. There could be difficulty along the Fitzroy Basin, where rice has been grown successfully in experimental plots under adverse conditions. Exactly the same thing has happened with regard to the Ord River; and if the Government, or any company, wished to get hold of some land and proceed with further development on a commercial basis, it could find all kinds of difficulties placed in the way.

One of those difficulties is stalling, where a man takes 12 months to say Yes or No, although it makes no difference to the compensation which the pastoralists will get eventually. Coming further down the coast, there is a particular area where nothing at all can be grown. It is useless land, and it is required for an aerodrome. The pastoralist has 12 months to say whether he wants it or not; he may require it for a golf course.

Hon. L. Craig: I think the Crown can resume it quicker than that for specific purposes.

THE MINISTER FOR THE NORTH-WEST: No; he must be given 12 months' notice. If the pastoralist says, "Right! You can have it", there is no further difficulty. But the fellow who stalls can make very great difficulty, even for the Government. The Governor has to go through this procedure. There is a wait of twelve months, and it takes another twelve months to get things valued; and that, of course, means a delay of two years. The Under Secretary has recommended this to the Minister as it would mean a saving of nine months.

The next amendment proposes to delete Subsection (4) of Section 109A of the Land Act. That section was placed in the Act in 1898 to preserve the rights of those pastoralists who were pioneers, and who went out into the back country under all kinds of uncomfortable conditions. It was virgin bush; there were no roads, and there was no telegraphic communication.

They pushed out and out until they had covered all the worth-while pastoral areas. Some went too far and lost their money because the land was not worth while. This subsection was inserted to give them protection. It reads as follows:—

Where it is proposed to resume and withdraw any land from a pastoral lease which is situate in any division other than the South-West Division, a description of such land shall be laid before both Houses of Parliament at least 30 days before such resumption and withdrawal is effected.

That was inserted for a specific purpose—to protect the people who went into the back country in the early days. It applies only to the pastoral areas outside the South-West Land Division, and the purpose of deleting it is to save time. In the case of a resumption being necessary, even though the pastoralist may be willing, this provision delays the machinery for six or seven months or more, because there might be an application just as we were finishing a session, and then we would have to wait for the next session, because 30 days would have to expire before the Lands Department could put its resumption into effect.

The next amendment is to delete the words "or of twelve months, as the case may be" in line 2 of Subsection (5) of Section 109A. That is consequential on the first line of Subsection (5), which reads—

After the expiration of the said period of three months or of twelve months, as the case may be . . .

To provide for uniformity, the words I have mentioned will have to be deleted. Again, the intention is to save time in any possible resumptions; and I have no doubt that, whatever Government is in power in the next few years, some resumptions will be necessary in isolated pockets of the Kimberleys, and perhaps at an odd place or two near an aerodrome.

Hon. C. W. D. Barker: Particularly if they discover oil.

THE MINISTER FOR THE NORTH-WEST: That is a different proposition. All they would want then would be a few acres, and I am sure any pastoralist would give them that; there would be no argument about it.

Hon. L. Craig: They have mineral rights.

THE MINISTER FOR THE NORTH-WEST: Yes. But where the land is required for agricultural purposes particularly, there might be much difficulty and a loss to the State of some very valuable industries. For instance, there is an experimental rice-growing project being conducted at Liveringa Station, and that company has spent £30,000 on the experiment. It has proved that rice can be grown commercially. The company is now awaiting

a survey of the rivers so that there can be an assessment of their volume, and their capacity to provide sufficient water to irrigate the area of land required to make rice-growing a commercial proposition.

That survey is in progress; and it is hoped that it will be completed by the end of the year, by which time it is expected that all the rivers within a radius of nearly 200 miles of Derby will have been gauged and their capacity for irrigation purposes in connection with rice-growing assessed. That is one of the important reasons why this measure is brought forward—to reduce any time that might otherwise be absolutely wasted in making decisions about companies such as this being able to acquire land. I move—

That the Bill be now read a second time.

On motion by Hon. L. Craig, debate adjourned.

BILL—ELECTRICITY ACT AMENDMENT.

Second Reading.

Debate resumed from the 19th November.

HON. L. A. LOGAN (Midland) [8.51]: The Minister did not give any valid or sufficient reason for the introduction of the Bill. He did say that it was intended to protect the public. I am wondering whether we are going to continue having legislation of this kind introduced until we shall be protecting members of the public from the time they get out of bed in the morning to the time they go to bed at night! From the way in which we are continually passing measures controlling the actions of people in their everyday lives, that is what eventually will happen. People will not have to think for themselves at all; somebody else will do their reasoning for them. I do not consider we should legislate for that state of affairs.

To my knowledge, there has been no accident which would have made this Bill necessary. Had the Minister been able to point to articles of this kind that have caused accidents, I would have said he had some justification for introducing the measure. I consider that the manufacturers, plus the public, will ensure that only articles of a safe standard are put on the market. In addition, there is a Standards Association of Australia which also provides a safeguard against articles of this description being marketed.

I will vote against the Bill, but I believe it will be passed. If that is so, I suggest that, rather than leave the yea or nay to one civil servant, or two or three employees of the State Electricity Commission, we should leave it to the jurisdiction of an approvals board or committee, consisting of members of the trade. I do not like large boards or committees; but I suggest that a workable organisation in this case

would be a body consisting of a representative of the wholesale traders; one from the electrical contractors; one from the Chamber of Manufactures; one from the Standards Association; and a fifth, who could be the chairman of the S.E.C. Those men would be more acquainted with all aspects of electrical appliances than would one or two men from the S.E.C.

It must be remembered that the electrical aspect is only one phase of the matter. I do not know that an officer of the S.E.C. would be competent to judge whether an appliance was of the correct standard, apart from the electrical side. It is essential that on the proposed board or committee there should be other people with specialised knowledge. This State has already suffered quite a lot from the fact that we have been on 40 cycles while the rest of Australia has had 50 cycles, and I think it would be unreasonable if this matter were left to one man, whose decisions might be rather severe and who might require a standard higher than those existing in the Eastern States. In such an event, our manufacturers would suffer considerably. In addition, we would find that a most desired article could be approved in the Eastern States but refused sale here. That has already occurred. No manufacturer is going to alter his style of manufacture for 7 per cent. of the population.

Hon. L. Craig: Eastern States goods could be sold here.

Hon. L. A. LOGAN: Not unless they passed the standard set down under this Bill.

Hon. L. Craig: Section 92 of the Constitution provides for it.

Hon. L. A. LOGAN: It would still have to be approved.

Hon. A. F. Griffith: We cannot pass a law to stop it.

Hon. L. A. LOGAN: A law can be passed to stop the sale of articles. If an article is declared unsafe, it will not be possible to sell it, irrespective of Section 92. We cannot prevent an article from coming into the State, but we can prevent its being sold. I believe that an approvals board would provide uniformity and reciprocity throughout Australia. I understand that Victoria and New South Wales already have such boards which are somewhat large. I am led to believe that South Australia has given the matter serious consideration and will be coming into line. Surely, in order to secure that uniformity which will be required in respect of electrical appliances, we should establish a similar board in Western Australia.

It seems to me that if the Bill is passed in its present form, we shall have a new department set up from the personnel of the S.E.C. We will have an individual known as an approvals officer, and another State department will be established. I have been informed that under the Act,

where an inspection had to take place in conformity with Part IV of the regulations, the manufacturer of a refrigerator was told that it did not conform to Western Australian requirements. The firm worked through the night in an endeavour to make the transformer conform to the requirements of the S.E.C. In the morning it rang the commission and said it had overcome the trouble, and asked whether the commission would examine the part so that it could be passed. The commission informed the firm it could do nothing about the matter for a fortnight.

Hon. H. K. Watson: Was that on account of being too busy or too uninterested?

Hon. L. A. LOGAN: I would say, uninterested. I admit that because pressure was brought to bear, the firm did not have to wait a fortnight before the part was examined, but that should not be necessary. In these days of competition, especially in refrigerators, no firm can afford to be out of production for a fortnight. If we had a committee or board, the chairman could be approached immediately and the board called together within four or five hours. If that had been done, the whole matter could have been settled almost immediately instead of delayed by being left to one individual. Already tonight we have had a Bill introduced dealing with veterinary medicines; and under that Bill a committee will be set up, and rightly so, to deal with veterinary medicines. The board will be composed of people who understand their subject.

The Minister for the North-West: They are all Government officers, apart from one.

Hon. L. A. LOGAN: Yes; but they are from different departments, and they know a little about the job.

The Minister for the North-West: These people who do the testing under this measure are electricians.

Hon. L. A. LOGAN: Yes; but they can only test one side of an appliance. In the manufacture of electrical appliances there is more to consider than just the electrical part.

The Minister for the North-West: We are concerned here with the safety angle.

Hon. L. A. LOGAN: That is why an electrical manufacturer should be on the board.

Hon. F. R. H. Lavery: Would you not think the S.E.C. would have an officer sufficiently capable, technically, to do that?

Hon. L. A. LOGAN: I do not think so. I have told the House what happened in regard to the transformer.

Hon. F. R. H. Lavery: I was referring to the technical knowledge of the officer.

Hon. L. A. LOGAN: I do not think he would necessarily have the technical knowledge.

Hon. C. W. D. Barker: He is in the wrong job, then.

Hon. L. A. LOGAN: No. There is a lot of difference between the electrical and the technical sides of manufacture; or there should be.

Hon. F. R. H. Lavery: We had an electrician who planned the South Fremantle power house, and he was dumped afterwards because it was said he knew nothing about it.

Hon. L. A. LOGAN: We have to consider the man who is likely to be the approvals officer. The engineer for the South Fremantle power station possibly would have the technical knowledge.

Hon. G. Bennetts: He would be a capable all-round man to put on it.

Hon. L. A. LOGAN: Paragraph (b) on page 3 of the Bill states that if an electrical appliance has been approved by a duly constituted authority in another State of the Commonwealth, the commission may approve of it. The commission may set itself up as an authority over and above the commissions in the Eastern States. I do not think the commission should have that power. Surely if the approvals boards of the Eastern States have passed a certain appliance, their approval should be a sufficient safeguard for Western Australia.

Hon. H. K. Watson: That is where most of the goods are manufactured.

Hon. L. A. LOGAN: Yes. I do not like the word "may" in that paragraph. It could lead to a lot of trouble.

The Minister for the North-West: Do you think it should be "shall"?

Hon. H. K. Watson: Yes.

Hon. L. A. LOGAN: That would be better than "may."

The Minister for the North-West: It is hard to say. It is a matter of whether this man knows more than that.

Hon. L. A. LOGAN: I would say that the approvals boards of Victoria and New South Wales would be just as highly qualified as any we could set up here.

Hon. C. W. D. Barker: What about stuff turned down in the Eastern States which is dumped on the market here?

Hon. L. A. LOGAN: It would not come under this clause. Under our suggestion there would be an approvals board in this State. The Eastern States legislation provides for what are termed "prescribed articles." I do not see that provision in the Bill.

Hon. H. K. Watson: I think it is included. The articles may be prescribed by notice in the "Gazette."

Hon. L. A. LOGAN: I hope the commission will prescribe the same articles as are prescribed in the Eastern States

where, at the present time, some 23 are prescribed. I hope the Minister will give us an assurance that when these articles are prescribed they will conform, for the sake of uniformity and reciprocity, to the prescribed articles in the Eastern States.

Hon. H. K. Watson: Are you supporting the second reading?

Hon. L. A. LOGAN: I would just as soon vote against the Bill, but I understand it will pass the second reading. I intend to assist Mr. Griffith with the amendments he has on the notice paper. I do not necessarily agree with his idea of the constitution of the board, but we can discuss the matter in Committee. If I thought there were sufficient members who would oppose the second reading, I would vote against the Bill.

Hon. H. Hearn: You can always try it.

Hon. L. A. LOGAN: I shall have a little bit each way, as members are in the habit of doing on occasions. I shall record my vote when the time to do so comes.

HON. G. BENNETTS (South-East) [9.10]: I support the Bill because I think we should have uniformity throughout Australia. We have missed out in the matter of a uniform gauge for our railways.

Hon. A. F. Griffith: Do you think our authorities should be uniform?

Hon. G. BENNETTS: I think there should be uniformity in connection with the appliances in question here, because people can be electrocuted by them if they are faulty.

Hon. A. F. Griffith: Do you think the methods of approving of the appliances should be uniform?

Hon. G. BENNETTS: I think so.

Hon. A. F. Griffith: Then you will vote for my amendment.

Hon. G. BENNETTS: Our electricity laws should be the same as those in the other States. The names of the appliances classed as "prescribed appliances" will be published in the "Government Gazette." If the Bill passes, we will be able to go into a shop and purchase electrical appliances with confidence. People have been electrocuted by lawn-mowers through the wiring not being properly earthed. Every week when I go home I am frightened that a person living near my place will be electrocuted by his lawn-mower. I have pointed out to him how he is likely to be caught with the machine. I do not know what he is going to do about it, but it is definitely dangerous. If we had inspectors investigating these things, we might save many lives. I support the Bill.

On motion by Hon. L. C. Diver, debate adjourned.

BILL—ELECTORAL ACT AMENDMENT (No. 2).

Second Reading.

Debate resumed from the 19th November.

HON. A. F. GRIFFITH (Suburban) [9.14]: The Bill will amend the Electoral Act in one respect only, namely, in connection with the preparation of Legislative Council rolls. As the Minister said when he introduced the Bill, at the present time electoral rolls are compiled in alphabetical order according to the names of the electors. In provinces that are getting very large in electoral strength, such as the Suburban Province which I represent, where some 22,723 people are on the roll, and also in other provinces such as the Metropolitan and the West Province, the number of electors is beginning to increase to a large extent. The Bill aims at dividing the province rolls into the Legislative Assembly districts contained therein, thereby providing the same number of part rolls as there are Legislative Assembly districts which go to make up the province concerned. In the case of the Suburban Province, in which there are eight State electorates, there will be eight part district rolls arranged in alphabetical order of electors' names.

I support the Bill because I think it will facilitate organisation from the point of view of electors and candidates who are contesting Legislative Council elections. The operation of a measure of this nature will be of advantage to all concerned.

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 9.20 p.m.