Legislative Assembly.

Tuesday, 9th October, 1945.

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

QUESTIONS.

COSSACK LIGHTERS.

As to Release by Defence Department.

Mr. RODOREDA asked the Premier:

1, What are the prospects of vessels "King Bay" and "Nicol Bay," which were impressed by Defence Department, being returned to the owners (Cossack Lightering Co.) so as to alleviate the critical shipping position on North-West coast?

2, If prospects for immediate release are not bright, will he make urgent representations to the authorities concerned as considerable reconditioning of these vessels will be necessary?

The PREMIER replied: 1 and 2, Repeated endeavours have been made for the return of these lighters, the latest application being now before the Department of the Navy. The Government has supported the requests of the Lightering Company, and is bringing before the notice of the Navy the urgency of this matter, and is pressing for an early release of "Nicol Bay." It is understood the "King Bay" is at present out of Australian waters.

ELECTRICITY SUPPLIES.

(a) As to Conditions of Bunbury Extension.

Mr. WITHERS asked the Premier:

1, Is it a condition of the financing of the extension of electric power for the Bunbury Municipal Council that such power be for use within the boundaries of the municipality?

2, Or, could it be utilised for industry adjacent to such boundaries, and be considered as an instalment towards the proposed South-West power scheme?

The PREMIER replied:

1, The additional generating plant to be installed at Bunbury will provide for a change-over from direct current supply to alternating current supply of an area, portion of which is within the municipality boundaries and portion within the road board boundaries.

2, The change-over to alternating current is in accord with the South-West Power Scheme proposals.

(b) As to Location of South-West Power House.

Mr. WATTS asked the Minister for Works: Is the location of the main power house for the proposed South-West electricity scheme to be at Collie or Bunbury, or elsewhere, and if the last, where is it to be?

The MINISTER replied: The locations of the power house, transmission lines, and other appurtenances of the South-West electricity scheme are set out in the Electricity Advisory Committee's report on the South-West electricity scheme, which will be placed before Parliament when the enabling Bill is introduced in the near future.

WHEATGROWING.

(a) As to Financing Elimination of Marginal Areas, etc.

Mr. LESLIE asked the Minister for Agriculture:

1, Has he given support to the New South Wales request at the recent meeting of Australian Agricultural Council that the Commonwealth accept financial responsibility for the completion of the scheme to eliminate "marginal" wheat areas?

2, What is the extent of the area in Western Australia which is comprised in the "marginal" scheme?

3, What is the extent of the area in Western Australia which has already been "eliminated" from wheatgrowing?

4, What is the extent of the area in Western Australia which is yet to be "eliminated" from wheatgrowing under the scheme?

5, What road board districts, wholly or in part, are included in the "marginal" scheme?

6, Is it proposed to prohibit entirely wheat production in these areas?

7, Will the prohibition apply also to freehold land and to holdings which are not secured to the Rural and Industries Bank (ex Agricultural Bank) and/or which do not require financial assistance from that institution?

8, What are the factors taken into consideration when determining what areas of Western Australia are "marginal"?

The MINISTER replied:

1, Yes.

2, Marginal area, 3,017,772 acres; buffer areas, 545,000 acres.

3, 621,236 acres.

4, Question of eliminating further small areas under examination.

5, Road board districts wholly or partly affected are:—Dalwallinu, Dundas, Esperance, Koorda, Kulin, Lake Grace, Merredin, Morawa, Mt. Marshall, Mukinbudin, Mullewa, Northampton, Nungarin, Perenjori, Phillips River, Westonia, Yilgarn.

6, No.

7, Restrictions apply to those settlers who voluntarily came under the scheme whether they are clients of the Rural Bank or not.

8, (a) Climatic conditions; (b) unsuitability of land for wheatgrowing; (c) widespread abandonment of farms; (d) the desirability of utilising lands for the purposes for which they are best suited necessitating enlargement of holdings for wool and sheep production.

(*b*) *As to Licensed Acreage and Compensation.*

Mr. PERKINS asked the Minister for Agriculture:

1, Is he aware that—(a) This season unless a wheatgrower has seeded at least 50 per cent. of his licensed acreage, that no acreage compensation will be paid to that grower by the Commonwealth Government? (b) Due to the abnormally wet winter, many growers could not get 50 per cent. of their wheat seeded although the ground had been prepared for seeding?

2, Will the Government make urgent representations to the Commonwealth Government to have such regulation altered?

The MINISTER replied:

1, (a) Yes. (b) Some growers may have been unable to plant 50 per cent. of their licensed acreage, but no reliable figures are available indicating whether there are many such growers.

2, Representations have now been made.

WELSHPOOL MUNITIONS FACTORY.

As to Alternative Work for Employees.

Mrs. CARDELL-OLIVER asked the Minister for Works:

1, What is the relation between his position and that of the Federal Employment Agency (formerly Manpower) in regard to the munition employees at Welshpool?

2, Are these employees upon dismissal entitled, as are Army personnel, to some civil employment or else to training for a position and living allowance?

3, If this is not the case, is he satisfied that employment can be found for these girls when the time comes?

The MINISTER replied:

1, There is no relationship.

2, The appropriate Commonwealth Minister may provide vocational and other training for retrenched war workers, under the Commonwealth Re-establishment and Employment Act. It is understood a suitable scheme is likely to be put into operation in the near future. Such workers are entitled to the War Workers' Transitional Allowance when unable to secure employment following retrenchment. The allowance is paid by the Commonwealth Social Service Department.

3, It is thought the female workers referred to will be able to obtain other employment whenever such is required by them.

RURAL BANK.

As to Property of E. M. B. Stedman, Deceased.

Mr. STUBBS (without notice) asked the Minister for Lands:

1, Has his attention been drawn to the report in this morning's "West Australian" concerning an alleged forced sale of

an agricultural property by the Rural and Industries Bank at Kukerin?

2, If so, is he prepared to make a statement on the matter?

3, Will the Minister agree to place the file on the Table of the House?

The MINISTER replied:

1, Yes.

2, Yes. The property stands in the name of Mrs. E. M. B. Stedman, deceased. Mrs. Stedman died on the 1st July. There was no will. The property is under first mortgage to the Rural and Industries Bank, with a second mortgage to the National Bank. The two sons, both discharged from the A.I.F., interviewed the Bank's Branch Manager on the 6th July and informed him it was not their intention to apply for probate or to continue with the property, and later, one of the sons interviewed the Chief Accountant of the Rural Bank in Perth and informed him they had no intention of taking out Letters of Administration nor continuing with the property. He was advised that the Commissioners had no desire to enter into possession, but he stated he had no intention of continuing with the property, and when pressed, he said it was his intention to do some share-farming, or perhaps go shearing. He also intimated that he fully understood the position and to assist the Bank would return to the farm and care for the property until such time as action was taken by the Bank.

It was incumbent upon the Bank to take action in this estate, being a deceased estate, and as there is a second mortgage, and in view of the sons' intimation to the Branch Manager, Lake Grace, and the Chief Accountant at head office, the bank commenced proceedings to repossess and dispose of the stock and plant by public auction. The date fixed for the sale was advertised and the Bank received no intimation from the the sons or any other person in the Lake Grace district raising any objection whatsoever to the disposal of the stock and plant by public auction. The first intimation which the branch manager received of any objection was one hour before the sale. He advised the auctioneer that the bank would be quite prepared to accept the tender of one of the sons at the reserve price with 10 per cent. deposit, but it appears from the information received from the branch office that the son refused to bid.

The Commissioners are concerned at the unreasonable attitude which has been adopted in respect of the bank's action in this matter, as they feel they acted with the consent of, and in the best interests of all concerned, and the publication which appears in "The West Australian" clearly indicates that the true facts concerning the position, and the bank's attitude in the matter, were not known by those farmers in the Lake Grace district who attended the sale for the purpose of disposing of the stock and plant.

NESTLE'S FACTORY, WAROONA.

As to Ensuring Reserve of Coal.

Mr. McLARTY (without notice) asked the Minister for Agriculture:

1, In view of the serious economic loss to the Waroona district occasioned by the recent stoppage of work at Collie, stated to be a loss in the production of 4,200 cases of condensed milk and between 50,000 and 60,000 gallons of skim milk poured away, will he give consideration to ensuring some reserve of coal for Nestle's factory to avoid the danger of further losses in future?

2, Is it a fact that although the factory has resumed production, it has only one day's supply on hand?

The MINISTER FOR AGRICULTURE replied:

1, Steps have been taken by the State Government to ensure that an adequate supply of coal is made available to this company to permit of continuous running, but the allocation of coal rests with the local Coal Allocation Committee. I can give no guarantee that the quantity required can be supplied.

The Premier: It has been approached.

The MINISTER FOR AGRICULTURE: The committee has been approached and steps have been taken, as far as lies in the power of the Government, to ensure that the supply of coal is available.

2, As a result of representations made by the State Government to the Commonwealth Coal Committee, two trucks of coal have been made available for this factory, and I understand that sufficient has been provided to carry the factory on until Thursday. Beyond that I am not in a position to give the House any information.

LEAVE OF ABSENCE.

On motion by Mr. Wilson, leave of absence for two weeks granted to Mr. Smith (Brown Hill-Ivanhoe) on the ground of urgent public business.

BILLS (2)—THIRD READING.

1, Police Act Amendment Act, 1902, Amendment.

Passed.

2, Administration Act Amendment (No. 1).

Transmitted to the Council.

BILL—BUILDERS' REGISTRATION ACT AMENDMENT.

Report of Committee adopted.

ANNUAL ESTIMATES, 1945-46.

In Committee of Supply.

Debate resumed from the 4th October on the Treasurer's Financial Statement and on the Annual Estimates, Mr. Rodoreda in the Chair.

Vote—Legislative Council, £2,363:

MR. WATTS (Katanning) [4.45]: We have had the first Budget from our new Premier and, so far as the rendering of his case and the description of his intentions are concerned, it would stand comparison, unquestionably, with any that have preceded it. So far as other matters connected with it are concerned, he himself acknowledges the difficulties with which he is beset, and the limitations that are imposed upon him, and it was, I am prepared to admit, substantially because of those difficulties and limitations that he could not spread himself in certain directions in which he might otherwise have been expected to. Arising out of all that, the first and major item for consideration is the State's position under uniform taxation and its relationship with the Federal authorities through the Grants Commission. Circumstances are such, that the Budget, in effect, is that which the Grants Commission will permit it to be. We may succeed in distributing a small portion of the revenue thus available in directions apart from those in which it is proposed to be distributed under this Budget, but so much of it must be expended along certain lines that are regulated by circumstances outside the control of any Government that the opportunities for so doing are more restricted than they ought to be.

It virtually means, as I think the Treasurer desired to intimate to the Committee, that the development of the State and the welfare of its people are not in the hands of the elected representatives of the people, but are in those of three persons—desirable in every other way—who are representative of nobody but themselves, but whose word, unfortunately, must be regarded as final. I have heard in this House the Minister for Justice frequently complain of the power possessed by another place in relation to money Bills. His complaint might be summed up in the statement that that particular place represents about one in three of the adult citizens of the State. But how much greater, I submit, is the control possessed over money matters by the members of the Grants Commission who, as I have said, in effect represent no-one but themselves. Therefore, how much greater is the need to resist any extension of their authority over us, and to endeavour to cut down the authority that already exists? So far as Western Australia is concerned, the policy which seems to be now indulged in by the Grants Commission may be summed up in the words: "Spoils to the victors."

By reason of density of population, nearness to the seat of government and the better development of their resources, the three chief States, which the Treasurer informs us are now regarded as the standard States, have, as the result of the war—and I use his own words—"banks bulging with bullion." Those reserves have been provided out of heavy revenue surpluses, which they have received in consequence of their density of population and the development of their resources. The Commission has no intention of placing the claimant States in the same position on a fair comparative basis. The members of the Commission are working on the assumption that the budgets of the standard States were merely balances, and that, of course, was not so. They had substantial surpluses, as has already been indicated by the Treasurer. On the other hand, Western Australia, which profited least by the war and which has the necessity for greater development, is to be regarded by this organisation of the Grants Commission, as I see it, as having profited

equally from the war and as having reached a comparative state of development. I say that no other conclusion can be arrived at than that, from the methods that have been adopted in these circumstances by the Grants Commission, and I feel certain that the Treasurer does not seriously disagree with that point of view.

It seems to me that the position clearly is rapidly approaching a stage that is intolerable. When I prepared these notes, it could have been assumed, without much question I believe, that the Commonwealth Government would honour its undertaking to do away with the uniform tax system as we know it now, in 1947. When I say, "as we know it now," I mean, subject to the method of distribution that we have at present. I do not refer to the necessity for having one income tax law, one assessment and one collecting office. I will have some remarks to make on that phase later on. Now, of course, by this morning's Press we are told that there is under contemplation a proposal to continue the scheme with some variations, but not variations, as I understand it, which will restore a measure of autonomy to the State Treasurers such as ought to be restored to them and which I believe could be restored to them without seriously interfering with the requirements of the Commonwealth to meet its heavier commitments—of course, we must expect that—as a result of six years of war.

What I would like to have for future discussions on this subject is an estimate of what taxes we should have collected in this State in the year ended, say, the 30th June, 1945, had we been collecting taxation at the rates which were in force under the income tax assessment law of this State prior to the inauguration of the uniform taxation system. There seems to be no doubt but that there would be a very much greater amount available to the State Treasurer, were he in a position to collect tax on the very moderate rates that prevailed at that time, and even if the rates were not increased at all. To make such an assertion, as I believe both the Treasurer and I myself have, without having the actual figures is not very convincing. I suggest to the Treasurer that he has prepared such a statement and that he be good enough to lay it on the Table of the House in the form of an estimate. We would then be in a better position to judge what would be the relative position of the State Budget today had we that autonomy back and without imposing higher rates of taxation than we then had.

The Premier: That is in train, with a lot of other implications.

Mr. WATTS: That is satisfactory to me. Believing that such an estimate would indicate that a fairly substantial extra amount would be forthcoming, I have no hesitation in saying that we are entitled to have it. For to ask the State Treasurer, in order to receive the blessings of the Grants Commission to obtain further compensation from the uniform taxation fund, to be obliged to submit and give proof of the need for expenditure that would come within that extra amount is, in my view, asking too much. If, as I suggest, with the rates of taxation that were imposed, such a statement were provided, and it showed, say, that the State would have received £500,000 more today than it did in 1941, I contend that, without any proof or need for any meticulous examination of the proposed expenditure, we should be entitled to receive that measure of compensation from the uniform tax fund. That is why I want to know what the actual figures may be. If that measure of justice is not to be done to us and the attitude in the Tasmanian case, which the Treasurer explained to the Committee, is to be taken as that to be adopted regarding all three claimant States, then the Government of this State would be quite entitled to incur the extra expenditure to the extent of the amount involved and then place upon the Commonwealth Government the onus of, and responsibility for, honouring the State's bill of exchange. I see no alternative to that.

As the representatives of the people of Western Australia, recently informed by the people of Australia that we are to resume certain obligations from which we escaped during the war, we cannot do our duty to the people of this State unless the whole system is reformed—or we take up this attitude of declining to hamstring ourselves unduly and do as I suggest. It would involve, I frankly admit, taking the people of this State fully into the confidence of the Government as to what feeling of need underlay this activity; but when that had been done, it would be, in my view, entirely justified. I tell the Treasurer, frankly and freely, that if he finds it necessary to take that action in the circumstances I have men-

tioned, he will not find himself subjected to criticism from the bench on which I sit. I think the whole of this discussion shows how necessary was the motion, which was carried by this House if I remember aright two years ago, asking for a conference to be held, representative of both political sides, in order to determine the new financial relationship between the Commonwealth and the States. That motion I know was submitted to the Prime Minister and, so far as we can discover, it received merely a formal reply.

In my opinion that formal reply was not good enough. It required, in my opinion, that that motion should at least receive consideration regarding the aspects that it contained and a request for that consideration should be pressed by the State Government as expressing the considered view of the legislature of this State. That resolution affords ample backing for any activity the Government may indulge in from that point of view, and I say that unless this question is pressed, in my view any Government of this State, whatever its calibre or political colour, would be lacking in its duty, particularly if it did not press for the conference to be held and for some reasonable arrangement to be made. I suggest, too, first of all that a discussion should take place between the representatives of the States. While there is dissatisfaction in the mind of the Treasurer here and in my mind as well, I feel sure that that dissatisfaction is not absent from the minds of the Treasurers of other States.

Even the standard States are not all satisfied with the existing position under uniform taxation. I believe they would be only too happy as a preliminary canter in this matter to consider any proposals that could be brought forward in the hope of presenting a united front when the time came to negotiate with the representatives of the Commonwealth. May I say, too, that I hope if any such negotiations are entered into, facilities will be afforded to representatives on both sides of the House to take part, because we stand second to none in the desire to ensure that whatever Government is in office in Western Australia it is at least not unduly hampered by restrictions of this character. We would certainly be able to offer one or two suggestions which, if not carried into effect, might at least be worthy of consideration. What is more, it would show that there is a concensus of opinion in this State as to the need for some reasonable approach to this rather involved problem.

In turning to the question of agriculture, the Premier observed that our production during the war had been very creditable. I can agree with that statement, although I think it does not go far enough. I agree with it in that it is part of what ought to be said, but it should go a great deal further. I believe that the producers of this State, of all classes and in all districts, should be heartily congratulated on their efforts during the war period. When I consider the position in which many of them found themselves in regard to manpower and material difficulties, when I know the deterrent that taxation has been to any ambition for increased production or even the maintenance of production in many cases, it speaks very highly indeed for the intense patriotism and capacity for hard work of the rural community of Western Australia.

Hon. J. C. Willcock: And the difficulty in regard to superphosphate.

Mr. WATTS: That, of course, is another detriment which they had to suffer and one which, in a State like Western Australia, was very serious. Western Australia particularly requires superphosphate. Yet, in the face of that and other difficulties, the volume of production has been substantially maintained at least over the five-year period, although in certain years, as is well known, there were declines, and, so far as wheat is concerned, under Commonwealth regulation, there has been a very considerable reduction in the output. The period of that compulsory reduction is now virtually over, and just as well it should be. It would have been a crime to continue it, because wheat has played an extremely important part in Western Australia's economy, and I have no doubt that in the next few years in particular it will play an even more important part. I once heard it said by the Premier, when he was Minister for Agriculture, that 33,000,000 bushels of wheat was the least quantity which Western Australia should produce in order to maintain its wheat economy. We have been very far below that in recent years, partly because of the acreage restriction, partly because of superphosphate shortages, and partly because of manpower

and material difficulties, and unless we can restore the industry to at least that stage, there is no doubt whatever that a very severe restriction will be imposed upon the future progress of our rural areas.

Later in his speech, the Premier said the Government would require a lot of help from all sections in co-operation to cope with post-war problems. I expect the kind of co-operation he desires is constructive criticism and readiness to remove obstructions to the progress of the State. If this is the kind of co-operation the hon. gentleman desires, then it will be available in every proper case. It will be available, in fact, as often as possible. But if the kind of co-operation he refers to is that of meekly standing by and applauding every action of the Government without raising one's voice in criticism of a constructive character, I cannot undertake to supply it. But I do not think the Premier wants the latter; I do him the credit of believing that he intended the former, and I make my statement accordingly.

Mr. Mann: He gets co-operation from this side.

Mr. WATTS: There is a difference between adulation and meekly standing by and applauding. Unfortunately, this meekly-standing-by-and-applauding attitude to which I refer has, to a large extent, I feel, been the attitude of the State Government to the Commonwealth Government during the greater portion of the war period—shall we say since October, 1941? I am hopeful that the present Premier will occasionally be prepared constructively to criticise even his friends in the interests of this State. I believe there is a distinct possibility that he will, but time alone will show whether my prophecy in that direction is correct.

The Premier: Are you including yourself as one of the friends?

Mr. WATTS: I do not mind being one, provided I am permitted to criticise constructively, but I was referring to the Premier's political friends in office in the Commonwealth. Nobody objects to criticism from one's friends so long as it is reasonable, but it has been sadly lacking in this State so far as the counterpart of government in the Federal sphere is concerned. It has just been a matter of whatever the Commonwealth has done has been right, when everybody, including some of the people who said it was right, knew it was not good for this State. If the duty to this State is to be discharged by the Government and Parliament of the State, the obligation first and foremost is to attend to the interests of the State, knowing that there are people quite as capable and perhaps more capable of looking after the interests of other parts and other Governments in due course.

Hon. J. C. Willcock: Do not you believe in unity of effort in wartime?

Mr. WATTS: I am a strong believer in unity of effort, but I am not a believer in giving away one's birthright for some nebulous advantage, or perhaps no advantage at all, which can result from too much unity of effort when we have a very strong-willed section of the community on one side which is attempting to put it over us. From time to time there has been an endeavour by the Canberra Government to put it over us. For example, propaganda has been put over to the effect that unlimited money could be spent in the post-war period. We have heard this over the radio stations for years; we have seen mentioned in the Press that the most vainglorious plans have been propounded from platform and over radio alike. What the Premier said, however, is perfectly true, that it is not going to be easy in the post-war period to deal with all those things out of public moneys.

Hon. J. C. Willcock: Did not we go to the utmost limit in regard to uniform taxation?

Mr. WATTS: Yes, but one swallow does not make a summer. When one considers the extravagance of the Commonwealth in some directions, side by side with the parsimonious methods enforced upon the States, apparently with Federal approval, by the Grants Commission, one realises how unstatesmanlike the whole business is. Nevertheless, money, of course, can and must be found for undertakings which are of value to the State or which can be classed as productive. We cannot allow stagnation to continue. So we have to put our heads together and think a little harder, and perhaps work a little harder in order to achieve the desired results. It is clear that the people will not tolerate stagnation; nor can they be expected to tolerate it. At the same time, every effort must be made—and it has not been made during the war period to any great extent, although there is more justification for

waste in wartime than in peacetime—to curtail the extravagance and waste which have taken place and for which we shall have to pay for many years and for which we are likely to suffer by the continuance of uniform taxation and other restrictions of that sort.

I find it difficult to reconcile the Premier's statement that Western Australia provides a splendid opportunity for the spending of private moneys with the other statement he made regarding the difficulties that will arise in regard to production in the post-war period. He was presumably referring to the development of industry in this State. Now, what encouragement is there for private enterprise to undertake any big development of industry in this State other than perhaps mining? Let us exclude mining from this equation. What encouragement is there for private enterprise to undertake anything in a big way in this State? Industries have been started and have been dumped out of existence by the importations from the other States of the Commonwealth. We have no control over our fiscal policy, even if it were desirable that we should have, which it might not be. We have not any great market here to absorb our production; nor do we know as yet of any plans that will greatly increase the population of the State in the near future. Nor do we know that if population were increased, we shall not have difficulties greater than we otherwise would. Nor do we know whether the development that can take place from the point of view of primary production is likely to find available and profitable markets.

Although, of course, I see some opportunity, unquestionably, for development by private moneys, as the Treasurer called them, I do not see the splendid opportunities which prevail at the present time. I regret it. I am convinced that, had Western Australia greater autonomy in the management of its affairs, those opportunities would present themselves. Do not imagine for one moment that I doubt the capacity of Western Australia or its people! Do not get away with that idea! The only thing I doubt is the capacity of this State and its people to cope with these matters in face of the constitutional and practical difficulties that exist. That is what I doubt. Those are the things I say it is our problem to overcome. The State and its resources could be developed to an enormous extent. I believe the people are capable of that development. The money would be forthcoming for it were that measure of autonomy available to us so that we could plan and propound for our own benefit. But, unfortunately, we cannot do those things; and every day that passes makes it less likely, in my opinion, that we shall ever be able to do them.

So I say quite frankly that anyone who comes from this State and does not pick as his first line of activity the fight for Western Australia and its interests, is lacking in his duty not only to this State, but also to the Commonwealth. For I submit that the Commonwealth can be no better, no stronger, than its weakest part. We have one-third of the Commonwealth here—and a very good one-third—which, however, is unquestionably its weakest part; and the difficulties to which I have referred offer the greatest obstacle to the development and progress which it should have in order to make a strong and active whole. That is why I say that the people of Western Australia, the Parliament of Western Australia, and the Government of Western Australia should first and foremost declare that they are going to take action on behalf of Western Australia, and that other people can look after themselves.

I notice a statement in the Treasurer's speech regarding a reduction of interest to the Rural and Industries Bank from 4½ per cent. to three per cent. There was no statement there—nor am I aware of any statement from any other source—as to who is to receive the benefit of that reduction. Is any part of it to be passed on to the customers of the Bank, including those under the Government agency department, or are they to pay the rates they have paid in the past and the Bank merely to recoup the Government a lesser sum out of the saving effected by the Bank paying the cost of its administration rather than making some charge on the Treasury as has been the case in the past? Is that the position; or are the people who are indebted to the Bank to receive any reduction, so as to bring the rate of interest they pay down to the level, shall we say, of that which is paid on good accounts by mortgagors to the Commonwealth Bank? I hope that is so. I have always believed that a reduction of interest could be afforded to customers of the Agri-

cultural Bank—now the Rural and Industries Bank—and I hope that is the intention of the Bank to some extent under the arrangements made and stated by the Treasurer.

In glancing through the Estimates in the short time available to me, I noted that the amount set down for assistance to kindergartens is less by £694 than it was last year. No explanation was afforded as to whether some other expenditure was to take the place of that amount. If not, I am sure nobody will be satisfied. I hold the view that there is strong justification for increasing the assistance to the Kindergarten Union. A lot of people are of opinion that the Government should take the whole business over as part of the Department of Education. I do not think anybody believes that less money should be expended on kindergarten instruction; and if this amount is to be less and no other recoup is to take its place, nobody, so far as I can see, will be satisfied; and that is a most unsatisfactory state of affairs.

I see that heavy expenditure is again forecast under the heading of expenditure that may be necessary owing to war conditions. The amount is £122,600, roughly £48,000 less than last year. I find it difficult to understand—and I think we are entitled to some explanation in that regard, as it comes under the items of the Premier and Treasurer's Department—why £122,600 for expenditure that may be necessary owing to war conditions should be necessary in a year when the war, so far as hostilities are concerned, totally ceased and, when so far as Western Australia is concerned, the war has been well removed from its boundaries for not less than 15 months.

I turn to the Education Vote for a moment. Our Treasurer gently skimmed over that in these words, "There will also be found an increase provided in the Education Vote." Of course, that set me hunting to see what it was. If he had put it more plainly, I might never have looked for it. I found that the increase was £26,000, which works out at 2¼ per cent. Of that £26,000, the sum of £21,000 will be absorbed in additional salaries, because of the necessity, I presume, for observing arbitration awards or on account of adjustments in the basic wage or some such calculation as that; although it may, of course, involve additional teachers for the re-opening of schools that have been closed.

The Premier: And of the Teachers' Training College.

Mr. WATTS: Yes; of which the hon. gentleman did not tell us, because he gave us only one line on the subject.

The Premier: I could have been talking yet, you know!

Mr. WATTS: The balance is £4,000, and that is down in the sundries list on the second page of the Education Estimates. A few weeks ago, the Minister for Education answered a question regarding the provision of dual desks and equipment for schools. From his answer, I presumed that when the pressure of work was over at the State Implement Works there would be a greatly increased output from that establishment of this branch of school equipment which it supplies. So I looked to see whether there was a greater amount than, or an equivalent amount to that provided on last year's Estimates, which seemed to me to be warranted. I found that last year the estimate was £11,375 and that this year it is only £7,000. So once again I would observe that no one is satisfied. We have only £7,000 provided instead of the £11,000 provided last year—which admittedly was not spent. The reason it was not spent last year, as we understand it, was because the works were heavily engaged on war commitments and private enterprise could not cope with the problem. But now that the works will not be heavily engaged and when private industry might be able to do something, we find an estimate of £4,375 less for something for which the estimate should be £4,375 more, and could have been.

The Minister for Education: It is only an estimate. We will spend all we require to.

Mr. WATTS: That is all very nice; but it does not give us a very pleasant taste in our mouth when we see that the estimate is less than it was, considering that last year's estimate was made at a time when the Government was pretty certain it could not do anything. That is how it strikes me. The estimate was £11,000 last year, when I presume it was known that equipment could not be made; and is only £7,000 this year, when it is known that equipment can be made. That is the difficulty as I see it.

The Minister for Education: Hope springs eternal!

Mr. WATTS: The Minister will be able to tell us all the facts later on. The trouble arises because the Treasurer skimmed over the matter in one line.

The Minister for Education: And you are filling in the blanks!

Mr. WATTS: To turn now to something else! I am glad that the Treasurer has budgeted for a deficit. I have no quarrel with him over that. He had ample justification for budgeting for a bigger deficit; because I believe it is no use pretending to the Commonwealth, by budgeting for a surplus or a balanced budget, that we are satisfied with the financial impositions laid upon us at this stage in our history. The best thing—and I think it is only a question of degree as between me and the hon. gentleman—is to do as he has done: bring the matter to a head by budgeting for a deficit, and let us have the whole thing argued as early as possible. Therefore, I think the bigger the deficit the better our case would be in all the circumstances.

The Premier: We can only charge things properly to revenue.

Mr. WATTS: I do not suggest that the Treasurer should undertake improper bookkeeping, but there are many things that could be charged to increase the amount. I said earlier that I was of the opinion that we must have a system of taxation which, while not the present uniform taxation system, would require only one tax collecting office, one income tax return and one assessment. I am convinced that there are ways and means of achieving that without the present method of uniform taxation.

Mr. North: What are the people's views?

Mr. WATTS: The people would have one taxation office, one assessment and one income tax return.

Mr. North: That is what they want!

Mr. WATTS: But the Commonwealth and States could be given separate funds of taxation for their revenue.

Mr. North: Hear, hear!

Mr. WATTS: I am perfectly convinced that that could be done and that there are fairly obvious ways of doing that.

The Minister for Lands: We had that before uniform taxation.

Mr. WATTS: We did not. We had two different sorts of income tax returns.

The Minister for Lands: Two columns.

Mr. WATTS: We had two different kinds of dependants' allowances and deductions and various things of that kind.

The Minister for Lands: On one form.

Mr. WATTS: We did not have what we should have now, while not having the system of uniform taxation and distribution as at present. I do not propose to explain how I feel this could be done to give satisfaction to all concerned; but I do say that it can be done, and there may come a suitable opportunity on some occasion when an outline of it could be satisfactorily given, and then I shall be prepared to make my contribution towards the solution of that particular problem. I agree that we cannot return to the cumbersome methods of taxation used in the past, but I do say it is not necessary to do so in order to restore to the State Treasurers a reasonable measure of their right to tax. I referred earlier, when dealing with private enterprise and the spending of private money, to the remarks of the Treasurer about agricultural expansion. I do not agree with his somewhat mild policy of despair. That is what I call it. He said that one could hazard the guess that wheat would return to us something above its present price. Its present price is 4s. 1d. That is the figure to which the hon. gentleman was obviously referring. If not, he will say so, and I shall stand corrected.

The Premier: I offered to bet the member for Beverley a new hat that the price of wheat will reach 7s. 6d. inside two years.

Mr. WATTS: I referred to the Premier's somewhat mild policy of despair because the words he used were that he would hazard a guess that wheat would return to us something above its present price.

The Premier: I did not like you to become too optimistic over there!

Mr. WATTS: If it does not do that over a considerable period, and starting from now, a grave injustice will have been done to the wheatgrowers of this State who are receiving today probably 50 per cent. of the value of the product.

The Premier: Not much more.

Mr. WATTS: No! That is not to say, however, that I insist on their receiving the full 100 per cent. of its value. The oppor-

tunity may be afforded us, in these days and in that industry, for the creation of a stabilisation fund. I think the necessity and desirability of such a fund are obvious in order to safeguard the producer in future against having to meet the consumer market, when that market falls to an unpayable figure. The producer today is entitled, and for some considerable time has been entitled, to more than he is receiving. When one recalls the efforts made by the primary producers of this State, including the wheatgrowers, to maintain production and carry on and pay their taxes, while finding that they are still receiving approximately only 50 per cent. of the value of their product, I say that state of affairs must not be allowed to continue any longer.

Hon. J. C. Willcock: They got £500,000 compensation for doing nothing with the land.

Mr. WATTS: That is agreed and, having agreed to it, one has done all that is necessary to be done in regard to that particular scheme. It was caused by the war and was not desirable for any reason other than it was believed that wheat was going to be a drug on the market, and that we could not cope with any greater quantity than could be produced in this State from that restricted acreage. That last difficulty was purely war-caused. We were compensated for the fact that it was war-caused, but the war is now over and half the world is starving and we are entitled, to the utmost of our capacity, to share in the market that the world now offers, and, as both the Treasurer and I believe, at prices far more payable than those applying at present, over a considerable period. We, in Western Australia, are entitled to share to the fullest extent in that benefit and no one can convince me to the contrary. I do not cry over spilt milk, and I do not regard it as spilt milk, but its time has gone by and the reasons for it are passed and we have to stabilise this industry, though not at a figure of 50 per cent. of the value of its product, while at the same time giving no guarantee that there will be a stabilisation fund lasting for any period of years into the future.

Hon. J. C. Willcock: We are now getting more superphosphate.

Mr. WATTS: It is superphosphate which, notwithstanding the fact that we are receiving thousands of tons more superphosphate than we received in any year during the war—if it were calculated on the basis of its quality would not be found to be of anything like the same value to the industry as would a lesser tonnage of better quality superphosphate.

The Premier: The Phosphate Commission has had a terrible time.

Mr. WATTS: I realise that, and I merely state that because we are receiving more superphosphate than we received in any year during the war that does not necessarily mean that we will get more virtue out of it as far as the land of our State is concerned. It is the only superphosphate available and we are getting it, but we will be better off when we receive less superphosphate but of a better quality. We are not getting more than we received pre-war, but more than we got at any stage during the war, and it is not very good superphosphate. We would do better with 10,000 tons less, if of a better quality. I noticed, in the "Westralian Worker" of the 28th September, 1945, an article over the name of Mr. T. G. Davies, General Secretary of the Australian Labour Party in this State, in which the producers of this State are exhorted to reduce their costs in order that they may, in a year or two, meet a consumer market. If members care to read that article they will grasp the full import of that statement by Mr. Davies.

By what means can the producer substantially reduce his costs in order to meet this consumer market? He endeavoured to do it in about 1930 or 1933, with disastrous results, because meeting the consumer market means taking what is offered for the product. The farmer had to take 1s. 8d. a bushel for his wheat, and so on, until finally he had the Farmers' Debts Adjustment Act and other similar measures, and it was a wonder there was not more legislation of that kind. Mr. Davies suggested that producers should increase efficiency and reduce costs in order to meet the market. I would ask the Committee how our producers are to reduce their costs. Where should they begin, or in what activity should they indulge? I doubt if anyone in this Chamber can suggest how it should be done and so, as it seems that they are unable to reduce their costs, and as according to this article they have only a period of three years, they will end up by meeting the consumer market.

If that is the best proposition that the general secretary of the Western Australian Branch of the Australian Labour Party can make to the producers of Western Australia, I suggest that he retire for a while and write another article, because that is no contribution at all to a successful solution of this somewhat involved problem in Western Australia. It is ridiculous to pick out the primary producer as one who should reduce his costs, while the cost of everything reflected in his cost of production is being maintained at a high level or is even rising. The basic wage and the margins have not increased in proportion to the cost of living and taxation has further reduced the purchasing power of the wage-earner. In terms of currency the cost is greater, and the cost of the product for disposal to the public is raised in consequence, so that those who buy the goods are not blessed with greater purchasing power or a capacity to save. I suggest that the general secretary of the Western Australian Branch of the Australian Labour Party should retire and give this matter further thought, and discover some better panacea for the future ills of the primary producing industries of this State.

It has always been obvious to me that we must arrest costs, and that is why I have always stated in this House that we would support any reasonable proposal for price control under State management. I am glad to know that that point of view has apparently been accepted and that such legislation is about to be introduced. In consequence of this and other matters that are slowly coming back under the authority of the State our responsibilities and obligations will be increased. We gladly accept those responsibilities and obligations and will do our best in the public interest. I conclude by saying that there are certain matters that I will deal with when the Votes come before the Committee, both in regard to matters affecting the State generally and those affecting my own district, which can best be dealt with when the various departmental Estimates are before the Chamber.

Progress reported.

BILL—TOWN PLANNING AND DEVELOPMENT ACT AMENDMENT.

Second Reading

Debate resumed from the 2nd October.

MR. DONEY (Williams-Narrogin) [5.40]: I readily concede that the problem dealt with here requires a Bill to correct it, but I am not sure this is the right type of measure. I am prepared, however, to vote for the second reading in order to give the Bill a chance to be improved in Committee. In the meantime I wish to submit to the Minister questions on certain points. The matter being dealt with here is one that concerns not the town planning part of the Bill but the development portion of it. As far as I can gather it is designed to put on the owner of land—that is in an irrigation or drainage district, and where the owner proposes to subdivide—the onus of meeting the cost of any additional drainage or irrigation rendered necessary by the subdivision. It can readily be seen that the owner might subdivide his land in a manner which would restrict the drainage or irrigation rights of some or even a heavy proportion of the new owners, and questions of trespass, damages and so on might easily arise. Indeed the new owners could be cut off entirely from irrigation or drainage channels, rendering new work necessary by the Public Works Department. It would therefore seem that, in justice, the owner intending subdivision should pay for that work.

It does seem to me that the Bill protects the public interests as represented by these same water channels and works. These things are not necessarily precisely what they seem. I am from the Great Southern where we have a rainfall of about 20 inches per annum, more or less. I do not know, therefore, a great deal about drainage or irrigation matters. The member for Murray-Wellington, on the other hand, coming from wetter and flatter districts would know something about those subjects, and I am hopeful that later on he will participate in the debate and give us the benefit of his knowledge and experience. Even though the Bill appears to me to be a just one that is not to say it is a necessary one. I offer the Minister the suggestion that Section 23 of the Act already contains the essential features referred to in the Bill, and it would appear to me that that section could have been used for the very purpose that this

measure is supposed to cover. I will read that section so that members may have an opportunity to understand its appropriateness to the problem now before us. The section reads as follows:—

(1) When, in the opinion of the board, the plan of subdivision may affect the powers or functions of any local authority or public body other than the board, or any Government department, the board shall forward the plan or a copy thereof to such local authority, public body, or Government department, as the case may be, for objections or recommendations.

That is practically the same purpose as is contained in the first two or three of the half dozen subclauses I have in mind. Section (23) goes on to say—

(2) Any such local authority, public body, or Government department receiving such plan or copy thereof shall, within 30 days, forward it to the board with a memorandum in writing containing objections or recommendations (if any) to the whole or part of such plan.

That, too, is a repetition of the sense of what already appears in subclauses of the clause in question. Subsection (3) reads—

(3) The board . . . . may approve or reject such plan, and may affix such conditions as the board may think fit, which shall be carried out by the owner before the plan is approved by the board.

The Minister will agree I think that possibly with some slight amendment—even that may not be necessary—Section 23 of the Act can function to meet the requirements that he is endeavouring to meet by an entirely new Bill. He may have some explanation with regard to other matters he referred to in his second reading speech. I recall his saying that many subdivisions of land have occurred over the years which have involved drainage and irrigation authorities in substantial additional cost in the carrying out of new works in order that the land as subdivided may be properly served in regard to drainage or works. The Minister should have carried on from there to give an indication of whether, where that work had been carried out, the department did or did not recoup itself with subsequent collections in the form of rates on those properties. I notice that he followed on from there and referred to a property of 800 acres which had been subdivided and sold as eight separate properties. If my memory serves me right he proceeded to state that £550 of new works was carried out by the Government. All that seems to imply that the £550 was largely lost by the Government. I do not know whether that was the Minister's meaning.

The Minister for Works: It was.

Mr. DONEY: Apparently he meant that the money was lost for the reason that the cost would fall upon the Public Works Department instead of falling upon the owner of the land that was then being subdivided. In a case like that I should like to know whether, instead of the new rating being against the one occupier, it is in future to be against eight new occupiers of the same land, in which case would there not be eight new assessments submitted to the eight new occupiers? I take it that the eight new assessments would represent a great deal more than the total sum assessed against the original owner.

The Minister for Works: The rate is at so much per acre.

Mr. DONEY: Would it actually be a fact that the total of the eight assessments would be no more than in the case of the one original assessment?

The Minister for Works: It could not be more if the acreage was the same.

Mr. DONEY: No, not on that basis. Apparently if there has been an initial outlay following upon which the authorities are entitled to a rate on the total acreage involved, and if, on account of subsequent happenings it is found necessary to spend more money, that additional outlay is a total loss unless the rate is raised.

The Minister for Works: Not always.

Mr. DONEY: On some occasions would not the rates be increased?

The Minister for Works: No.

Mr. DONEY: If the authorities work on an acreage basis and do not go outside that arrangement I fail to see how they can carry on. If the arrangement is really on an acreage basis and never changed from that basis, some of the misunderstandings that were in my mind are no longer there, and I will not refer to them.

Mr. SPEAKER: Order! There is too much talking.

Mr. DONEY: If the Minister's explanation is in accordance with the facts and he has not unwittingly given me wrong information, or if I have wrongly understood him, I will take the opportunity to bring the

matter up when the Bill is in Committee. As I see it now, if the cost of new works, for channels, head-works, etc., rendered necessary by a subdivision is to fall upon the owner instead of upon the Government I would take it that in the ordinary way of things the Government would thenceforward be receiving revenue from capital expenditure by others. I will seek to have that point clarified in Committee.

MR. McDONALD (West Perth) [5.54]: I can understand that a subdivision of land by a private owner in an irrigation district may involve extra costs to the drainage boards in the vicinity, and it may not be fair in some cases that these should be borne by the Crown. It may be that in some instances the result of the subdivision is, as the Minister said, that the owner may be able to sell his land in allotments and make a substantial profit, leaving imposed upon the Crown the burden of making these adjustments and these extensions to irrigation works which have become essential by reason of the subdivision and the occupation by an additional number of land-holders. I think this Bill requires more careful consideration in some respects, and I hope the Minister will leave the Committee stage until Thursday to enable members to make an additional examination of the aspects to which I have referred. Under the Bill as drawn, when it is a question of permitting the subdivision of land in an irrigation area, the drainage authority is required to obtain from the subdividing owner an undertaking or contract that he will pay the costs of any extensions or alterations of the drainage system that may be involved by the subdivision.

The owner may not be in a position to pay these costs. It may be that he is selling as a result of the subdivision at a loss, or at the actual price he paid for the land. Possibly his land is so heavily encumbered that he really has no equity, and therefore he would have no money himself after paying his liabilities out of which to meet the expenses of the additions or variations required in the irrigation works in the area or on that particular land. It may be that it will be in the interests of the State and the district that the land should be subdivided rather than in the interests of the owner of the land which it is proposed to cut up. Subdivision in general, as the Minister rightly said, is to be encouraged and will be to the advantage of the State and the district. It may be that the owner will apply for a permit to subdivide his land. He may be unwilling to pay the whole of the cost of the alterations in the irrigation system involved by the subdivision. At the same time it may be the opinion of the drainage board of the district that the subdivision would be of advantage to it and mean additional population, and throw open land which at present is not being fully occupied.

The Town Planning Board and the drainage board may feel there are cases where they should say to the proposed subdividing owner, "This will involve a cost of £500, but if you are not prepared to subdivide on those terms we will agree to your paying a part of the cost." That may be a good proposition for the board and the State. There may be cases where a subdivision is desirable. The subdividing owner, on being presented with the proposed bill for the cost of the irrigation variations, may say, "It is all off; I will not do it on those terms." The case may be one, however, where the board would be anxious to see the land cut up and made available for more extensive cultivation. I would say to the Minister, unless I am misapprehending the terms of the Bill, that it might be well to consider whether the authorities in such a case should be allowed discretion to charge up against the subdividing owner part only of the cost of the proposed works involved by the subdivision. In other words, give the authority concerned—the drainage board—some discretion as to whether it should insist upon the full charge for the works involved where the owner would not or could not pay it and abandoned the subdivision, but, on the other hand, the subdivision is regarded as desirable for the district.

The Minister for Works: I think that power is already contained in the Bill.

Mr. McDONALD: I am glad to hear the Minister say so, but I cannot discover it at present. The wording of the Bill is that on receipt of the report from the irrigation or drainage board, the board shall require the applicant to make with the irrigation or drainage board a contract or arrangement satisfactory to the board for

carrying out the additional works and for payment of the cost thereof by the applicant. That seems to me to involve the applicant's accepting the obligation to pay the whole of the cost; and, while I speak subject to correction, I do not see where the board concerned would have power to grant an application to subdivide on terms that it received less than the whole cost of the works which must result from the subdivision. If the Minister can show me that that discretion is contained in the Bill, then that may to a large extent, or entirely, remove one of the objections I see in it. I do not know how far it would be desirable to have some appeal, say, to the Minister in the matter of the works that a board proposes shall be done in consequence of the subdivision.

The board may say that the subdivision will involve works costing £500 or £1,000. The applicant may say—and he may be right—that the works reasonably consequent on the subdivision should not cost more than half of that figure. Who would then decide? As it is now, the last word would rest with the drainage or irrigation board, or possibly with the Town Planning Commissioner. Might it not assist matters if, in the case of a disagreement between the applicant and the authority concerned as to the extent of the works entailed by the subdivision, the point could be referred to the Minister, who could then give his decision as between the parties? The parent Act contains some sections—I refer now to Section 11, Subsection (2)—by which when works carried out by the Government in irrigation centres or districts involve an increment in the capital value of the land, there is a certain power to claim from the land owner, for the benefits he receives, a proportion of the money which has been put in his pocket through the activities of the Government or the drainage board in instituting the irrigation works.

That is to some extent a means by which the Government can possibly obtain some recoupment; but I appreciate that in the case of works of the kind contemplated by this Bill, the claim, if any, under the parent Act would possibly be on the new owners—the purchasers—who would already have paid for the benefits derived, instead of the claim being on the former owner who has or may have obtained benefits through the purchase price which he received on a subdivision. So there may be cases where it is not unreasonable that a subdividing owner, who benefits in the price he obtains from his sales on subdivision, should make some recoupment to the Crown for any outlay incurred by the relevant authority in the irrigation works by reason of the subdivision which has been made. But I would like the Minister's assurance—because I think it would be in the interests of the district and the State—that there will be some elasticity to enable a subdivision to proceed in circumstances where it might not be reasonable or might not be possible to require the subdividing owner to meet the whole or even part—

Mr. Doney: Did the Minister not say that provision for that was already in the Bill?

Mr. McDONALD: I want to know where it is.

Mr. Doney: I cannot find it.

Mr. McDONALD: —or even part of the Government outlay which might be involved in the subdivision. For those reasons I suggest that the Committee stage might take place on Thursday, and in the meantime we can examine these provisions a little more carefully.

MR. McLARTY (Murray-Wellington) [6.7]: I am sorry I was not present when the Minister introduced the Bill; and my only chance to examine it was this afternoon. I am somewhat concerned about the provisions contained in it. It affects not only irrigation areas—members should realise that—but also all districts where drainage works have been carried out by the Government, and we know that the Minister is reaching out for drainage rates wherever he can collect them. In fact, I understand that the future policy in connection with drainage works is that rates shall be charged and collected. Drainage works which it is proposed shall be charged to landowners are very costly, and the owner has no say at all in the cost. I know of drainage works in the South-West which have cost a tremendous amount of money. Labour has been employed on them that is unsuitable to the class of work, and we have no guarantee that similar labour will not be employed again.

That all adds to the cost; and if the landowner is going to be asked to stand up to such cost, it is easy for members to visualise what will happen to him.

Take the case of a deceased person's estate that may have to be wound up and it is necessary to subdivide a holding. Probate duty would have to be met for a start, but it is quite likely that under this Bill, as I read it, the trustees would be involved in further heavy expenditure. I do not see any provision in the Bill for an appeal against such expenditure. The Bill says that the owner shall bear the cost.

Mr. McDonald: The owner need not proceed with it.

Mr. McLARTY: With the subdivision?

Mr. McDonald: Yes.

Mr. McLARTY: The owner might be forced to.

The Minister for Works: Why?

Mr. McLARTY: In order to sell land belonging to a deceased person's estate, trustees are often forced to proceed with subdivisions. The remark applies also to other estates. I have read something about the unearned increment and there might be something to be said for it, but I point out that the people who originally settled on the land were surely responsible for some of the unearned increment that we hear so much about. I have not yet been able to fathom what it might cost a farmer or a landowner in an irrigation area to provide both drainage and channels, besides other work necessary to irrigation. Does the Minister intend to make the landowner bear the cost of grading and surveying?

Mr. Doney: He is assuming the responsibility previously carried by the Public Works Department.

Mr. McLARTY: In my opinion, the Bill needs very careful consideration and therefore I hope the Minister will accede to the request of the member for West Perth that the Committee stage be postponed until Thursday.

THE MINISTER FOR WORKS (Hon. A. R. G. Hawke—Northam—in reply) [6.11]: I shall be quite happy to accede to the request of the member for West Perth on the points he raised. I agree it is reasonable to suggest that there should be a full measure of discretion available to the authorities as to whether the whole of the cost should be placed upon the person seeking to subdivide an area of land or, alternatively, whether any portion of the cost should be imposed upon him. I would have no objection to an appeal in the case of disagreement between the landowner and the authority if the landowner were aggrieved at what was offered to him. He should have the right to appeal to the Minister or to some other suitable authority. The main purpose which the Bill seeks to achieve is to safeguard the State against the imposition upon it of very heavy costs consequent upon a subdivision of land which might easily involve a considerable amount of irrigation work and possibly also drainage. I therefore have no objection to the Committee stage being postponed until Thursday. I hope that between now and then the members who are concerned about having the Bill improved will give it close attention, so that the necessary amendments might be put on the notice paper tomorrow, thus giving members an opportunity to know on Thursday, when the House meets, exactly what amendments are proposed.

Question put and passed.

Bill read a second time.

Sitting suspended from 6.15 to 7.30 p.m.

BILL—MEDICAL ACT AMENDMENT.

Second Reading.

Debate resumed from the 4th October.

MR. McDONALD (West Perth) [7.30]: The importance of this Bill requires some consideration by any member who desires to contribute to a discussion of it, on the occasion of the second reading. I propose to support the second reading because the measure, as far as I can see, represents a much-needed amendment to an Act which has been on the statute-book since 1894. It has now celebrated its fiftieth anniversary. Great advances have been made in medical science and also in the diversity of medical practice since the original measure was enacted by this House 51 years ago. It is, therefore, essential that the legislation should move with the times and make some attempt to meet the situation as it is today. One of the objects of the Bill is to bring up to date the basis

upon which applicants for registration shall satisfy the board that they possess the necessary qualifications to be permitted to register and to practise in this State. I am not in a position to say whether the qualifications laid down in the Bill are satisfactory, but I am prepared to assume that they have been inserted by the Minister after consultation with members of the statutory Medical Board, and that they represent conditions of registration that are suitable to the present times.

The board has been limited in its authority regarding disciplining of the profession. That is known to have been a defect in its powers for many years. I am glad to see that the Bill proposes to give the board much wider powers to ensure that those who have the privilege of practising under the authority of the Act are discharging their duties in a way that safeguards the interests of the public. I am not able to find in the Bill any express power for the board to take, of its own motion, disciplinary action against a medical practitioner. I speak subject to correction as I have read the Bill without having had much time to examine it carefully, but it seems possible that the board will not be able to act unless it first receives a complaint. On a complaint being received from some member of the public it may proceed to exercise its disciplinary powers.

It would, I think, be advantageous for the powers proposed to be given to the board to be enlarged to enable it to take action of its own accord and without having to wait until a complaint is lodged by a member of the public, against any medical practitioner. To lodge a complaint against a doctor or, in fact, against anyone who is earning a living by virtue of registration under some Act of Parliament, is always a somewhat invidious thing to do. People are reluctant to take such a step. At the same time it is possible that the board, from information given to it from various sources, may know that action should be taken. Provision to enable it to take any necessary step of its own accord might assist and be welcomed by the medical profession. I would like the Minister to give consideration to investing the board with authority to review the charges of medical practitioners. That would be supported by all reputable medical practitioners.

The Minister for Lands: You would want a different board from this to do it, surely.

Mr. McDONALD: I do not think so. I venture to say that the people most concerned with preserving the confidence of the public in any body are those engaged in earning a livelihood as members of that body. They are very interested in ensuring that their particular vocation does not come into public distrust or reprobation on account of the conduct of its members. I would be quite willing to leave the matter of reviewing charges in the hands of a board composed, in this case, entirely of doctors with the exception of one layman. As it is now, this House has passed legislation by which charges under the Workers' Compensation Act can be reviewed by a tribunal presided over by a Supreme Court judge. That tribunal has done very salutary work, and has not hesitated to impose exemplary penalties where doctors have overcharged for the services they have rendered.

The Minister for Lands: There are only two doctors out of the five members of that tribunal. I am not as optimistic as the member for West Perth.

Mr. McDONALD: I do not think that would make any difference.

Hon. J. C. Willcock: They would know that the policeman was around, anyhow.

Mr. McDONALD: I do not think the knowledge that a policeman was around would affect them very much.

Hon. J. C. Willcock: It would if they knew that there was a body to see that they did not overcharge.

Mr. McDONALD: I misunderstood the import of the hon. member's remarks. The mere fact, as the member for Geraldton points out, that there was a statutory board with power to reduce fees would tend to induce in the practitioners a sense of responsibility in regard to their fees. I make the suggestion that it might be wise and expedient to enlarge the powers of the board to deal with matters of charges if any patient desires to submit an account to the board for its opinion as to what would be a reasonable charge.

Hon. J. C. Willcock: The number of visits is what most people are concerned about.

Mr. McDONALD: Yes, and when it comes to the number of visits, there could be no better authority than a doctor's fellow practitioners, who should have a fairly exact idea of how many visits would be involved for the kind of illness that the patient suffered from, and the frequency of visits. Also there is an innovation in the Bill in that it provides for the registration of specialists. At present any person may put up his plate and hold himself out as a specialist. A specialist, I take it, is a member of the medical profession who, by virtue of long experience, ability and a particular knowledge of some branch of medicine, is qualified to give an opinion which commands more confidence than one that could be obtained from a general practitioner.

A specialist, very often, has spent time and money in acquiring that particular knowledge of the branch of medicine to which he desires to devote himself. Also a specialist is usually a man who devotes more time to each individual case in order to test every factor involved in the patient's illness so that his final diagnosis will be as accurate as possible. By reason of his particular attainments and the longer time that he devotes to the examination of his patients he is usually willingly paid a higher fee than is given to the general practitioner. As the Bill stands now, as far as I can see, a specialist is authorised to charge an additional fee, but there is nothing to prevent a non-specialist charging as large an amount as a specialist for the same work. I would like the Minister to consider whether there should be safeguards in that respect.

The Minister for Lands: What would be a non-specialist? This Bill provides for licensing specialists.

Mr. McDONALD: That is so. I agree that when we come to a practical application of some of these matters there may be difficulties.

The Minister for Lands: If he is not registered as a specialist surely he could not charge for specialist's work? That is the idea.

Mr. McDONALD: He may not charge as a specialist, but his bill may be the same amount as that charged by a specialist.

The Minister for Lands: He should be referred to that board of yours.

Hon. J. C. Willcock: You are not going to have a flat rate for all doctors' charges.

Mr. McDONALD: No, we could not do that. It would be unjust to do that. A practitioner may, in a particular case, give much time to the examination of a patient and might reasonably charge as much as a specialist. He might do that if he took a longer time over the examination than he would normally. I agree with the Minister that it is hard to lay down arbitrary rules that will be fair to the practitioner and fair to the patient. For the Minister's consideration I draw attention to the fact that while a specialist is authorised to charge higher fees, and reasonably so, by virtue of his registration as a specialist, there would be nothing to prevent another practitioner charging similar fees for identical work although not ostensibly charging them as a specialist. In the time at my disposal I have not had an opportunity to examine the Bill very carefully, and although I have endeavoured to get some information from the profession concerned to assist me, time has not permitted me to go to authoritative sources that might be able to bring forward considerations that would assist the House in dealing with the Bill. Then again, would it be desirable if a requirement for a specialist should be that he had passed a special examination or acquired membership of a recognised specialised body before he became registered as a specialist—if there were such qualifications or such recognised specialised bodies in Australia?

There are, I think, in Australia—again I speak without any exact knowledge—certain authoritative or recognised bodies which admit to their membership practitioners who are able to satisfy such bodies that, by virtue of experience and attainment, they have specialised knowledge of that particular branch of medicine for which one or other of the particular bodies may stand. Further, there are certain influential letters that may be acquired indicating that the holder is a member of the Royal College of Surgeons—there are such bodies both in Australia and Britain

—and also of the corresponding body in the case of physicians. They may be able to qualify by an examination in Australia which may be passed by those who desire to secure evidence of their particular knowledge and capacity in some special branch of medicine or surgery.

Hon. J. C. Willcock: Would not that fact accompany a man's application showing that he was a specialist in a particular subject?

Mr. Mann: It does not say so in the Bill.

Hon. J. C. Willcock: I think it does.

Mr. McDONALD: When a practitioner applies to be registered as a specialist and there is in Australia a qualification in that specialty which he could have obtained, should the board, as a condition to the admission of the medical practitioner as a specialist, be required to demand that any such applicant should have acquired that qualification? That may be desirable; on the other hand, it may not be desirable. There is a provision in the Bill which forbids any person other than one registered under the Act, from holding himself out, directly or indirectly, as able or willing to practise medicine or surgery in any one or more of its branches, or to give or perform any medical or surgical service or to give advice which is usually given or performed by a medical practitioner; and to that provision there is the following proviso:—

Provided that this paragraph shall not apply to a person practising as a dietitian or as as a chiropractor who gives advice to persons requiring dietetic or chiropractic advice if such advice has no relation to a specific disease.

The Minister for Lands: That was your amendment when a similar Bill was previously before the Committee.

Mr. McDONALD: I think that was so with regard to chiropractors, but I do not recollect having moved any amendment regarding dietitians.

The Minister for Lands: I think that was moved by one of your colleagues.

Hon. N. Keenan: Yes, I did that.

Mr. McDONALD: When we are considering legislation applicable to a profession that is of such vital importance to the general public, would it not be wise to have regard to the situation as it applies to those people who practise in, shall we say, a small part of the work usually done by a medical practitioner, people who are not medical practitioners but who give advice and perform services in relation to such matters as chiropractics, dietetics—

Hon. J. C. Willcock: Massages.

Mr. McDONALD: Yes, and in other branches. We have already dealt with optometrists under special legislation. I have not had time to look up comparative legislation, but I think that in Victoria an Act was passed dealing with masseurs, and, I believe, with one or two other types of individuals, such as those who practise in a somewhat similar manner to the people I have mentioned in the course of my remarks.

Hon. J. C. Willcock: Dentists are covered as well.

Mr. McDONALD: Yes. I am prepared to believe that there may be legitimate places for people to practise in some specialised part of what may be described as medical services, where that practice can be efficiently carried out without the full training involved in obtaining a medical degree.

Hon. J. C. Willcock: Such as dealing with mechanical aids to hearing.

Mr. McDONALD: That is so. The time will inevitably come, sooner or later, when this House will have to take into careful consideration how far the present state of affairs should continue. As it is now, there is nothing to prevent me from setting up my sign in the street—there is certainly nothing in the Bill to prevent it—as a dietitian.

Hon. J. C. Willcock: Or as a psychologist.

The Minister for Lands: Which would be worse.

Mr. McDONALD: I think I would be much better as a psychologist than as a dietitian—and I am told that it is a lucrative profession.

The Minister for Lands: A properly trained dietitian is a very important person in a place like the Perth Hospital.

Mr. McDONALD: He is. Only recently I attended a lecture which was delivered by the dietitian at the Melbourne Public Hospital. That particular lady and, I believe, others, have been through special courses in their subject.

The Minister for Lands: That is quite correct.

Mr. McDONALD: By instruction and examination, there is a guarantee that they have the special knowledge for the very important services they are rendering to their patients. I am not happy, nor do I think other members are or will continue to be happy, with the position confronting us at present, when people, with absolutely no qualifications but with a desire to make a lot of money, are able to get sick people to come to them under one name or another.

Hon. J. C. Willcock: Herbalists conduct a very lucrative business.

Mr. McDONALD: That is so, and if the individual happened to come from another country he would have so much the better reputation. As it is, the people I have in mind induce individuals to visit them and they may possibly do their patients no good and probably only harm—yet there is no means of controlling their activities. We cannot very well deal with the matter under the Bill now before the House, but, sooner or later, I think a move in that direction will be welcomed by all so that chiropractics, dietetics, and so on would be dealt with and at the same time a measure of protection would be accorded the general public. There is a further aspect.

Under the Bill a medical practitioner, when requested to do so by a patient, is to be required to arrange for a professional consultation between himself and some other medical practitioner as to the condition and treatment of a patient. That seems quite reasonable. The only observation I have to offer regarding that is that if the medical practitioner to whom the request is made fails to arrange the consultation, he becomes liable to prosecution and the imposition of a penalty. It is conceivable that circumstances may be such that the medical practitioner may not be able to arrange for a consultation. There may be no doctor nearer than 50 or 100 miles away. Of course, I believe such a matter would be viewed reasonably by the Medical Board, but in order to have legislation of a practical character it might be well for us to say that the medical practitioner to whom the request is made shall arrange a consultation when reasonably practicable. On the whole the Bill, as far as I can see, represents a useful amendment to the existing law regarding the practice of medicine and surgery, and the observations I have made, based upon my perusal of the Bill, are by no means dogmatic. I am not in a position to speak with authority. I have not the knowledge nor have I had the opportunity to secure advice to any extent from those who are qualified to form opinions on these matters. I have put forward those considerations which appeared to me to be proper to bring before the House and before the Minister, and possibly the Minister will give some attention to them.

MR. READ (Victoria Park) [7.49]: The Bill has for its object the protection of the public, and as such I support it. I do not think that it covers the ground in its entirety, nor do I think it goes far enough. When he was placing the measure before the House the Minister said that a layman was to be appointed to the board in order that the community as a whole would have some direct representation and that medical practitioners would realise that the measure was not only for their protection but was for the protection, mainly, of the community. A clause of the Bill sets out that the board shall consist of six medical men and one layman. That, I maintain, does not afford the public any protection. The votes of the six professional gentlemen would in every case carry the day. I have it in mind at the proper time to move an amendment to strike out all the words after the word "Governor" in line four of proposed new subsection (1) with a view to inserting other words.

Mr. SPEAKER: The hon. member is not in order in quoting clauses on the second reading.

Mr. READ: My idea is that of the seven members on the board, four shall be medical men and three laymen. I understand that this board is intended for the protection of the public and also for the protection of the medical fraternity, and that it will be required to sift the evidence placed before it on behalf of or against any member of the profession. The chances are that the medical men would be known to one another, The members of the board would have to judge the case of a brother doctor known to all of them and they might be unconsciously biased for or against him. In my opinion the lay members of the board should include a magis-

trate or men belonging to the legal profession—men trained in the sifting of evidence—so that when a case was brought before the board, they would be able to assess the value of the evidence. In the courts of law where people are charged with misdemeanours, we have trained men who produce evidence on either side including expert evidence. The court sifts the evidence and considers its value, and thus we get fair and just decisions.

Under the English system, there are hundreds of medical men serving the public and they are treating thousands of patients. There the board consists of 20 members, of whom only three are doctors, while one is a dentist and the rest are laymen. In South Africa, the same thing obtains, although I do not know what the proportions are. The South African Act, which is one of the best, also deals with pharmacists and dentists. I would have preferred to see more definite qualifications laid down for specialists, such as one year of specialising in a certain disease or on a particular line of work in a hospital. The proposal in the Bill might operate unfairly. If the six medical members of the board against one layman decided that there were sufficient specialists in any one line in the town, there would be no chance of anyone else being allowed to enter into competition.

The Bill could have gone much further in stipulating fees to be charged to patients. Surely the doctors could agree among themselves as to what constitutes a fair charge! There is often trouble at present about doctors' charges for visiting patients unnecessarily or of charging too highly. Let me quote the case of a working girl in a home who underwent an operation for goitre. When the doctor's account was presented, she said, "I am only a working girl earning very small wages. Could you see your way clear to make your charge a little lighter?" The doctor replied, "No, we do not do that, but you can pay me 10s. per week." That girl has to live for weeks with her spending capacity reduced by 10s. in order to pay the account of the doctor.

The Minister for Lands: I paid 35s. a week for a young woman who had goitre.

Mr. READ: Then the Minister supports my argument. Provision should be made in the Bill for the regulation of medical fees. We know that the B.M.A. in some measure controls this matter, but I think that the control it exercises is very weak. The provision made for x-ray practitioners is excellent, but I point out that many small x-ray plants are being operated by business firms in the city, generally on the feet, and it is not known whether the proper screen is used. An over-application of the rays might cause an injury that would not be discernible until a fortnight later. Therefore I consider that some control in this direction is necessary.

Provision is made that a doctor, when requested by a patient to arrange a consultation with another doctor, must do so. I do not agree with that; it will not make for the protection of anybody. I know of no case where a doctor has refused to confer with another when necessary. If a doctor fails to diagnose a case, what does he do? He immediately consults another medical man. There are thousands of nervous patients who have practically nothing wrong with them. Those are generally the people who demand a consultation with another doctor. They say, "I am not getting on, doctor. Will you kindly call in somebody else?" A doctor with a large practice might have half a dozen of these patients each day. There is a penalty under the Bill if he refuses a consultation when requested. In the interests of the patient he might say, "You take so and so and you will be all right. You need not ask me to consult with anyone else." In such a case it would be better for the patient not to run from doctor to doctor, because, when she has been to two or three doctors, she begins to think she is really ill. Yet, under the Bill, her doctor would be bound to call in another for consultation.

The Minister for Health: And the patient would have to pay.

Mr. READ: Certainly. One of these patients that I have in mind has plenty of nerves and plenty of cash to cause the nervous trouble to increase.

The Minister for Lands: That is why some of them have nerves—too much money.

Mr. Styants: Is the doctor always right?

Mr. READ: No, but if a doctor is in any doubt, he will always consult another doctor. It would be a waste of time and quite unnecessary to insist upon a doctor's call-

ing in another when requested by a patient to do so. In my opinion the medical specialist is the most wonderful man in the world. The surgeon is to be put on the plane of a great artist, musician, painter or singer. Yet in our population of about 7,000,000 people, I do not suppose we have 20 wonderful surgeons. These wonderful men are born, just as musicians and other artists are born. They are born with special talents. These men should not be charging patients 50 or 100 guineas to perform an operation. They should be put on the same footing as a judge. They should be above the need for making their own living. The Government should pay them a salary and house them in a clinic where their services would be at the disposal of any patient needing them. This has been the practice in Europe for many years, and thus the best service is available free of charge to anyone requiring it. A skilled surgeon performing an operation under those conditions does so without any thought of payment, because he is above that. His salary is provided, a house is provided, and he uses his talent for the benefit of the whole of the people amongst whom he is practising.

Mr. Styants: Tell that to the B.M.A. and see what it says.

Mr. READ: That is why I am supporting this Bill. I hope the Minister will accept the amendment I have indicated. This Bill is designed to get away from the B.M.A., which is the tightest union in Australia. There is no doubt about that. They rule their domestic affairs with a rod of iron. This Bill is mainly for the protection of the public.

HON. N. KEENAN (Nedlands) [8.16]: I desire to make only a very short contribution to this debate. There are a few matters in the Bill about which I wish to be further informed. In the first place, there is the introduction of this special qualification which is to bear the title of "specialist." I would like the Minister to tell us from what other statute in what part of the world he has taken this suggestion. I did not hear the whole of his speech and therefore have no right to say he did not deal with it, but I do not know that he did: I have heard from no-one that he did. Yet it is an extraordinary innovation. A specialist is to be a medical practitioner and is to become a specialist in a certain branch of medicine as determined by a board.

Hon. W. D. Johnson: What about a K.C.?

Hon. N. KEENAN: A K.C. is not a specialist. He is a legal practitioner who has satisfied the authorities—the Lord Chancellor, in England, but out here, strange to relate, laymen who constitute His Majesty's Council.

Mr. SPEAKER: Order! There is nothing about K.Cs. in the Bill.

Hon. N. KEENAN: I think I was justified in answering the point, though there was nothing in it. To return to the proper matter, I would like the Minister, when replying, to explain how it is we are asked to sanction the creation of specialists. Also, if we are to create this class, why they are to be left almost at large. When one turns to the ordinary medical practitioner, one finds that he has to comply with certain very definite qualifications. He has to be the holder of a degree or diploma of some recognised university or he must have passed through a regular course of medical study for a period of not less than five years and at the end of that time have passed a certain examination. A number of very exact directions are given to him. But when we come to a specialist, he is at large. It is only a matter of what the board may think. Is there any reason for indulging in this innovation?

We know that some medical practitioners, by reason of the particular world in which they live and the particular opportunity they get, learn a lot more about some of our ills than do others. For instance, I might recall the Goldfields. The member for Guildford-Midland may remember that we had a great number of enteric cases and any practitioner there would have learned, from the large number of cases that he dealt with, a considerable amount about enteric and would have become a specialist and would have been recognised by the public as a specialist and, without any name or any particular qualification being given him under a statute, as having that specialised knowledge. When some trouble arose involving enteric, people would go to him instead of to a doctor who perhaps had practised in a district where there had been no cases of

enteric. That is how a specialist arises. But the Bill proposes to create a statutory specialist and I would like to know a lot more about this before we agree to such a proposal.

Hon. W. D. Johnson: There is no reason why we should not break new ground.

Hon. N. KEENAN: If there is any good reason, yes. But do not let us break ground merely for the purposes of breaking it. There is another matter to which I would like to call attention, and that is the provision dealing with dietitians and chiropractors. The member for West Perth made a suggestion which I think is admirable; namely, that in some other Bill, if not in this one, a provision should be made for governing the people who offer themselves to the public in that capacity. I know that genuine dietitians and chiropractors are most anxious to have some form of government, some examination or test, that would rule out what the member for West Perth properly described as ladies or gentlemen in a hurry to get rich. Invariably, I am told, those who make the highest charges have the smallest qualifications and the largest amount of bluff. Surely the Minister, if he is not in order in including in this Bill——

Hon. W. D. Johnson: Why not?

Hon. N. KEENAN: I am asking the Minister that. If it is not in order for him to do so through this Bill, could he not elsewhere make some provision of the character I suggest? If it is in order, I will press him to make that provision before the Bill leaves this Chamber. There is a third matter, referred to by the member for Victoria Park, on which I wish to add my recommendation. I suggest that we should consider very carefully the provision which makes it obligatory upon a medical practitioner who is requested by a patient—or by a relative of a patient who is said to be unable to make the request himself—to arrange for another professional man to attend and see that patient and which provides, if he does not carry out that request, that he is to become liable to a penalty. As the member for Victoria Park pointed out—and I am sure it is true, because it is entirely in accord with human nature—patients will ask for another doctor when there is no reason to ask for one.

Take the case of a man who is an unscrupulous doctor, or a stupid one! Of course, he would comply on the spot. He might even try to make some arrangement to share the fee or do something equally disreputable. If he is not an unscrupulous man but a man with no confidence in his own ability, he also will comply at once. But a man who really knows his work and does not want to let a patient spend money for nothing, will refuse. He will refuse because he believes that it is the best course to take not to have another medical practitioner called in. If we do not make some provision to the contrary, it will mean that any medical practitioner, on the mere suggestion of a relative—and there are always some people discontented with the doctor attending them—will have to call in another doctor and his patient will therefore have to spend money the expenditure of which the doctor knows to be wholly unnecessary. He must either do that or face the alternative of paying a penalty; so I think that in Committee the Minister should take some steps to provide that a medical practitioner must unreasonably refuse. If he is able to show any reason for refusing, the reason being that he does not think another doctor necessary, I submit that should be a complete answer.

The Minister for Lands: That is a great reason, that is!

Hon. N. KEENAN: Those are the few matters that I hope will receive proper attention at the hands of the Minister.

MR. BERRY (Irwin-Moore) [8.25]: I am very interested in this discussion I would not vote for a Bill of this nature. I would like to know where it has come from and what is its objective. If it is to protect the people against medical exploitation, why are we to have six doctors to decide whether there is exploitation, instead of six ordinary people?

The Minister for Lands: There have been six doctors since 1889.

Mr. BERRY: I do not care whether there have been six since 55 B.C. It does not alter the moral. If the object is to protect people from exploitation by doctors, do not let us ask doctors to run the show. That is the part I do not like. Then the Bill seems to say to the ordinary practitioner, "You may only be a specialist if we—six members of the medical profession—say you may be one." That might have gone on, too, since 55 B.C., but it is quite stupid!

I think the member for Victoria Park is to be congratulated. I hope he will discuss the clauses at the proper time and bring forward his amendment, the object of which is to protect people by having on this arbitration body ordinary people and not medical practitioners. I think the thing is perfectly absurd.

On motion by Mr. Hoar, debate adjourned.

BILL—MINE WORKERS' RELIEF (WAR SERVICE) ACT AMENDMENT.

Council's Message.

Message from the Council received and read notifying that it had agreed to the amendment made by the Assembly to the Council's amendment No. 1, subject to a further amendment.

BILL—POLICE ACT AMENDMENT.

Second Reading.

Debate resumed from the 2nd October.

MR. HILL (Albany) [8.27]: I support the second reading of the Bill. In our Police Force we have a very fine and efficient body of men. The strength of our Police Force is something under 600 men, which is equal to one for every 861 of our population. As a matter of fact, last night I was speaking to a policeman whose district has a population of something like 4,000. Although we have such a small number of police, we have a law-abiding community. I am not going to give the Police Force sole credit for that. In our British breed we have an inherited respect for law and order. I consider that as a Parliament it is our duty to assist the Police Force in every possible way and also to assist the public to look upon it in the proper manner.

This Bill deals first with our detective force. That force is very efficient. Inspector Stan Read, who has just retired, is a very old friend of mine. I first met him when he arrived in Western Australia as a recruit for the Royal Australian Artillery. I last saw him when he was handing over to his successor. Inspector Read very proudly said, "I am leaving without one major crime unsolved." That is a record of which any police force might be proud. The first portion of this Bill prohibits the improper use of the word "detective." As the Premier explained when introducing the Bill, that word is used by some who have a very unsavoury reputation. The only fault I have to find with the clause is that it does not go far enough and when the Bill is in Committee I shall move a small amendment. The second part of the Bill deals with those people with twisted mentality who seem to delight in giving the police incorrect information. The Bill provides for a penalty for those people who do such a foolish thing and also that they shall be made to pay, if the judge thinks fit, any expense to which the Police Force is put. I commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Rodoreda in the Chair; the Minister for Works (for the Premier) in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 9:

Mr. HILL: I move an amendment—

> That in line 6 of proposed new Section 16A after the word "detective" the words "or any word or expression which includes the word 'detect'" be inserted.

I move that amendment because private inquiry agents might call themselves detecters or detectors and might under some circumstances be able to pass themselves off as members of the detective force. I think this amendment will be acceptable to the detective force and will prevent leakages in future.

Mr. DONEY: If there is any virtue in the Bill there must be some virtue in this amendment, because the object in each case is much the same. There are other words that might be built on the word "detect." I refer to words such as detector or detectionist and so on. For those reasons I am glad to support the amendment.

The MINISTER FOR WORKS: I have no strong objection to this amendment, but I wonder whether it is in order legally. I presume the member for Albany has obtained legal advice on the drafting of his amendment.

Mr. Doney: I think he could give you that assurance.

The MINISTER FOR WORKS: If that be so, I have no objection to the amendment, because I think the tighter the pro-

vision against these people is made—the people who call themselves detectives, super-sleuths, and so on—the better it will be for the public generally. The member for Albany might give the Committee some assurance in that regard, and the member for Nedlands might express an opinion on the point.

Hon. N. KEENAN: I do not mind making this Bill wider, and it is correct to say that the word "detective" is being abused by those who are engaged on detective work but who are not, in the proper sense of the word, detectives. They are mostly engaged in connection with cases for the dissolution of marriage, in which they produce the evidence of adultery or other matrimonial offences, but we can go too far in legislation of this class. To say that they cannot use any word that includes the word "detect" is, I think, going too far. A man might advertise—which is quite legitimate—that he is prepared to undertake inquiries for the detection of certain classes of persons who are doing some wrong, as, for instance, a matrimonial invader. He is entitled to do that, and he cannot describe himself in any other way. It is a legitimate business, though a somewhat nasty one. There are other cases, such as the detection of the wrong use of trade marks. There are certain societies that protect trade marks through agents who go round. If one is the holder of a trade mark they will, for a small fee, take care that the trade mark is not infringed. Those people are engaged in the detection of those who are likely to infringe trade marks, and offer goods for sale under a label which would mislead people into believing that the goods were produced by the owner of the trade mark. There are many other cases.

The Minister for Works: Yes, the detecting of water and power leakages.

Hon. N. KEENAN: I think we should not go too far.

The Minister for Works: I want more information about it.

Hon. N. KEENAN: I see no necessity for going further than the Bill goes. If the Bill makes it an offence for any person to hold himself out as a detective, surely that is enough.

Mr. Fox: That is all we are seeking.

Hon. N. KEENAN: If we go as far as the amendment asks we cover every kind of legitimate work that is done for the protection of members of the public, and that is going too far.

Mr. DONEY: I hope the amendment will be accepted. The argument of the member for Nedlands is not as impressive as it usually is. The spirit of the amendment is precisely that of the Bill. We want to narrow down the risk of any confusion between those who detect in cases of ordinary crime, and these so-called detectives who use methods that make them a class of people with whom the real detectives do not wish to be confused. I say it does not matter how far we go so long as all we do is to secure the requirements of the Bill. The word "detective" as used by those who are what is commonly known as sleuths or investigators is just a borrowed word, and since there are many appropriate words that they could use, I see no reason why they should not be legally debarred from using this particular term. If it is to be restricted to use by those in the Police Force, this is an appropriate and desirable amendment. As soon as that word is allowed to be used by men who do not stand very high in the regard of their fellows, it sinks into disrepute. There are many other words for them to use and I think they should choose from among those words and leave this word alone.

The MINISTER FOR LANDS: I agree with the member for Nedlands. The origin of this Bill was the fact that the members of the C.I.B., which is a well-known organisation, are recognised detectives, and there are some people who take up detection in connection with divorce proceedings and so on and who have got a bad name. The C.I.B. object to their world-wide name being used for purposes that are not the nicest. There are all sorts of investigators today such as health inspectors, who investigate impure milk supplies, and so on, but they do not have to call themselves detectives or detectors. They do a job of a similar kind and detect things that should not be going on. There are also factory inspectors, but they do not call themselves detectives in order to do their work properly.

Mr. Doney: You miss the point.

The MINISTER FOR LANDS: We do not want them to call themselves detectives and bring disrepute on those members of the Police Force who stand high in the regard of the public.

Mr. Doney: You are arguing in favour of the amendment.

The MINISTER FOR LANDS: I agree that we have gone far enough, and have done all that has been asked by the detective force, who are the people concerned, and I hope the Committee will leave the Bill as it is.

Mr. CROSS: I think the member for Williams-Narrogin, in trying to press this amendment, is going the wrong way to effect an improvement, and I believe the suggestion of the member for Nedlands is the right one.

Mr. Doney: You are not the type of man from whom I would take advice.

Mr. CROSS: There are undesirable people carrying out investigations, and in the past they have tried to imply that they were detectives. Some of their methods have been open to question, and I think there should be supervision of the people who carry on such activities. I think they should be required to obtain permission from the police to carry out that work, and that they should be licensed.

Mr. Doney: That is a good idea.

Mr. CROSS: If they were men of repute, there would be no argument about preventing them from calling themselves detectives, but many rackets have been carried on in the names of these super-sleuths. I oppose the amendment, because I think it is superfluous. If we include the word "detect," we might as well prevent them calling themselves sleuths. I can envisage some tenth-rate detective advertising in the paper, "We are the super-sleuths of the century," and the member for Williams-Narrogin would simply bring the Bill into ridicule. I oppose the amendment.

Mr. HILL: I make no claim to being a lawyer and am loth to pit my opinion against that of the member for Nedlands, but it seems to me that my amendment is confined to those people whom it is desired shall be stopped from using the word "detective."

Amendment put and negatived.

Clause put and passed.

Clauses 3 to 5—agreed to.

Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—CONSTITUTION ACTS AMENDMENT (No. 2).

Second Reading.

Debate resumed from the 11th September.

MR. W. HEGNEY (Pilbara) [8.48]: I support the second reading of the measure, and desire to commend the Government and the responsible Minister for this further attempt to restrict the powers of the Legislative Council. A measure of this nature was introduced in this Chamber previously, but it received scant consideration at the hands of members of another place. I believe we must make repeated and persistent attempts to alter the relationships between the Legislative Assembly and the Legislative Council. The Constitutions of second chambers, particularly those of the Australian States, are more or less carry-overs from the early days of the respective colonies. We find that in our own State, as far back as 1831, the first Legislative Council constituted had very limited powers and consisted mostly of officials. Later, certain residents of the colony were added; and, in 1870, the Chamber was made partly elective. Some 20 years later the colony was granted responsible Government and in due course the Legislative Assembly was established, based on adult franchise. All through the years, however, it is very noticeable that the privileged Chamber continued with its privileged rules, and even up to the present day one must face up to certain requirements before one is entitled to vote for that Chamber.

As a matter of fact, the Legislative Council of this State has far greater power than has the House of Lords; and in this connection, unfortunately, our State is not alone. I find on referring to the Constitutions of some of the other Australian States that that privilege reigns supreme. I do not propose to go into full details of the Constitutions of the States of Tasmania, Victoria and South Australia; suffice it to say, we are all aware of the requirements in our own State. I propose to deal with the qualifications for voting for the Legislative Council in Victoria and also with the method for settling deadlocks between the Houses in that State. The Council consists of 34 persons. A person must be over the age of 21

years to have a vote, and must possess one of the following qualifications. He must be a person who—

1, Owns land or tenements or is mortgagor or mortgagee; or is in receipt of rents and profits if in one province and rated at £10 per annum,

2, Is entitled as lessee or assignee for the balance of original term of five years of property rated at £15 per year, or occupies property rated at £15 per year,

or be a resident of Victoria who is—

(a) A graduate of any University in the British Dominions,
(b) a barrister or solicitor, or
(c) a qualified medical practitioner, or
(d) a duly appointed Minister of any church or denomination, or
(e) a person possessing a certificate of fitness to teach, or
(f) an officer or a retired naval or military officer, or a person who has matriculated at the University of Melbourne.

It will be seen, therefore, that Victoria closely follows our State, although it is a little more liberal in some ways. Dealing particularly with the method by which deadlocks are supposed to be overcome, I find that the latest Constitution I have been able to peruse, the Constitution Act Amendment Act, 1928, provides by Section 37, Subsection (1) as follows:—

If the Assembly passes any Bill and the Council rejects or fails to pass it, or passes it with amendments to which the Assembly will not agree, and if not later than six months before the date of the expiry of the Assembly by effluxion of time the Assembly is dissolved by the Governor by a proclamation declaring such dissolution to be granted in consequence of the disagreement between the two Houses as to such Bill, and the Assembly again passes the Bill with or without any amendments which have been made, suggested or agreed to by the Council, and the Council rejects or fails to pass it or passes it with amendments to which the Assembly will not agree, the Governor at any time not being less than nine months or more than 12 months after the said dissolution may, notwithstanding anything contained in the Constitution Act, dissolve the Council and the Assembly simultaneously. The Council shall be deemed to have failed to pass a Bill if the Bill is not returned to the Assembly within three months after its transmission to the Council and the session continues during such period.

It will be noted that we could not, with any degree of reasonableness, ask for such a provision to be inserted in our Constitution. The South Australian Constitution contains provision for the settlement of deadlocks, but it merely perpetuates the rights of property as against the rights of people, as a perusal of the Constitution will indicate. The qualifications of electors for the Legislative Council in South Australia follow closely those obtaining in this State, and I shall not read them in detail. As to the settlement of deadlocks between the Houses, the provision in the Constitution reads as follows:—

Whenever—

(a) Any Bill has been passed by the House of Assembly during any session, and
(b) the same Bill or a similar Bill with substantially the same objects and with the same title has been passed by the House of Assembly during the next ensuing Parliament, and
(c) a general election of the House of Assembly has taken place between the two Parliaments, and
(d) the second and third readings of the Bill were passed in the second instance by an absolute majority of the whole number of members of the House of Assembly, and
(e) both such Bills have been rejected by the Council or failed to become law in consequence of any amendment made therein by the Council, it shall be lawful for, but not obligatory upon the Governor within six months after the last rejection or failure—

(1) To dissolve the House of Assembly and the Legislative Council by proclamation in the Gazette or to issue writs for the election of two additional members for each Council district.

(2) If both Houses are dissolved, all members vacate seats and members shall be elected to supply the vacancies.

Members will observe that the dissolution of both Houses of Parliament implies that the total voting strength will be in favour of strengthening the Legislative Council, which is elected on a very restrictive franchise, so I do not think that in this enlightened age of alleged democracy we should copy such a provision into our own Constitution. Turning to Tasmania, the qualifications of electors closely resemble those of Victoria. The powers of the Tasmanian Council are practically identical with those of this State, as will be seen by the following extracts from the Tasmanian Constitution:—

The Council may not amend a bill or an Appropriation Act, Income Tax Rating Act or Land Tax Rating Act.

Except as mentioned above, the Council may amend any vote, resolution, or bill, provided that it may not by any amendment to a vote, resolution or bill—

(i) Insert any provision for the appropriation of moneys;
(ii) Impose or increase any burden upon the people.

The Council may at any stage of a bill which it may not amend, return such bill to the Assembly requesting by message the amendment of the bill in all or any of the following respects, namely:—

(i) The deletion of any item or provision.
(ii) The amendment of any item or provision.
(iii) The insertion of any item or provision.

The Assembly may, if it thinks fit, make any of such deletions, amendments or insertions with or without modification.

Section 44 provides that the Council may reject any vote, resolution or bill. Section 45 provides that except as otherwise stated the Council and the Assembly shall in all respects have equal powers. Consequently, there is no definite provision in the Tasmanian Constitution for deadlocks. Let us now turn to the Commonwealth Constitution. It is rather interesting to read the debates that took place when the Commonwealth Constitution was being framed. What is particularly pleasing is that the statesmen of the day decided that the keynote of the franchise was adult suffrage both for the Senate and for the House of Representatives. It may be interesting to mention briefly the provision in the Commonwealth Constitution in regard to deadlocks. Section 57 provides—

If the House of Representatives passes any proposed law, and the Senate rejects or fails to pass it, or passes it with amendments to which the House of Representatives will not agree, and if after an interval of three months the House of Representatives in the same or the next session, again passes the proposed law with or without any amendments which have been made, suggested, or agreed to by the Senate, and the Senate rejects or fails to pass it, or passes it with amendments to which the House of Representatives will not agree, the Governor General may dissolve the Senate and the House of Representatives simultaneously. But such dissolution shall not take place within six months before the date of the expiry of the House of Representatives by effluxion of time.

If after such dissolution the House of Representatives again passes the proposed law, with or without any amendments which have been made, suggested or agreed to by the Senate, and the Senate rejects or fails to pass it, or passes it with amendments to which the House of Representatives will not agree, the Governor General may convene a joint sitting of the members of the Senate and of the House of Representatives.

The members present at the joint sitting may deliberate and shall vote together upon the proposed law as last proposed by the House of Representatives, and upon amendments, if any, which have been made therein by one House and not agreed to by the other, and any such amendments which are affirmed by an absolute majority of the total number of the members of the Senate and House of Representatives shall be taken to have been carried, and if the proposed law, with the amendments, if any, so carried is affirmed by an absolute majority of the total number of members of the Senate and House of Representatives, it shall be taken to have been duly passed by both Houses of the Parliament.

It will be seen that there is definite provision in the Commonwealth Constitution for the settlement of deadlocks. But the main point we have to keep in mind is that in the constitutions of the various States, except Queensland where the problem has been entirely resolved, the franchise is on a limited basis. For instance, if in South Australia a dissolution took place it would simply mean the strengthening of the hand of the Council and the weakening of that of the Assembly. The implication seems to be that no regard has been paid to the question of party politics. If we cast our minds back to the inauguration of the Commonwealth Constitution we will recall that the Senate was set up as part of the Commonwealth Parliament with an equal number of members from the various States for the express purpose of protecting the weaker and less populous States. What has happened? No one will deny that over the years the Senate has not become a State House or remained so, but is just as much a party House as the House of Representatives.

About nine-tenths of the members of the Senate belong to one or other of the political parties. If we turn to this State we realise that the Legislative Council was to be recognised as a House of review, and none but a few far-thinking men in the early days of this colony had the idea that it would become a strong party House. But the fact is that the Legislative Councils of the various States are just as much party Chambers as are the Legislative Assemblies. I do not think that any member of the Opposition, or those occupying the Opposition benches, would seriously advance the argument today that the Legislative Council of Western Australia is an unbiased and non-party Chamber. I cannot think of their names, but I believe that two members of that House hold office on the executive of the Liberal Party.

Mr. McLarty: Hear, hear!

Mr. W. HEGNEY: It may be possible that Labour Party members of the Legislative Council hold office on the executive of the Labour Party. The point I wish to make, however, is that the argument that could be advanced with some degree of strength in the years gone by fails when it is examined in the light of present day conditions and circumstances. What is the relationship of the two Chambers? Why do we continually and persistently advance arguments in Parliament and on public platforms for the granting to a Chamber of this nature the right, in the interests of the people, to lessen the power of a privileged Chamber like the Legislative Council? There is no doubt that down the centuries the fight has been on behalf of the people against the rights of property, and that is what this challenge amounts to today.

This measure simply challenges the right of the Legislative Council to have supreme power in the public life of Western Australia. It means to say that, in our view, the time has arrived when the elected representatives of all the people—not of a privileged section—who have attained their majority shall not have their wishes, as interpreted in the Bills passed by this Parliament, thwarted by another Chamber elected on a restricted franchise. That is the question, and I have no doubt that this measure will not be received with enthusiasm in another place, but we must continue to press our efforts so that in the final analysis the rights of the Legislative Assembly will be supreme. It is not my intention to discuss those who are entitled to have a vote for the Legislative Council and those who are refused that right. That argument has been advanced here many times. Suffice it is to say that if it is good enough and democratic enough for every person over the age of 21 years to have a vote for the election of members to the Australian Parliament, then we say it is quite all right for them to have a vote for the minor Parliaments of the States. The time has arrived when we should indicate our opposition to the existing set of circumstances by endeavouring to reduce the power of the Legislative Council on the lines of the British Parliament Act passed in 1911.

British history shows that the people, for hundreds of years, had to fight for the right to govern themselves. When they elected members to the House of Commons they thought that the millennium had been reached, but it was found that the House of Lords—a nominee Chamber—was able to veto practically any measure passed to it by the House of Commons. It was only some 34 years ago, after persistent efforts on the part of the commoners, that the power of the House of Lords was considerably reduced. This Bill largely follows the provisions of the British Parliament Act of 1911. It simply means that if a money Bill is passed by the Assembly within one month before the rising of the Legislative Assembly, and is rejected by the other Chamber, it shall be sent to the Governor for his assent, and become law. Bills, other than money Bills, if introduced and passed by the Assembly and rejected in three successive sessions by the Legislative Council shall, after the lapse of two years, become law. I believe that the time has arrived when that amendment to our Constitution should be passed. I do not know what are the actual reasons, but to me it looks as if the apathy and indifference of the people of this country towards the Legislative Council and the election of members thereto is only exceeded by the enthusiasm and antagonism that members in another place display when some measure directed at lessening their powers is introduced.

The House of Lords had its tenacious roots in the middle ages. For years the people fought against the continuity of the power of that House. It is not right or proper, in our view, that a House like the Legislative Council, elected on a restricted franchise, should be able to obstruct and hold up the proceedings of Parliament by not passing Bills that have been adopted by this House. To my mind the Legislative Councils, as constituted in this and other States, are the back logs by which the fires of privilege and re-action are kept burning brightly in this country. Even though we may not obtain all our desires on this occasion we shall continue to focus public attention on the position as we see it today, and I hope the time is not far distant when this Chamber will be truly reflective of the wishes of the people, as a whole, of Western Australia and the Legislative Council will be a subsidiary Chamber.

On motion by Hon. N. Keenan, debate adjourned.

House adjourned at 9.12 p.m.