

in their attempts at rehabilitation, by providing that a representative of the union be on the board.

Mr. HALL: Recently I asked the Chief Secretary some questions in relation to the establishment of the prisoner rehabilitation committee, the answer to one of which clears up the point raised by the member for Fremantle. The question was as follows:—

What connection has the Rehabilitation Committee with prison authorities?

The reply was—

The committee is a voluntary organisation and proposes to co-operate with departmental officers in welfare work.

I should imagine that the departmental officers would also be prison officers who would study the prisoner before his release.

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

#### Ayes—22

Mr. Bickerton	Mr. Kelly
Mr. Brady	Mr. D. G. May
Mr. Davies	Mr. Moir
Mr. Evans	Mr. Norton
Mr. Fletcher	Mr. Oldfield
Mr. Graham	Mr. Rhatigan
Mr. Hall	Mr. Rowberry
Mr. Hawke	Mr. Sewell
Mr. J. Hegney	Mr. Toms
Mr. W. Hegney	Mr. Tonkin
Mr. Jamieson	Mr. H. May

(Teller)

#### Noes—23

Mr. Bovell	Mr. Hutchinson
Mr. Brand	Mr. Lewis
Mr. Cornell	Mr. W. A. Manning
Mr. Court	Mr. Mitchell
Mr. Craig	Mr. Nalder
Mr. Dunn	Mr. Nimmo
Mr. Gayfer	Mr. O'Connor
Mr. Graydon	Mr. Runciman
Mr. Guthrie	Mr. Wild
Mr. Hart	Mr. Williams
Mr. Hearman	Mr. O'Neil
Dr. Henn	

(Teller)

#### Pairs

Ayes	Noes
Mr. Curran	Mr. Burt
Mr. Heal	Mr. Crommelin

Majority against 1.

Amendment thus negatived.

Clause put and passed.

Clauses 22 to 53 put and passed.

Title put and passed.

#### Report

Bill reported, without amendment, and the report adopted.

House adjourned at 11.43 p.m.

## Legislative Council

Wednesday, the 11th September, 1963

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

### QUESTIONS ON NOTICE

1. This question was postponed.

### JUNIOR HIGH SCHOOLS IN RURAL AREAS

- General Science and Language Courses
2. The Hon. J. M. THOMSON asked the Minister for Local Government:

(1) Has consideration been given to the introduction of a general science course and a language

course into the curriculum of junior high schools in rural areas?

- (2) Does the Education Department consider that the inclusion of such subjects would be advantageous to students who intend to proceed to senior high schools preparatory to studying medicine, law, science, and other professions?
- (3) Would it be appropriate to introduce these subjects for the 1964 school year?
- (4) If not—
  - (a) what reasons are advanced for the non-inclusion;
  - (b) when can these necessary subjects be added to the curriculum of rural junior high schools?

The Hon. L. A. LOGAN replied:

- (1) Science A and B, which form a composite science course, are taught in junior high schools. These are the science subjects taught to Junior Certificate level in all Government secondary schools. As I announced to the House in 1962, French will be introduced into junior high schools class I in 1964.
- (2) Advantageous but not essential as these subjects are no longer prerequisites for University courses.
- (3) and (4) Answered by No. (1).

3. *This question was postponed.*

## GERIATRIC CENTRES

### *Establishment in Regional Hospitals*

4. The Hon. J. M. THOMSON asked the Minister for Mines:
  - (1) Is the establishment of geriatric centres at regional hospitals to be undertaken by the Medical Department?
  - (2) (a) Have any such centres been established; and, if so,  
(b) where are they situated?
  - (3) (a) At which regional hospitals will further centres be established; and  
(b) when is it anticipated they will be provided?

The Hon. A. F. GRIFFITH replied:

- (1) to (3) There are no centres as such in these hospitals. Geriatrics are becoming more and more the major portion of the work of any hospital. Facilities for the treatment of the aged are therefore being increased and improved in all hospitals. Physiotherapists have been attached to major country hospitals and facilities will continually be improved. Day

hospitals for the elderly are being started in the metropolitan area and this type of assistance to the elderly will be extended to the country as time and resources permit.

## BUNBURY HARBOUR

### *Equipment of Land-backed Berths for Cargoes*

5. The Hon. J. DOLAN asked the Minister for Mines:

When the "land-backed" berths are completed in Bunbury—

- (a) How soon will this port be equipped to handle—
  - (i) general; and
  - (ii) freezer cargoes?

### *Vesting of Port Authority*

- (b) In whom will the port authority be vested?
- (c) Will the vested authority be conducted on similar lines to the Fremantle Harbour Trust?

The Hon. A. F. GRIFFITH replied:

- (a) This matter is being investigated but no decisions have been made.
- (b) The Bunbury Harbour Board.
- (c) The authority will be conducted as provided for in the Bunbury Harbour Board Act.

## SILICOSIS

### *Effect of Aluminium Therapy*

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

- (1) With regard to the use of aluminium therapy in the treatment of silicosis, will the Minister inform the House whether—
  - (a) there has been any decrease in the number of cases of silicosis since the introduction of this treatment; and
  - (b) it has been proved that aluminium therapy is any safeguard against silicosis?
- (2) Will the Minister make available a report on the effectiveness of aluminium therapy and its value as a deterrent against silicosis?

The Hon. A. F. GRIFFITH replied:

- (1) and (2) The effectiveness of aluminium therapy and its value as a deterrent against silicosis is still being investigated.

Representatives of the A.W.U., Chamber of Mines, Mines and Public Health Departments will meet in Kalgoorlie during October to discuss the therapy and it is anticipated that a report will be issued after this meeting.

## PUMPING STATION AT CHIDLOW

### *Delay in Establishment*

7. The Hon. N. E. BAXTER asked the Minister for Mines:

Further to replies to questions asked by me on—

(a) The 14th November, 1962; and

(b) The 14th August, 1963; in connection with the building of the Chidlow pumping station, when I was advised that—

(a) (i) Building would commence in June, 1963;

(ii) the building would be completed in February, 1964; and

(b) (i) preliminary work would begin in February, 1964;

(ii) date for completion of the contract is June, 1964;

would the Minister inform the House the reasons for the delay in commencement and completion of this project?

The Hon. A. F. GRIFFITH replied:

Tenders for equipment for this pumping station closed on the 6th November, 1962.

It was necessary to obtain from the English manufacturers additional information concerning the electrical equipment to be supplied. This delayed letting of a contract until the 8th April, 1963. The contract time for delivery of the equipment is also some two months longer than anticipated in the earlier reply to the honourable member.

## HIGH SCHOOL HOSTELS

### *Provision at Katanning*

8. The Hon. J. M. THOMSON asked the Minister for Local Government:

(1) Is it the intention of the Country High School Hostels Authority to erect a students' hostel at Katanning during this financial year?

(2) If not, has the authority given any consideration to providing a hostel at Katanning?

(3) If the reply to No. (2) is "Yes"—  
(a) when can it be anticipated construction will commence; and

(b) when can it be anticipated it will be ready for occupation?

### *Future Construction*

(4) Are any hostels at present under construction?

(5) If so—

(a) where will they be situated; and

(b) when is it expected they will be ready for occupation?

The Hon. L. A. LOGAN replied:

(1) and (2) Yes.

(3) (a) On present indications construction will commence towards the end of September.

(b) Towards the end of April, 1964.

(4) Yes.

(5) (a) At Geraldton and Carnarvon.

(b) Geraldton, the 31st December, 1963.

Carnarvon, the 30th March, 1964.

## DENTAL STUDENTS

### *University Enrolments and Number Qualified*

9. The Hon. S. T. J. THOMPSON asked the Minister for Mines:

(1) How many dental students have been enrolled at the University in the past three years?

(2) How many students have finally qualified in the same period?

### *Trainees from Country Areas*

(3) What proportion of students at present in training are from country districts?

The Hon. A. F. GRIFFITH replied:

(1) 1960—64.

1961—73.

1962—80.

(2) 1960—11.

1961—3.

1962—9.

(3) 10 students out of a total of 96.

## RIVER BOATS

### *Amendment of Regulations: Motion*

THE HON. H. C. STRICKLAND (North)  
[4.38 p.m.]: I move—

That the amendments to the regulations made pursuant to the Shipping and Pilotage Consolidation Ordinance, 1855 (Act 37 Vict. No. 14), the Jetties Act, 1926, and the Western Australian Marine Act, 1948-1962, published in the *Government Gazette* of the 19th December, 1962, and laid on the Table of the House on the 6th August, 1963, be amended as follows:—

(1) Regulation 2—By deleting all words after the word "boat" in line 3, down to and including the word "fitted" in line 6 of paragraph (a) of the amendment to regulation 2 of the principal regulations.

## (2) Regulation 5—

- (a) by substituting for the passage "10 feet" in subparagraph (i) of paragraph (a) of proposed new regulation 48, the passage "6 feet";
- (b) by deleting the passage "on a Saturday, Sunday or public holiday," in line 2 of paragraph (1) of proposed new regulation 49;
- (c) by substituting for the passage "21 years" in line 2 of subparagraph (b) of proposed new regulation 49A, the passage "17 years"; and
- (d) by deleting the passage "carried by, or" in line 3 of proposed new regulation 51B.

When Mr. Mattiske was speaking to the Address-in-Reply he referred to these regulations which are proposed to amend existing regulations to the Marine Act. He suggested that they needed a little streamlining.

As a result, I have looked through them and feel that the regulations do need considerable streamlining, but I recognise the fact that some basis has to be formed upon which to build any regulations. I believe a start should be made by amending these regulations as I have suggested in my motion.

The first amendment proposed by me is to amend regulation No. 2 by deleting all words after the word "boats" in line 3, down to and including the word "fitted" in line 6 of paragraph (a) of the amendment to regulation No. 2 of the principal regulations. The amendment refers to the interpretation of a motorboat and the interpretation in the original regulations is as follows:—

Motorboat means a vessel propelled by any means other than oars or sail.

With the amendment proposed, the new regulation would read—

"motor boat" means a vessel propelled by any means other than oars or sail and includes a speed boat, but does not include any sailing vessel equipped with propelling machinery of which the horse power, expressed as a number, does not exceed one-twentieth of the number of square feet of sail for which that vessel is fitted.

That interpretation covers even the smallest of boats which may be propelled by a  $1\frac{1}{2}$  h.p.; 1 h.p., or 2 h.p. motor, and up to the largest horsepower motor. But it exempts auxiliary schooners which may be fitted with motors of a horsepower which are only  $1/20$ th of the total of the square footage area of the sails with which they are fitted. So it seems rather anomalous that the smallest boat in the State

which is propelled by an outboard or inboard motor of, say,  $1\frac{1}{2}$  h.p., or even less if a smaller one is made, must register, while auxiliary schooners are exempt. So my purpose in deleting the exemption which refers to auxiliary schooners is, as I have explained, to overcome an anomaly.

We all agree it is necessary to implement traffic regulations on the sea and on the estuaries and rivers, just as it is necessary and desirable to have and to implement traffic regulations on the roads. It seems to me rather ridiculous to register a very small boat and allow a larger one to be exempt; because, after all, the larger vessel is potentially more dangerous, I imagine, in congested traffic on the rivers and confined waterways than is a small vessel.

The object of my amendment to regulation No. 2 is so that it will cover auxiliary schooners as well as every other vessel which is propelled by motor at some time or other; but it will still exempt sailers only—that is yachts. They will be exempt.

I do not know why, if the traffic is to be regulated, every boat should not be registered and covered in some way or another; because, after all, only quite recently there was, on the river, a tragedy in which a rowing boat was concerned. That boat was a racing shell and it had a crew of four, and one member of that crew lost his life. That tragedy occurred in the past few weeks. From that episode we can realise there is not necessarily any safety in the mere fact that a person may be a good rower.

If safety restrictions and regulations are required, I believe we should go the whole hog and register all the boats—the lot, but my amendment does not go that far; it simply covers every boat that is fitted with an engine of some kind.

The next amendment refers to the depth of water in which a motorboat or a powerboat is restricted in its speed. At the moment no motorboat or powerboat may exceed a speed of eight knots where the water is 10 ft. or less in depth; and that, of course, places a very great restriction on all types of vessels when one bears in mind the fact that these regulations are now State-wide. As a matter of fact I was the Minister responsible for the original regulations which covered this limiting of speed in 10 ft. of water. At that time the regulations covered only ports and harbours; they were not State wide.

In the light of experience I would suggest that the regulations require amending and that the depth be reduced to 6 ft., for the reason that no vessel would be allowed to exceed eight knots in any part of the Canning River, or the upper reaches of the Swan, without the permission of the department. But the department can, on the other hand, prescribe

an area of any depth of water from 1 ft. to as deep as it likes—from 1 ft. upwards—in connection with an area on which speedboats, and racing or ski boats, or any other vessels, can operate. So there does not now seem to be any point in restricting the speed in a 10 ft. area.

As far as I remember, the object initially in these regulations was that boats travelling at speed were affecting the bottom of the waters over which they travelled, and also the banks—but other regulations cover that point—as a result of their speed. I think, however, the present-day speedboat, because of the type of hull it has, produces a much-reduced wash as compared with the older type boats whose hulls sank deep into the water and caused a big wash.

The depth now might well be reduced to 6 ft., and that would apply to people using the estuaries, such as the Leschenault Estuary and the other big estuary, the Australind at Bunbury; and pretty well all the waters in Shark Bay inside of Dirk Hartog Island; and the shallow waters along the north-west coast—and I do not know just how far they stretch, but they stretch for many miles in places where the depth would be less than 10 ft. As a consequence, all types of craft, speedboats, and commercial boats would be restricted to a speed of 8 knots under the regulations. In the light of experience I feel that regulation might well be amended by reducing the depth of water.

The next amendment refers to a restriction which appears to be out of step; but before I get on with that one I wish to turn to the amendment which deals with Saturdays, Sundays, and public holidays. I propose in my amendment to delete the words "on a Saturday, Sunday or public holiday." The regulation reads—

A person shall not drive a speed boat towing a water skier on a Saturday, Sunday or public holiday, unless he is at least 17 years of age and is accompanied, in the boat, by a person of at least 14 years of age.

This regulation, and some others comes under the heading "Safety Measures," and I cannot see why they should apply only to Saturday, Sunday or a public holiday if they are safety measures. Why not every day?

The Hon. L. A. Logan: That is when they train—when there are not too many on the river.

The Hon. H. C. STRICKLAND: The regulations are State wide; and even so far as they apply to the river, why restrict them? What about all the school holidays? They are not public holidays. I cannot see any sense in the regulation I have quoted. My proposal is to delete the words "on a Saturday, Sunday or public holiday," so that the regulation will apply to every

day of the year. Surely if one is safe in a boat on one day of the year the regulation should apply to every day. Then, at the end of that regulation, the following appears:—

A person shall not drive a speed boat . . . unless he is at least 17 years of age and is accompanied, in the boat, by a person of at least 14 years of age.

Following this, the next regulation, 49A, reads as follows:—

A person shall not drive or operate a speed boat—

- (a) if under the age of 14 years; or
- (b) if under the age of 17 years, unless accompanied, in the boat, by a person of the full age of 21 years.

It seems to me that there has been a mistake made there. On the one hand a youth of 17 years, provided he is accompanied by a youth of 14 years, can operate a speedboat towing a water-skier, but then a further provision in these regulations states that a person shall not drive or operate a speedboat if under the age of 17 years, unless he is accompanied by a person of the full age of 21 years. So, as I say, on the one hand we have a 17-year old youth and a 14-year old youth being permitted to operate a boat and to tow a water-skier, but a speedboat that is not towing a water-skier must have on board a person of the full age of 21 years if the person driving or operating it is under the age of 17 years.

My proposal is to amend the regulation by deleting the figures "21" in paragraph (b) of regulation 49A, and inserting in lieu the figures "17." That regulation would then read—

- (b) if under the age of 17 years, unless accompanied, in the boat, by a person of the full age of 17 years.

One prohibits, at any time, a boat being operated by a person under the age of 14 years. If we keep to the ages of 14 and 17 in both regulations they will make some sense. However, the Minister may be able to explain why the regulation was framed in this fashion.

I understand there is a committee which handles these regulations, but because the chairman is absent at the moment it is unable to meet. Nevertheless, I further understand it will not be long before he returns and the regulations will then be discussed and considered. That is one of the reasons why I have brought these proposals before the House; namely, in order that they may be discussed by members here, following which the members of the committee will be in a better position to consider them.

My final amendment relates to proposed new regulation 51B, which comes under the heading of "No Advertisements to be Carried Without Permission". The regulation reads—

Except with the permission in writing of the Department, a person shall not cause or permit any advertisement or sign to be carried by, or displayed on, a motor boat.

That seems to go a little too far. It would appear that one would have to obtain permission from the department to take a daily newspaper on to a motorboat, because the regulation distinctly states—

—shall not cause or permit any advertisement or sign to be carried by, or displayed on, a motorboat.

I know it is drawing a fine line, but we are here to review regulations and laws that are brought before us and, as I have said, this regulation appears to go a little too far. The words "displayed on" may be in order, because I do not suppose everyone would want to watch a motorboat running around with advertisements displayed on it, unless it was election time when we might be able to decorate motorboats with posters for election purposes.

Another feature of the regulation which seems strange to me is that whilst a motorboat is debarred from carrying or displaying an advertisement, for some reason or other there is nothing to prevent advertisements being carried or displayed on any other type of vessel. The Minister may, however, be able to tell us why a motorboat has been singled out as distinct from any other boat. Nevertheless, I propose to move an amendment to delete the words "carried by, or". The regulation would then provide that a motorboat could display advertisements on the boat with permission, but it would not be completely debarred from carrying advertisements. After all is said and done, I suppose every motorboat would be carrying an advertisement even if it is only in the form of the manufacturer's name on the engine. My amendment, therefore, proposes to straighten out that regulation.

Debate adjourned, on motion by The Hon. L. A. Logan (Minister for Local Government).

## **BILLS (2): RECEIPT AND FIRST READING**

### **1. Beekeepers Bill.**

Bill received from the Assembly; and, on motion by The Hon. L. A. Logan (Minister for Local Government), read a first time.

### **2. Occupational Therapists Act Amendment Bill.**

Bill received from the Assembly; and, on motion by The Hon. A. F. Griffith (Minister for Mines), read a first time.

## **BILLS (3): THIRD READING**

### **1. Foreign Judgments (Reciprocal Enforcement) Bill.**

Bill read a third time, on motion by The Hon. A. F. Griffith (Minister for Justice), and transmitted to the Assembly.

### **2. Dog Act Amendment Bill.**

Bill read a third time, on motion by The Hon. L. A. Logan (Minister for Local Government) and Transmitted to the Assembly.

### **3. Legal Practitioners Act Amendment Bill.**

Bill read a third time, on motion by The Hon. A. F. Griffith (Minister for Justice), and transmitted to the Assembly.

## **UNAUTHORISED DOCUMENTS ACT AMENDMENT BILL**

### *Second Reading*

**THE HON. E. M. HEENAN** (North-East) [5.4 p.m.]: I move—

That the Bill be now read a second time.

This Bill seeks to amend the Unauthorised Documents Act, 1961. The Act was assented to on the 10th October, 1961, its main purpose being to prohibit the unauthorised use of the Royal, or other, Arms, and the issue or use of false or misleading process and other documents.

It will be recalled that certain abuses had come about whereby notices and forms, which, to the uninitiated, could be regarded as summonses, or official or legal documents, were sent out. These were being sent out by some people and firms interested in the collection of accounts. These forms were frequently printed on blue paper and contained a stamp or seal which gave them the appearance of being formidable. Of course, many reputable firms did not adopt this reprehensible practice; but the fact was that the position became serious enough for Parliament to pass the Unauthorised Documents Bill. I believe that the problem which the Act sought to overcome has been overcome.

However, another reprehensible practice still remains. This is the practice which some people and firms adopt when sending out notices of demand for payment of overdue accounts, whereby they add a collection fee. These demands are usually worded in a formal manner on a printed form, and the recipient is frequently frightened into payment of not only the account, but the collection fee as well.

I have no great sympathy for the person who does not pay his just debts, but I also have no sympathy for the collection agency which attempts to extort a fee to which it is not legally entitled. If legal proceedings are instituted against a debtor and certain fees are then

added, that is a different matter altogether; but for our purposes we should not concern ourselves with that aspect at this stage.

I have before me a sample of one of such notices that are sent out. I have placed my hand over the name appearing on the notice, but for the benefit of members there it is. This is a white printed form containing a certain amount of legal jargon. The following is one paragraph appearing in the notice:—

The necessity for the payment urgently on your part must be forcefully emphasised, hence it is imperative that we receive a settlement by—  
A certain date is mentioned. It goes on—  
—failing which legal action involving costs to be borne by you will be promptly instituted by a solicitor on our principal's behalf.

I do not suggest one can complain very much about that paragraph, because some people have to be given a warning before they will do anything about the payment of their accounts.

However, the following is the reprehensible part appearing on the notice, which sets out the amount involved in this case, £4:—

Amount due £4.  
Collection 15s.  
Remit £4 15s.

That fee of 15s is not part of the debt due. In this case the debt is £4, and the fee of 15s. has been added simply because a notice had been sent out.

The collection fee is not legally recoverable, and the recipient of the notice can well ignore it; but a lot of people are not aware of that legal position, and they are frightened into the belief that they have to pay the £4 15s. I might add that I have seen cases even worse than this particular one, but I shall not weary the House with the details. I suggest the one I refer to is a typical example.

The Hon. F. R. H. Lavery: Some are on blue forms.

The Hon. E. M. HEENAN: Some are sent out on blue forms and some on pink forms.

The Hon. G. C. MacKinnon: Did we not make it illegal a couple of years ago to send out such notices on blue forms?

The Hon. E. M. HEENAN: I think we did, but I am not quite clear on that point at the moment. I am sure that quite recently I have seen pink forms sent out. It is the purpose of this small Bill to make such a practice an offence. The new section which the Bill proposes to insert into the Act is as follows:—

Any person (in this section called "the principal") who makes demand for the payment of a sum of money

due to him by way of debt or otherwise, and any other person (in this section called "the agent") who makes such demand on behalf of the principal who includes in or adds to such demand, a sum of money by way of costs not authorised or justified by law, commits an offence.

The penalty proposed is £20. The Bill goes on to provide that the principal and agent shall be severally liable in respect of any offence under this section; that means they can both become liable.

The Hon. A. R. Jones: What sort of costs are authorised?

The Hon. E. M. HEENAN: There are no authorised costs. If a person owes a debt of £10 to a grocer, the grocer or his debt collector cannot lawfully claim 15s., 25s., or whatever the amount may be, as a collection fee. He can add on a fee for collection, but he is not legally entitled to recover it.

The Hon. G. C. MacKinnon: Costs legally recoverable include interest.

The Hon. E. M. HEENAN: Only if there is a contract to pay interest.

The Hon. F. J. S. Wise: There has to be a contract for the payment of interest before it is recoverable.

The Hon. E. M. HEENAN: That is so. If the grocer issued a summons for £10, and had to pay fees to the court, then those fees are legally recoverable. Some of these firms send out hundreds of such notices, and I suppose half the people who receive them think they are legally liable to pay the collection fee; and they do pay it.

The Bill also provides that it shall be a defence to a charge laid under this section against an agent that an agent believed *bona fide* that such costs formed part of the sum actually due. I think that might be fair enough. A principal might send out to an agent and say, "This man owes me £10 for groceries," and the collection agent, believing that is the correct amount involved, sends out an account, not knowing that the principal has added on something.

In my opinion the time has arrived when we should do something about this practice. I repeat that a number of reputable firms do not indulge in this practice, but I think the problem is serious enough for us to pass the measure in an effort to protect the public.

Debate adjourned, on motion by The Hon. A. F. Griffith (Minister for Justice).

## BILLS (2): RECEIPT AND FIRST READING

### 1. Firearms and Guns Act Amendment Bill.

Bill received from the Assembly; and, on motion by The Hon. A. F. Griffith (Minister for Mines), read a first time.

## 2. Offenders' Probation and Parole Bill.

Bill received from the Assembly; and, on motion by The Hon. A. F. Griffith (Minister for Justice), read a first time.

## CONSTITUTION ACTS AMENDMENT BILL

### *Second Reading: Dissent from President's Ruling*

Debate resumed, from the 10th September, on the motion by The Hon. A. F. Griffith to dissent from the President's ruling that the Bill was in order.

The Hon. A. F. GRIFFITH: Since formally objecting to your ruling, Sir, yesterday afternoon, I have had an opportunity of examining your ruling and I now wish to ask for leave to withdraw my motion.

Motion, by leave, withdrawn.

### *Debate (on second reading) Resumed*

THE HON. A. F. GRIFFITH (Suburban—Minister for Justice) [5.20 p.m.]: The subject matter of this Bill has been before this House, in one form or another, on a number of occasions over a period of years. I, along with other members, have expressed opinions about the question of adult franchise for the Legislative Council. I do not propose this afternoon to bore the House by going over again what has been said so many times in connection with this matter. I do not support the Bill; I do not support the principle of it; and I have nothing further to say about it, except to say that I oppose the second reading.

THE HON. F. R. H. LAVERY (West) [5.21 p.m.]: I rise to support this Bill. In doing so, I speak with some knowledge as, since about 1926 or 1927, I have taken part as an organiser in many Legislative Council elections in the West Province, for which I am a member.

As the Minister said, the subject has been before this House on many occasions, and attempts have been made to correct a situation which does exist in the Constitution Acts Amendment Act at the present time.

This is one of those Bills in connection with which evidence has been produced before this House at some time or another—very convincing evidence—that some improvement must be made on the voting rights of those people who elect members to this House. To be fair, many statements have been made as to why there should be no amendments and why the Constitution Acts Amendment Act should remain as it is.

At the risk of being told that I am repeating myself—and while I am here I intend to repeat myself to convince some of my colleagues, whether they be of the Liberal Party, Labor Party, or Country Party, that my statements are, at least, correct—I doubt whether any member of this House, no matter to which party he belongs, would deny that the system of voting for this House places members at a very great disadvantage—and I am referring to candidates for election and members who have already served a term in this Chamber—compared with the system of voting for the Legislative Assembly.

The West Province takes in five Assembly seats. Some of those seats cover a fairly large area in square miles. For instance, the seat of Melville might be called a pocket handkerchief seat in the Legislative Assembly so far as area is concerned, but it does contain the required number of voters to make the provisions of the Electoral Act apply. The seat of Cockburn is five or six times the size of Melville in area. The same thing applies to the Canning seat. East Melville might be called a middle-sized seat so far as area is concerned. In the provinces represented by the Metropolitan and Suburban members there are between 42,000 and 45,000 voters on the rolls. On the roll for the West Province there are 25,000 voters.

It has been said to me, both inside and outside the House, there is inequality in the voting strength of this House. That I cannot deny. There are 45,000 voters on the one roll who are represented by three members, and there are 25,000 voters on another roll represented by three members. Proportionately there is a two to one voting strength involved.

Let us go further, to the vast country areas; to the vast square mileages of our own provinces. Somewhere along the line we have to have a change of representation in this House for the vast areas which have to be covered. All this seems to be going a long way around the point I wish to make.

Taking your own province, Sir, for you to contact each of your electors, either by mail or by personal contact, is almost an impossible proposition at election time. You have to organise committees in various towns over a vast area; you have to arrange for people to apply for registration as potential voters on the Legislative Council roll. It is a very big job to ensure that people get their names on the roll; and having done that—and there is no compulsory voting—you have the added task, Sir, of getting those people to vote on polling day.

If it is a difficult task in these areas how much more difficult is it in city areas where there are thousands of houses and



it is left to members of this House and potential members to organise committees and tramp from street to street, knocking on doors to get people to have their names added to the electoral roll for the Legislative Council.

The Electoral Act provides that £1,000 shall be allowable as electoral expenses for a Legislative Council candidate, as against £250 for a Legislative Assembly candidate. I have, over a long period of time, discussed this matter with people of different political colour. I discussed the subject last Sunday morning at the Applecross home of a very strong supporter of the Liberal Party, whom I was visiting at the time. It is generally agreed among people who discuss this subject that they have to make application to get themselves placed on the roll; and it is agreed amongst those people that there is an anomaly in this roll.

It often happens that a young man purchases a block in his own name and eventually becomes engaged and builds a home. When he marries he does not give a second thought to having the block and house transferred to the joint ownership of himself and his wife so that they may both have a vote for the Legislative Council. We find that the wives of some very big business men in the city are horrified when they learn that they do not have a vote for the Legislative Council. Those businessmen employ hundreds of men and are in good financial positions and their wives take part in many organisations in this State, but those wives cannot vote for the Legislative Council.

We are not bringing this matter up in a political manner. However, let me hasten to say that if the members on the other side of the House want to accept it that way then it is political as far as I am concerned. I believe we should have an alteration to the franchise just as the Liberal and Country Party members believe that there should not be a change. It is my assumption that the franchise suits them as it is. That may be very good while the Labor representatives are in opposition to the Government and are in the minority in this House, but the time may well come when Labor, for the first time in its history, since 1899, will have a majority of members in this Chamber.

I wonder if the people who are opposed to this type of legislation now would then be satisfied to leave it as it is. My own personal feeling is that they would not. They would very soon set about finding a way in which to amend the Constitution Acts Amendment Act so as to put sufficient people on the roll to vote for their party and bring them back to this Chamber.

There are many ways in which we have to look at this question. One of the problems, as I said earlier, is having to

walk from door to door—or organise someone to do it for us—attempting to have people place themselves on the roll. Then at election time we have to organise large teams of supporters and fleets of motor vehicles, etc., so that a reasonable vote will be recorded. I cannot understand how the people in the country areas—and I make no apologies for this statement—can, in view of what has happened in the last few years, still agree that some sort of amendment to the Constitution Acts Amendment Act is not due for approval.

I know that during the month of May when our elections are held the farmers are very busy preparing their land for seeding, and many members have found that on voting day their supporters are sitting behind tractors several miles away from the polling booths. Many of them adopt the attitude that as the vote is not compulsory, what does it matter?

I think the time has arrived in this State when the Legislative Council should count amongst the general public. If we are going to sit here and deliberate and be paid the same salary as members in another place, then I feel sure in my mind that if the people were compelled to vote for this Chamber we might eventually have a majority of Labor members. However, that theory may well be broken down and, on the contrary, the Labor Party might lose seats. Be that as it may, whether we in this Chamber represent Labor or Liberal or Country supporters, we should legislate for the people and not for our ourselves.

We sometimes find that in the course of legislation being passed in this Chamber, we have to say things, and vote in such a way, that perhaps the outside public would not quite understand. One of the reasons for that is, of course, because of the history of the Legislative Council in Western Australia. The Labor Party has never—and never means not at any time, according to the dictionary—had a majority in this Chamber; and because of that on many occasions we have had to take what could be termed some very drastic action in an attempt to get legislation on the Statute book which would help the people whom we represent.

I would like to be fair over this matter. A lady told me the other day how she wanted to thank me for helping her. I told her she did not have to thank me but should thank the people who elected me to Parliament and put me in the position so that I was able to help her; to act as a liaison between her and the Government department with which she was dealing. Only because of the fact that I am a member for Parliament was I able to help her. If I was not the member, somebody else would be available to assist her. It is part of my job to represent every man, woman, and child in my electorate

irrespective of what political or religious outlook they might have, or what their vocation might be.

Over the period I have been a member I have met many people who have said that they did not know why the Legislative Council existed if they could not have a vote for it. As was said by the honourable member who introduced this Bill, and as I have said on many occasions, there is only a small percentage of the people who are on the Legislative Assembly roll who have a vote for this House.

You, Mr. President, the same as I, are proud of this House, the decorum, and everything that goes on in it. But I am not proud of the situation where I have to go from house to house and virtually ask people to declare which party they vote for. I do not do it myself except in an oblique sort of way. I tell them I represent the Labor Party and I am canvassing people to have them placed on the Legislative Council roll. People have to declare themselves. I have never known a Labor supporter who would not say, "I am Labor." On the other hand I have had people who are not of our political faith tell me that they cannot help me, because they do not vote my way. I do not think people should be put in that position. If it is good enough for the rest of the British Commonwealth to elect people by the general vote of the public, then it should be good enough for this House.

I know that when I was elected to this Chamber it was under the conditions that existed at that time. I do not think there would be a member in this Chamber who has not, at some time, been disappointed because the legislation he supported was not supported by the House. However, those Bills have been passed for the good of the general public, and that is democracy. And I say it is democracy that every person should have a vote for this Chamber.

I feel sure that a straight-out motion such as this one, as prepared by the honourable member, should receive the support of this House. It is a straight-out request for adult franchise. During the period I have been associated with elections I have met people who have said, "I cannot be bothered, it is not a compulsory roll, it is not compulsory to vote, I am not interested." But, believe me, they are a very small percentage who have said that. Out of every hundred homes I have called on I do not think there would be two people who would say that to me.

Many people say they do not support my party, but very few say they are not interested; but I do meet them occasionally. Some people have asked why they should have to enroll. Others have said, "I have lived here for 22 years and when I wanted to vote at the last election my name was not on the roll. Why?" I cannot answer

why. I can only take action under section 122 of the Act and see if I can get a vote for them.

As a matter of interest I might mention that at the last election for the West Province 32 votes were applied for under section 122 of the Act, and 28 were allowed. The errors were of a clerical nature and only minor.

When we were on this subject three or four years ago the Minister said we would have to have many more officers in the Electoral Department. I am not so sure that we would. We would not have to double the number of poll clerks on election day. We might have to have an extra officer in some of the larger polling places. There are many ways in which the expenditure could be cut down by the Government. If the elections were held on the same day as the State elections, as is done for the Senate and the House of Representatives, much manpower would be saved and much expense to the individual members.

The Hon. G. Bennetts: If this House is abolished there would be none of this expenditure.

The Hon. F. R. H. LAVERY: That is another story. I believe the time has arrived when we should look at this problem in a clear, cool, and calm manner. I do not want to make any statements that I cannot substantiate. Time and time again I have been travelling from house to house and from street to street advising people that they have the authority to be placed on the Legislative Council rolls. One could write a story at the end of the day, and I am sure there is not a member in this Chamber who would not agree with that.

There are some members, of course, who are a little more fortunate than others in that they represent districts where elections do not really mean much to them; because, once having been elected to this Chamber, unless they do something themselves, or on behalf of their party, to which the electors take strong exception, they stand little chance of losing their seats in Parliament.

I say good luck to those people, but there are others of us who have to go out at election after election, walking from door to door, doing a considerable amount of organising to endeavour to get ourselves re-elected. Those of us who are not in the fortunate position I have recently mentioned have to do that every time we come up for re-election, and we have to do all we can to build up our prestige in the community to get ourselves re-elected.

When a previous Government was in office a new State Housing Commission area was established and the then Minister for Justice, who was also the Minister controlling the Electoral Department, sent his

officers into this new area and placed everybody in the district on the roll. I believe that is something which could be done in other areas to assist members of Parliament as well as the people who have moved into new homes.

Of course, today, we are not building big new suburbs to the same extent as we were a few years ago; and I do not say that disrespectfully to the present Minister for Housing. Consequently people have more time to have their names placed on the rolls, but when areas like Willagee and Brentwood are being established I think Electoral Department officers could be used to place the new occupants' names on the rolls.

I have taken some time in discussing this measure and I may have repeated myself. However, I cannot help that. I cannot sit down without saying again that I believe if we do not pass this Bill we are not doing justice to the people as a whole, whom we all represent. We certainly will not be doing justice to those who at present do not have a vote at Legislative Council elections if we do not agree to this measure. I support the Bill.

**THE HON. E. M. HEENAN** (North-East) [5.48 p.m.]: I venture the opinion that this is the most important measure that will come before the House this session. Any Bill which seeks to amend the Constitution Act is important, but this measure seeks to alter a state of affairs which has existed since 1899.

We all know that under the Constitution Acts Amendment Act the franchise for the Legislative Council is a restricted one. It is so restricted that of the adult population of Western Australia approximately only one-half are enrolled for the Legislative Council. That state of affairs, I repeat, is brought about by the restricted and rather complex qualifications now contained in the Act. It has added up to a situation which I honestly believe we should do something about; because of the 50 per cent., approximately, who are now enrolled to vote for the Legislative Council, only about one-half vote. I do not think anyone in this Chamber can dispute that statement; and I do not think anyone here can feel satisfied with that state of affairs.

In these days we are all aware—seriously aware—of the fact that the parliamentary system of Government is being assailed on all sides. I am sure many of us subscribe to the view that if it is something good, and something which we want to retain, then it can only be retained if the people who constitute the democracies take an interest in their Government and enjoy the privilege of belonging to a democracy. When we have a state of affairs whereby only 50 per cent. of the adult population of the country have a vote for a House of Parliament, and when only

half of that number exercise the privilege of voting, it adds up to a situation whereby our democratic form of Government is in jeopardy.

**The Hon. H. K. Watson:** What percentage can be expected to exercise the vote if this Bill becomes law? If you had adult franchise, what percentage would you say would vote?

**The Hon. E. M. HEENAN:** I hope that if this Bill is carried it will be followed up with an amendment to the Electoral Act which will make voting compulsory. I think that would be a natural corollary to this measure.

**The Hon. R. F. Hutchison:** It would save the State a lot of money.

**The Hon. E. M. HEENAN:** I think Mr. Watson's question is quite pertinent because, I suppose, if we did not have compulsory voting for the Legislative Assembly a big section of the community—perhaps I should not use the word "big", but at least a section of the community who could be classed as irresponsible would not exercise the privilege of voting. At least compulsory voting has these virtues: It makes everyone vote—

**The Hon. H. K. Watson:** Including the irresponsibles.

**The Hon. E. M. HEENAN:** Including the irresponsibles; but I do not know what we can do about that. At least the irresponsible section, or some of them, are more or less compelled to take an interest in affairs.

**The Hon. F. J. S. Wise:** And become responsible.

**The Hon. E. M. HEENAN:** At any rate it gives them the opportunity of becoming responsible.

**The Hon. G. Bennetts:** It is a good way to educate them.

**The Hon. R. F. Hutchison:** I would say it is because they are uninformed.

**The Hon. A. R. Jones:** You are bringing compulsion into it quite a lot.

**The Hon. E. M. HEENAN:** We have compulsory voting for the State and Commonwealth Parliaments, and we have had it for a number of years. Apparently we have found it to be a necessity.

**The Hon. F. J. S. Wise:** Introduced by a Deputy Leader of the Country Party, too.

**The Hon. E. M. HEENAN:** Yes. I do not think I need go into the merits or demerits of compulsory voting. I agree with Mr. Jones it is a pity we have to compel people to vote. One would think, in an ideal democracy, everyone would be glad and would seize the opportunity to vote, without any compulsion; but, unfortunately, human beings have weaknesses, and we know for a fact that without compulsion a considerable number of them would not vote.

The Hon. A. F. Griffith: That is not so in England.

The Hon. E. M. HEENAN: It has been decided in the past that apparently compulsion is necessary.

The Hon. A. F. Griffith: That is not so in England where about 90 per cent. of the population vote voluntarily.

The Hon. E. M. HEENAN: Yes. I will agree to this extent that I wish compulsory voting were not necessary. However, we do not want a state of affairs where only 50 per cent. of the community votes.

Getting back to the measure, I think the strongest argument in its favour is that we have adult franchise for the second Chamber in the national Parliament. It seems to me a grave anomaly that all Western Australians over the age of 21 years have a vote for the Senate but are denied a vote for the Legislative Council. I do not think anyone can argue that that is not anomalous. Either the Federal set-up is an unwise one or ours is.

What is the position? The national Parliament deals with matters of the highest concern to the whole nation. Surely, therefore, if adult franchise is granted in this important sphere it should be extended to the Legislative Council of Western Australia. To me that seems an irrefutable argument, and I hope some of the opponents of this Bill—because I assume there will be some—will try to answer that argument.

I have before me a copy of our Juries Act and section 4 provides—

A person, who has attained the age of twenty-one years and who has not attained the age of sixty-five years, . . . is qualified and liable to serve as a juror at civil and criminal trials . . .

Surely it is anomalous that we should provide for people of the age of 21 years to serve on our juries, and yet deny them a vote for the Legislative Council! There are a number of similar situations which one could quote, but I do not propose to do so because they will directly come to the minds of various members. If we pass this measure it will be all to the good. I am sure none of us is happy in the fact that people are indifferent about the Legislative Council. In the main they are those who have the qualifications and either do not understand them, or do not attempt to understand them. A great percentage who have the qualifications do not become enrolled.

However, the 50 per cent. who are now enrolled would not be enrolled were it not for the great deal of work put in by the members of this House together with their respective parties and supporters. There again is a statement which I think cannot be refuted. We all know how hard we work enrolling people; we all know how much money is spent by our respective

parties in enrolling people; and yet we are also aware of the fact that when Legislative Council elections come around we have to follow all that work up by intense canvassing, cajoling, and organising to get the people to vote.

I am sure every member of this House has been confronted with the answer, when he has urged someone to vote, "Is it compulsory? Do I have to vote?" In the case of a great number of people we have to literally plead with them to go along to cast their vote.

*Sitting suspended from 6.4 to 7.30 p.m.*

The Hon. E. M. HEENAN: We did not hear very much in the way of argument from the Minister when he spoke in opposition to the proposals contained in this Bill. His attitude seemed to be that the Bill was not worthy of serious consideration; that it is a hardy annual and was not worthy of much effort in the way of opposition. This attitude seems wrong to me because I believe sincerely that the Bill is of tremendous importance and involves a vital principle which becomes more serious each year. Are we to conclude from the Minister's attitude that all efforts to alter the franchise for this House are to be treated with disdain or even contempt?

The Hon. A. F. Griffith: No.

The Hon. E. M. HEENAN: I hope that other members who are opposed to the Bill will speak during the debate and at least attempt to answer some of the cogent arguments which have been advanced in its favour. I well recall that in past years, when measures of less far-reaching application dealing with the franchise were submitted to this House, some members stated that they would prefer a Bill which had an over-all effect and gave adult franchise.

Well, such an opportunity is now being given to those members. I really think that if this measure is defeated it will be as a result of fear of the consequences which might ensue, because the policy of the Labor Party has been well stated as being one of achieving the ultimate abolition of this Chamber. It is not a valid reason for members to oppose this Bill because of fear of the consequences. I would go as far as to say that if the adult population of Western Australia could be convinced that it would be advantageous to our system of government for this Chamber to be abolished, then that will be the voice of democracy. I would say that if in some future time they come to such a decision, they would be entitled to do so.

I honestly believe that if fear is the real motive behind opposition to this measure, it is not only unworthy but unrealistic. I again quote the Senate. There have been no dire results as far as the Senate is concerned. At some time or other one party or the other gains an advantage, but in the course of the years the picture

changes; and it seems to me that that trend would follow here in Western Australia.

Opponents in the past have stated that if we granted adult franchise, this House would become a mere replica of the Assembly; but that is not so. It would become no more a replica of the Assembly than is the Senate a replica of the House of Representatives in the Federal Parliament, because the electorates are totally different.

As I say, we have only heard from the Minister so far, and he did not adduce many arguments that I can attempt to answer, and I can only anticipate what other speakers might have in mind when opposing the Bill.

The Hon. A. F. Griffith: You have been in violent disagreement with what I have said in the past about it.

The Hon. E. M. HEENAN: Yes. Although I cannot boast a very good memory, I have in mind a number of arguments which the Minister has advanced from time to time, but none of them convinced me at the time, and I am afraid they have mostly faded from my recollection.

However, there is the Bill. I am sure, just looking at the position from our own point of view as members and as candidates, that we would all welcome something like this. It would save an enormous amount of hard work, effort and money, if adult franchise were granted. Instead of spending our time and efforts in enrolling people and cajoling them to go along and vote, we could use our efforts in a much better way. That saving would not be one-sided, because it would apply to each party.

I am experienced enough to know that the people who do not bother to get on the roll are not all members of the Labor Party. I know that the Liberal Party and the Country Party are frustrated and disappointed by the great number of their supporters who do not bother to claim enrolment, or who, having been enrolled at great trouble and expense, will not bother to vote. We know that applies to the Country Party, because there was an instance of it in the most recent election. I am sure that is a state of affairs which we would all like to remedy and which we should remedy when the opportunity is given.

That is looking at things from our own point of view; but taking the over-all picture, when we are members of a democracy it seems only right and proper that every adult citizen over the age of 21 years should be entitled to vote in the Parliament which governs his country. He should be encouraged in every way to fulfil one of the highest obligations which attaches to his citizenship. Therefore this is a serious Bill and there is considerable merit in it.

I am sure other speakers will propose better arguments than I have submitted. I am quite conscious of the fact that there are arguments that could be advanced in opposition to it; but at least let us thrash it out and deal with it on its merits and not as a result of fear because the Labor Party has come out honestly and laid down a policy which it might or might not achieve. The people of Western Australia have to be convinced before this House can be abolished; but if they are convinced, will anyone say it is not their right? I therefore give my full support to the second reading.

**THE HON. R. THOMPSON** (West) [7.43 p.m.]: I also support this measure introduced by Mrs. Hutchison. I think it is well past the time when the people of Western Australia should have the right to exercise the full and democratic vote for their parliamentary representatives. I am not saying that to cast any reflection on this House.

There are 70,000 people in the West Province, which I and my colleagues, Mr. Lavery and Mr. Dolan, represent. Mr. Watson asked Mr. Heenan whether, if this legislation were passed and adult franchise were granted to all of those people, they would exercise that vote. Well, the complaints I have mainly received have been from people who have not had the right to vote.

It has been mentioned in the House before that people can go to war to fight for their country, but when they come back they do not have the right and privilege to vote to elect a person to represent them in this House. To me that is not democracy under the United Nations Charter. It is not democracy when people have not equal rights; and that is the position which applies in Western Australia.

The Minister was very quiet on this occasion. In previous years he has told us why he did not like this legislation; why people should not have full voting rights; and why they should not be compelled to vote. However, Liberal Governments have gained office through compulsory voting, and perhaps if there was no compulsory voting in the Federal sphere we would not have been burdened with the Prime Minister we have had for the last 13 years; we may have been able to get rid of him. But while compulsory voting has applied, it has suited the purposes of the Liberal machine and the coalition parties. I have not seen, when large majorities were held by the coalition parties in the Federal sphere, that the Liberal Party has said, "We do not believe in compulsory voting; we do not believe in adult franchise; we will lessen the franchise." There has not been one move.

The Hon. A. F. Griffith: You would have put Dr. Evatt in instead of Sir Robert Menzies, would you?

The Hon. F. R. H. Lavery: Leave him out.

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

The R. THOMPSON: He could not have done a much worse job than this man has done.

The Hon. A. F. Griffith: You had to think for a long time before you made that comment.

The Hon. R. THOMPSON: The Minister will make a longer speech by interjections than he did when he was on his feet.

The Hon. A. F. Griffith: If you make provocative statements you have to expect provocative answers.

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

The Hon. R. THOMPSON: This is a very short Bill and it provides for the practice of equality, and that is the salient point in the future of our democracy if it can be practised.

I am not going to delay members further, because I trust, with all sincerity, that the House will carry this measure.

I think, however, I should raise a point that I raised on the Supply Bill, namely, that members opposite seem to be in full support of the sections of the Local Government Act that allow all and sundry to be enrolled, and even to record their votes, whether those people be naturalised or not. That provision has been in the Local Government Act for many years, yet when it comes to electing paid representatives—people who are paid members of the public—they want to restrict the franchise. Is that justice? The very people who help to pay my wages and yours, Sir, are not entitled—or half of them are not—to cast a vote to elect their representatives to this Chamber. Without further ado I support the measure and trust that the House will carry the Bill.

THE HON. J. D. TEAHAN (North-East) [7.49 p.m.]: The Bill can be called a simple one because there are no complexities in it. It just seeks to give all adults the right to vote. How often have we heard of the trouble that has been caused by the words "the right to vote"? How often has it been said that if a person is to be taxed he should have the privilege of voting? Here in Western Australia, and in Australia, pretty well all adults—people of the age of 21 and over—are taxed. When we remember that income tax applies to earnings of over £102 a year, or £2 a week, we can realise that practically all adults are taxed; and in addition indirect taxes are paid.

Yet, although we must pay income tax and indirect taxes, we are told that we have not reached sufficient maturity for

everyone to have the right to vote. That is really what the people were told when the qualifications for this House were originally laid down, and it can be clearly seen that the yardstick of the qualifications was the possession of property—an old English or old-world idea. It was considered that the possession of property indicated status—that it indicated one person was better than another. We have certainly reached the stage where that has long passed by, because the possession of property is not such a yardstick today as it was considered at one time.

When a time of conflict arises, each and every one of the people is called upon and should have the right to vote. In a recent Legislative Council election I heard one speaker say, "We are going to give the natives a vote," and rightly so. But he went on to say, "We will soon be fighting for the right of the whites to vote because quite a number of whites have not the right to vote for the Legislative Council." That is very true, but why it is true we just do not know.

It is possible that a professor of economics, or a professor of law, or a professor of literature, or a professor with similar qualifications could be occupying a room in a palatial hotel, or in a rooming house, or in his parents' home, and he would not have the right to vote for a member of the Legislative Council. A person could live in a flat within a building, and if it did not open onto the outside, or have a separate entrance, he would not have the right to vote for the Legislative Council.

That brings me to the point that the qualifications for this Chamber are most complicated. I have been in the position where I realised it was necessary to have more names on the roll of the province that I represent, just as it has been necessary to have more names on the rolls of other provinces, but the job was too big for one person.

In a case like that we look around for someone who will do the work, and it can be done but at a cost. Firstly we have to secure a person who understands these complicated qualifications, and such a person is not easy to find. When he is found, time has to be spent in instructing him with regard to the qualifications. I have reached the stage of saying, "Do not teach the canvasser the various qualifications; let him know about the main one—the householder qualification. The others are too complicated."

If a man who is going out to enrol electors is told how to go about his job he becomes so confused he is not able to do it; and the people get confused, too. They are so confused when we speak about their being enrolled that they say, "We are not entitled to be enrolled because we do not

own property." If they are told the various qualifications, they say, "Why are they complicated? They should not be."

We have edged and edged to get extended qualifications. We endeavoured to provide for returned soldiers to have the right to vote, but that was denied. But why do that? Why not seek the adult franchise? The other Chamber in Western Australia deals with all the problems we do, and an adult is qualified to sit there, but not in this Chamber. This, we are told, is a House of review, and we view things in a different light.

So we say to a member of the public, "You are not qualified to be enrolled." Why should that be? Why should it be that people are almost frightened to become enrolled because they may claim a qualification that is not according to the Act; and that is how it is, too. That is the truth. Some are not too anxious to fill in the card and sign it as they doubt very much whether they conform to the confusing qualifications.

As previous speakers have said, 50 per cent., or less, of those qualified to enrol for the Legislative Assembly are qualified to enrol for this Chamber. Why should that be? The more we are told that that is so, the more we wonder why we edge about and go on with this disputation, and why the necessity for hours of debate, when two words—adult franchise—inserted in the right place in the Statute would obviate that.

Some members opposite might say that when we enrol people they do not vote. That is not the point. They first of all want the right to vote, just as people want the right of free speech. We have the right to go down to the Esplanade on a Sunday, or on any other day, to make speeches. Many of us do not do that, but we still want the right to do so.

The people in England have the right to speak in Hyde Park, and they will preserve that right and fight for it and for the right of free speech; and the right to vote is just as dear to the hearts of the people as is the right of free speech. It has been stated quite clearly here to-night that the qualification for the Senate—a comparable House to this one—is adult franchise, and it has no difficulties. Queensland has no such Chamber as this, and it has no difficulties. We find that in Victoria, sometimes quoted as a conservative State, adult franchise prevails. We are told that we have not grown up to that stage yet.

The Hon. J. J. Garrigan: Tasmania has it.

The Hon. J. D. TEAHAN: We are told that we have not reached the stage where the people of Western Australia are mature enough to have the right to vote.

The work of enrolling the electors is terrific, and the cost is very high. The Government must recognise that the cost is high because a Legislative Council candidate is allowed as a taxation claim £1,000 for expenses, whereas a candidate for the Legislative Assembly is allowed £250. So it can be seen that a great deal of argument is not necessary in order to support the principle of adult franchise, or to support the principle of recognising that one person over the age of 21 years is just as good as another. Why should there be a barrier between a person who owns property and one who does not? The matter needs no further argument. For my part I say that adult franchise should come, and come forthwith.

**THE HON. G. BENNETTS** (South-East) [7.59 p.m.]: I have not spoken to a similar Bill during the last 18 years, but this is my final—

The Hon. L. A. Logan: Swan song.

The Hon. G. BENNETTS:—wind-up of my career in this House, and I do not want to let this opportunity go without saying a few words. I am surprised to see that the Government members are all sitting pat; none of them has got on to his feet to speak to the Bill.

I give Mrs. Hutchison credit for bringing the measure forward, and I have often said in this House that the women have always been part of the many influences that we have in this country. Unless women can qualify to become eligible they are barred from voting for the Legislative Council. If we liberalise the Legislative Council franchise we will grant the right to vote to every woman and every person over 21 years of age.

Most women have reared families and have had a difficult task in life and they should have equal voting rights with men. I contend that my wife should have the same right as I have to take her part in anything in this State. She has reared a large family and has suffered a good deal of hardship during her lifetime. A man is in a different position from a woman. He is able to put on his coat and hat and walk out, but the wife and mother has to care for her children and solve all the domestic troubles. Three of my sons went to the war and returned, but unless they have the property qualifications they are not permitted to vote in the Legislative Council elections.

In my opinion, every person over 21 years of age in this State should be compelled to vote in both the Legislative Assembly and Legislative Council elections. I admit that although everyone over 21 years of age has the right to vote in the Legislative Assembly elections many of them do not exercise that right, but in this instance the responsibility is on their

own heads. The point is that they have the right to vote, and the same right should be given to everyone over 21 years of age to vote in the Legislative Council elections.

At the moment a Liberal-Country Party Government holds the reins of office in another place and it also holds them here. When I first entered the Legislative Council there were six Labor members, but now there are 13. Our numbers have increased quite a deal. I do not think for one minute that if the franchise for the Legislative Council were liberalised it would make any difference as to which party held office. From experience, I consider that the position would remain much as it has been in the past; that is, a Labor Party Government would be in office for a term and then a Liberal Party Government, or a coalition Government, would take over the reins of office. In any event, there is probably no need for this House. Perhaps it would be a good scheme if it were abolished, and if it were the State would be saved a great deal of expenditure. We say that the Legislative Council is a House of review, but is it? We have Labor members on this side and Country Party members and Liberal Party members on the other side.

The Hon. N. E. Baxter: No, the Country Party members are over here.

The Hon. G. BENNETTS: It does not make any difference where we sit. When it comes to a vote, it is an amalgamation of Country Party members and Liberal Party members on one side, and Labor Party members on the other side.

The Hon. J. J. Garrigan: Two to one.

The Hon. G. BENNETTS: Yes. It should be compulsory for people to vote for the Legislative Council elections. Why should members have to make a canvass in order to entice people to attend the Legislative Council poll? Look how pleasant it would be for the members of this House to go home and have said to them, "Dad, you have done a good job; you have given women the right to vote."

The Hon. H. R. Robinson: The Bill does not provide for compulsory voting.

The Hon. G. BENNETTS: The Bill is seeking complete adult franchise. However, I would say that voting should be compulsory for the Legislative Council.

The PRESIDENT (The Hon. L. C. Diver): Order! I draw the honourable member's attention to the fact that compulsory voting is not mentioned in the Bill.

The Hon. G. BENNETTS: I was about to say that we may be confronted with a Bill later in the week which will seek to provide compulsory voting.

The PRESIDENT (The Hon. L. C. Diver): Order! The honourable member will keep to the Bill before the House.

The Hon. G. BENNETTS: I hope members will agree to the Bill, and in a year or two when I am reading the debates that have taken place in this House I hope to find that Mrs. Hutchison has been successful in influencing many of her womenfolk to stand for election for the Legislative Council so that eventually the personnel of this Chamber will have an equal representation of males and females. I support the measure.

THE HON. F. J. S. WISE (North—Leader of the Opposition) [8.6 p.m.]: I am extremely diffident about speaking to the Bill, not because I am other than wholeheartedly in support of it but because I have been hoping that somewhere, somehow, some people who intend to oppose the Bill by their votes would have attempted to rebut many of the splendid arguments which so far have been advanced in support of it.

During a long parliamentary career I do not know of any occasion when there has not been any speech made as an argument in opposition to a Bill—and such an important Bill as this, too—and yet when *Hansard* is read next week so that one may learn the details of the debate on the Bill, one will find no argument raised against it, but a majority of members voting against it. What sort of a proposition is that?

The Hon. H. C. Strickland: It will be compulsory voting.

The Hon. F. J. S. WISE: Yes, it will be compulsory voting! The voting that we will see within the next hour will be a good example of compulsory voting; something which is not advocated by the Leader of the House, but something actually practised when the vote is taken on the Bill.

The Hon. G. Bennetts: And yet they reckon there is no compulsory voting!

The Hon. F. J. S. WISE: It is idle indeed for any argument to be advanced in rebuttal, I repeat, of the very fine points made by Mr. Heenan in his discourse on the Bill. It is idle to suggest that this House is other than one of party members. As is the Senate, it may continue to be a House to review all legislation passed in another place, but as a distinct and separate party House of review.

Let us trace its history. In 1890, when responsible Government came to this State, the Legislative Council was a nominee House of 15 members and at that time the law insisted that the number remain at 15 until the population of the State reached 60,000, which it did in 1893. The numbers in this House were then increased to 18, and it was not until the turn of the century that a membership of 24 was reached. When the franchise for this House was decided—that is, when it ceased to be a nominee House—and the qualifications of



members were made distinct in the Constitution Acts Amendment Act of 1899, provisions almost identical with those which obtain today for a restrictive franchise became the law of the land.

Then, at the turn of the century, this House became a party House. Initially, this House consisted of members representing a party known as the Forrest Party, and one or two Labor members, whose numbers increased to five in 1903. So it is idle for anyone to aver that this House was not, and has not been until recent years, a party House. From its inception it has had members representing different political parties within it, and those members were nominated as such. We know that, initially—the history of the Western Australian Parliament will show us if we care to read it—this House was considered to be the stronghold of the pastoralists of Western Australia, as a party, but as time passed the atmosphere and the representation changed until the time of the first Labor Government—the Daglish Government—when a tremendous increase in the number of Labor members—from five or six to 25 at one election—changed the Government and the course of State politics.

From time to time, in spite of the restricted franchise; in spite of the old suggestion that only those owning bricks and mortar could vote for this Chamber, there have been many amendments to the electoral laws, but very few to the franchise in its distinct and separate purpose as provided in the Constitution Acts Amendment Act. The alterations to the franchise for this House that have been made from time to time have been so meagre and so slight that if one were to read the Constitution Acts Amendment Act in detail one would find it almost identical with the provisions that govern the franchise of the Legislative Council today.

Perhaps the greatest change in attitude and outlook towards this Chamber occurred in 1914 when the first Country Party member was elected to it—the late Hon. C. F. Baxter. He was the first Country Party member elected to this Chamber in the year the Country Party was founded. From that time on—from the day of Mr. Baxter's entrance to this House—we saw a more democratic and generous approach to the thinking in this House. Year after year, and election after election, changes took place until the Country Party almost had the opportunity of being the party with the majority of numbers within the Liberal-Country Party coalition.

As I said initially, I have been amazed that, on this occasion, and on an important Bill such as this—which, fundamentally, has for its purpose the very government of the State by seeking an adult franchise for this House—the debate has been

allowed to continue in silence from members of both Government parties. A House with this type of privileged franchise does not exist anywhere else in the world. The House of Lords does not possess the power and authority which this House possesses. Even the House of Lords must ultimately pass a Bill which, year after year, is rejected because of frivolous intent, or because it has created suspicion in the minds of individuals. The Bill ultimately becomes law in spite of the protests by the House of Lords. But it is not so with this Chamber.

This House, which is elected on a very restricted franchise, has much dominance. There is every right for the expression of attitude by sections of the Press and by the public in criticism and condemnation of this House. This can be traced back to the tightly held views, undemocratic and conservative, expressed by those who oppose this sort of legislation, and it is unfortunate none of them has been vocal on this subject tonight.

That in no way detracts from the merits of this Bill or proves that it is warranted in these days to have, in what is supposed to be a progressive State like ours, so old a franchise that it should not continue to be the law any longer. As Mr. Heenan pointed out, the Senate, which is the second chamber in the bicameral system of the Commonwealth Parliament, is a House elected on adult franchise. Every person who is qualified to vote for the election of members to the House of Representatives is also qualified to vote in the Senate elections. I ask: Has that brought about other than good consequences in the parliamentary institutions of the Commonwealth? The Senate is a House of review in every sense of the word. It is a House able to counter even governmental measures, yet the same people who elect the members of the House of Representatives also elect the members of the Senate.

I would hope this Bill could be debated at some time, because I repeat that a person, not knowing what would happen when a vote was taken on it, would be mystified, because there would be no designation within the covers of *Hansard* of speakers opposed to the measure, as every member who spoke in the debate supported it. But the Bill is rejected, and that is the amazing situation.

The Hon. F. R. H. Lavery: It is as complicated as this card.

The Hon. F. J. S. WISE: While regretting there has been no debate as yet in opposition to the Bill—merely speeches in support and strongly in support—I hope while this House continues to be the second chamber in our parliamentary system there will come a time—even when many of the older members at present constituting it pass through its portals—when there is a realisation of the importance, in a

democratic system contributing to a Parliament of this kind, of adult franchise in the election of its members. I support the second reading.

**THE HON. J. DOLAN** (West) [8.17 p.m.]: I rise for only one purpose, and I shall not delay the House more than a minute. I feel proud to be associated with the sentiments which have been expressed by previous speakers, particularly Mr. Heenan and Mr. Wise. I would not be worthy of my office if I did not rise to my feet just to say that I support fully the principles contained in the Bill and will vote for it.

**THE HON. N. E. BAXTER** (Central) [8.18 p.m.]: I listened with interest to the debate on this Bill. It was not my intention, contrary to what was indicated by Mr. Wise, to vote on this measure without speaking to it, because in 1962 I did support a Bill in this House which sought to extend the franchise to wives of electors already enrolled on the Legislative Council rolls.

In this particular instance I cannot agree that the Bill before us is a solution to the problem of the franchise for this Chamber.

**The Hon. R. Thompson:** Why?

**The Hon. N. E. BAXTER:** For these reasons: The Bill provides for full adult franchise, without providing for compulsory voting. That would leave the position in respect of voting during elections the same as it is now. The people would still have to be dragged to the poll to vote, as is the practice today. Not only will the people have to be enrolled, but they will also have to be dragged along to vote at elections.

Let us examine the position that would exist in regard to the various provinces. For the North Province there would be three members representing an area with around 15,000 electors in it. In the Midland Province there would be about 16,000 electors. In the North-East Province there would be about 10,000 electors. In the South-East Province there would also be about 10,000 electors. In the Central Province there would be about 30,000-odd electors. In the South Province there would be between 25,000 and 27,000 electors. In the South-West Province there would be some 35,000 electors, while in the Metropolitan Province the number would be in the vicinity of 70,000 electors. Those figures are all based on adult franchise being granted. From memory the number of electors in the West Province would be around 50,000.

**The Hon. R. Thompson:** On an adult franchise basis the West Province would have about 70,000 electors.

**The Hon. N. E. BAXTER:** Probably the honourable member is right. What an anomalous position would arise with the electors ranging between 10,000 represented by three members in this House, and 70,000 also represented by three members!

**The Hon. F. R. H. Lavery:** What does that matter?

**The Hon. N. E. BAXTER:** It matters to this extent: We have in existence a system of quota allocation for elections in another place; it is in the proportion of two in the metropolitan area to one in the country. By passing this Bill we will be departing entirely from that principle of equality of representation.

**The Hon. F. R. H. Lavery:** That is not equality of representation.

**The Hon. N. E. BAXTER:** If in conjunction with this Bill a suggestion had been put up by the Labor Party for a redistribution of provinces, and for adjustment of the boundaries, perhaps some consideration could be given to it.

**The Hon. R. Thompson:** In that event would you support the Bill?

**The Hon. N. E. BAXTER:** I would support a move for redistribution in respect of this House.

**The Hon. R. Thompson:** But you know we cannot introduce such a Bill in this House.

**The Hon. N. E. BAXTER:** I admit that, but not one suggestion has been put up by any member for the adjustment of boundaries of the provinces to bring about a change in the franchise. I think that is the key to the situation as to why this Bill will not pass this Chamber. It will not pass until such time as there is a fair redistribution in order to give the electors the right to elect members to this House on a fair basis. For those reasons I cannot support the measure.

**THE HON. H. C. STRICKLAND** (North) [8.24 p.m.]: I am afraid, after listening to Mr. Baxter, I cannot agree that his contribution holds any substance at all. He implied that by granting adult franchise the proportion of representation between provinces in the metropolitan area and those in the country would vary greatly; but the same principle applies at the present time, yet Mr. Baxter is prepared to allow the anomaly, against which he protests, to continue.

**The Hon. C. R. Abbey:** Why create another one?

**The Hon. H. C. STRICKLAND:** He is quite prepared to allow the anomaly to continue, and he is not prepared to introduce a measure to rectify the position, or to submit argument in support of his views; and, apart from the Labor members, neither

has any other member done so during my twelve years in this House. Time and time again I noticed that Bills such as the one before us had been introduced by Labor Party members, in conformity with their policy of arriving at a democratic franchise for this House, so that the franchise would be the same as the franchise which applied to the Senate of the Commonwealth Parliament.

The amazing feature about this debate is the paucity of speakers on the Government side. The Minister who is supposed to espouse the view of the Government said only a few words. No doubt this Bill has been discussed in Cabinet and in the party rooms, and through a joint agreement between the parties a conclusion has been reached to silently push the Bill aside. Such action is supposed to be a recognition of the rights of the electors in this State, by the Government, and by the so-called Liberal Party which, according to the dictionary, means a broadminded party, particularly in politics. If we consult the English dictionary the definition of liberal means broadmindedness in politics. The Liberal and Country League advertises itself as such, yet only one speaker on the Government side has risen—only because he is the leader of the Government—to say a few words, but not in connection with the Bill; it was only in connection with his own thoughts.

I had a look at the debates on a couple of similar Bills, in which the Minister could have taken part while he was a member of this House. I am unable to find that he has ever argued against the contents of such Bills. He has talked a good deal about the Legislative Council and why the franchise should never be altered. He has dodged the issue cleverly when the question of extending the franchise has arisen. Of course, that was his business. It will be noticed that the only view he has ever proffered to this House was a very firm "No" when the extension of the franchise was discussed.

On these issues it is the vote which counts. We can all talk till doomsday, but all that will not amount to anything. What decides the issue is how the members vote, and the people are entitled to know how they vote. Very often *The West Australian* has something to say about the franchise of the Legislative Council. It even suggests that the franchise should be eased, or be modernised. If its views are genuine, and if it is sympathetic towards the electors, it might consider publishing the results of the divisions that are taken in this House on the question of extending the franchise. It should publish its views as to whether it agrees with the decisions reached by this House. I am aware that the leading article of that newspaper contains the views of a few editors, or the executive. If that newspaper is genuine in putting forward views

advocating the easing of the franchise of this House—if it is doing that genuinely and not merely kite-flying—it should publish the results of the divisions, and let the people know who was for democracy and who was against it.

**THE HON. J. G. HISLOP** (Metropolitan) [8.30 p.m.]: I am going to be rather frank about what I say tonight. I have always opposed this measure because it has been put up, as far as I can recall, with the semi-threat, shall I say, behind it of the ultimate abolition of this House. I was astonished tonight to listen to Mr. Ron Thompson suggest a course which I have always suspected to be in his mind that if adult franchise without compulsory enrolment or compulsory voting had been obtained, votes might go his party's way.

The Hon. R. Thompson: Don't get it out of context. Be dinkum!

The Hon. J. G. HISLOP: I will be dinkum before I finish.

The Hon. R. Thompson: I will be pleased to hear you.

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

The Hon. J. G. HISLOP: Tonight we heard Mr. Ron Thompson say that if Australia had had adult franchise without compulsory voting we might have got rid of a Liberal Prime Minister long ago.

The Hon. A. F. Griffith: And had Dr. Evatt instead.

The Hon. F. R. H. Lavery: What was wrong with Dr. Evatt?

The Hon. J. G. HISLOP: Surely that means what I have always suspected: That a Bill to introduce adult franchise for this House is one that is put forward for purely party political purposes.

The Hon. W. F. Willesee: Do you believe in compulsory voting yourself?

The Hon. J. G. HISLOP: Let me go back and say this: I have been a member of this House for a long time. I think this is my 22nd year, if I am not incorrect in my arithmetic. When I first came into this place there was very little suggestion of its being a party House. There were men who represented mainly one and possibly two parties. There were Country Party members when I came in in 1941, but it was a pleasure to see the way Bills were introduced into the House and the way members of the same political party tore each other to ribbons because of their divergent views on the value of a Bill being discussed. There was no question in those days of a solid party vote.

In the old days I saw men who were giants in this community wrestle with each other over a Bill on the basis of whether it was in the best interests of the com-

munity. Those times have disappeared, and this House, in the main in the last few years, has become a party House.

If we are going to do anything to maintain this House, it has to be radical; and I believe the time has arrived when something radical should be done. This Bill goes only one portion of the way. Let us introduce a Bill into this House which gives adult franchise, compulsory enrolment, compulsory voting, and a redistribution of seats, and I will vote for it.

The Hon. R. Thompson: Good; you will get it then.

The Hon. A. F. Griffith: You might get into trouble for saying that.

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

The Hon. J. G. HISLOP: I would like to put forward remarks similar to those made by Mr. Baxter: No House can be regarded as truly representative of the people while one province has, as applies at the present moment, 45,000 electors, and under adult franchise it would probably have 75,000 or more; and while another may not have possibly one-eighth of that number. That is not representation of the public on a modern basis. If I am not guessing—I think I am telling what I believe to be the truth—the West Province was arranged in order that the Labor Party could have adequate representation in this Chamber. That has never been altered; and the West Province of the metropolitan area contains about one-half the number of voters that either the Metropolitan or the Suburban Province has.

The Hon. R. Thompson: We cannot put the voters on the roll.

The Hon. J. G. HISLOP: If there were a redistribution of seats on the basis of dividing the metropolitan area into three more or less equal parts, that would provide adequate representation for the metropolitan voters. In my opinion, there is no longer any necessity whatever for any privilege to be given to a section of the community as regards this House.

The Hon. R. F. Hutchison: Why doesn't the Liberal Party bring it in?

The Hon. J. G. HISLOP: There is no reason why one division of the metropolitan area should contain more electors than the other sections of the metropolitan area. If we want to be honest let us face this proposition and say that that is the only thing that can be done. I repeat definitely that I will not vote for this Bill, because I have always had the belief that there is a sinister view behind such a measure.

The Hon. R. Thompson: Democracy; that is the only thing sinister behind it.

The Hon. J. G. HISLOP: I have heard something about democracy.

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

The Hon. J. G. HISLOP: Shortly I will describe what democracy is not like. Mr. President, if a Bill is brought to this House asking for adult franchise, compulsory enrolment, compulsory voting, and a redistribution of seats—

The Hon. H. C. Strickland: Which seats?

The Hon. J. G. HISLOP: The whole of the provinces.

The Hon. E. M. Heenan: That would have to be done by the electoral commission.

The Hon. J. G. HISLOP: Yes; and it would need a constitutional majority of this House; but if those of us who sit here believe in some equal representation for the public, this is the only way to give it.

The Hon. R. F. Hutchison: Why don't you do it?

The Hon. J. G. HISLOP: We have just listened to the "voice" saying that we should give equal representation to the people of this House—the same voice that talks about the abolition of the House. What does the honourable member believe? It is hard to listen to the same voice speak twice in different tones.

The Hon. R. Thompson: You are flying kites.

The Hon. J. G. HISLOP: The honourable member likes to fly a kite, too. I am stating what I frankly believe; and if the honourable member will bring in a Bill such as I have outlined I will—and I am certain others will, too—vote for it so that it will go through. However, if the honourable member wants to bring a measure before the House simply on the basis of purely political expediency, I will not vote for it.

I was told recently that I was undemocratic because I did not believe in the Bill that was brought forward. I might have queer views about democracy, but I can at least describe what democracy is not. I do not believe that democracy means going out and finding people who are in difficulties, adding to those difficulties, and then increasing the agitation in the minds of those people so as to use them for one's own ends.

The PRESIDENT (The Hon. L. C. Diver): I hope the honourable member will connect his remarks to the Bill.

The Hon. J. G. HISLOP: I will. That is not the role which I think is the real approach to this problem. I am willing to forget what has been said about me and to me. It does not matter what has been said to me personally, but it makes a tremendous difference to the future of this State if we introduce small measures to alter the voting for this House in our own interests. I appeal to members to forget

that sort of thing and get down to tactics that are honest and that will produce something for the benefit of the people.

In conclusion I would repeat what I said previously: If a Bill is brought before this House asking for adult franchise, compulsory enrolment, compulsory voting, and a redistribution of seats with the electoral commission left completely unfettered, it will have my support.

**THE HON. R. F. HUTCHISON** (Suburban) [8.36 p.m.]: I wish to thank all members who have taken part in this debate, particularly members of my own party who have stuck so loyally to me. When Mr. Heenan introduced his Bill last year he drew attention to the need for compulsory voting. I do not think it was envisaged when this Bill was brought in that there would not be a Bill for compulsory voting.

I have always tried to do my best; but I have found that it does not matter what proposals are contained in a Bill for adult franchise, the argument is always the same as it has been tonight. Mr. Heenan made the point that compulsory voting would probably follow. I had hoped the Government members would put forward some more cogent arguments against the Bill than they have done. It was pointed out, too, that the senate and the Legislative Council were not replicas as there is compulsory voting for the Senate, as is the case with the House of Representatives.

Mr. Ron Thompson made some very important points. He pointed out, as I have done so often in this House, the wrong that is done to returned servicemen. A man may fight for his country and, as a result, be an invalid for life; but unless he owns property or rents a house in his own right, he cannot obtain a vote for the Legislative Council—one of the things he went away to fight for. To my way of thinking, that is a great wrong and a great anomaly. I do not think anyone can justify it. It only exists in Western Australia.

Mr. Willesee made the point that people who help to pay our wages by way of taxes are not allowed to vote. Mr. Teahan spoke in a similar vein and said that all people are taxed, but some are denied the right to vote for this Chamber, which is one of my objections. He also said that enrolment for this Chamber was complex and people were often frightened to enrol because of the many anomalies that exist. People are never given public advice on the matter. The Press never publishes any information, with the result that the people are ignorant of the facts. In addition, the franchise card is very involved indeed.

To Mr. Bennetts go my thanks for his complimentary remarks. He has always spoken up for the enfranchisement of women, and has been a stalwart in

support of democratic principles. This House will miss him when he retires next year.

I thank Mr. Wise for his contribution. He did draw attention to the fact that no-one on the Government side had spoken to this measure; and I am glad his words had some effect. At least someone got up to speak against the measure, as one would expect. I think Mr. Wise's contribution to this debate was well worth while. He said this was a House of review in the past, but it is no longer one now—it is a House of party politics on one side. Mr. Baxter said that he agreed with adult franchise, but not a compulsory vote.

The measure which I introduced this time contained a single provision. I brought it in for adult franchise, intending that another Bill would follow up and provide for compulsory voting. It is a subterfuge to say that this Bill is being defeated because it has only the one intention. It is the main intention. I was amazed when the Minister—I nearly called him a squib—had nothing to say to the Bill. I wonder what my province, which now has nearly 47,000 voters on this roll, will think of that. I just wonder.

Dr. Hislop said he was opposed to the Bill because he objected to what I said. That is a little subterfuge on his part. Whenever I speak I am always accused of giving out threats. I am sorry the honourable member thinks that. I do not mean to threaten. He said there were no giants in this House. I think we have giants in my party, and they have made themselves very honourable members. I think that Dr. Hislop should not say that giants have disappeared from this House. That would not be true. He said he would vote for a Bill which would provide for compulsory enrolment and the redistribution of province seats. No one has had the power to redistribute those seats but the Liberal and Country Parties. They have the power to do it now, if they want to force that issue and bring it in.

**The Hon. A. F. Griffith:** Tell us how?

**The Hon. R. F. HUTCHISON:** They have the power to do anything when they are the Government. They hold control of both Houses and they can alter the law of Western Australia if they like.

**The Hon. A. R. Jones:** You wouldn't know.

**The Hon. R. F. HUTCHISON:** They have a constitutional majority. In this House they have had it ever since the House was proclaimed; and they have done nothing about these things. That has been my objection. I have been a fighter ever since I came into this House. As I said in my second reading speech, I came here with the firm conviction of bringing democracy into the House, if I could, and I will be of the same opinion until I leave the House.

I had hoped that some results would have been achieved before this. Labor now has 13 members out of 30 in this House. I stated the first year I was here—it was on my pamphlet—that I wanted democracy for the Legislative Council; a vote for everyone in Western Australia for this House.

I have done my best. I have brought in this Bill with the very best intention. If the matter of compulsory voting is not listened to, something will happen which has happened to all oppressions in the past. This is an oppression of the people of Western Australia, when only a third of the people have a vote. The thing will burst; it will burst and overflow, and there will be a rebellion in this day and age. It might not be with swords and pistols, but it will be a rebellion nevertheless, because people are waking up to the situation. Year after year more and more people are becoming enlightened. They are being told. I do not know how the Liberal and Country Parties approach their voters, but we tell our voters the truth.

I visit thousands of homes. I have to tell a woman who is the wife of a householder—a man who rents a house—that she cannot have a vote; but if she rented a house across the road and lived with whom-ever she liked instead of looking after her children, she could have a vote. That is the greatest disgrace I have heard of in any community.

I say it is wrong; and if a thing is wrong, it is wrong and nothing makes it right. I brought in this Bill for adult franchise with all the honesty I have in me. I am carrying out a promise which I made to the people of my electorate when I came here. I did expect tonight that the Minister and the members of the Liberal and Country Parties would get up and justify their objections. They have not justified anything. I thought they would get up and be able to justify their action on this, but they cannot do anything but draw a smokescreen across the debate. Dr. Hislop said he would vote for compulsory voting and enrolment and for redistribution of the province boundaries. As far as Timbuktu is from Perth, so is the intention of the Liberal Party to do anything about it.

I do not want any smokescreen drawn over the matter. The party in power has held the reins of Government by oppression in this House. That becomes more and more evident as the years go by; and I will stand here, as a woman, and tell them that. I fought my way into this House by hard work; by telling thousands of people why they could not get things done in this House—thousands of them. They all know that. I am closing the debate now; and I am ashamed to be here—I am not allowed to say even that, am I?

I have no intention of going out until the electors say that I have to go out, or something else catches up with me.

#### Question put.

The PRESIDENT (The Hon. L. C. Diver): This Bill requires the concurrence of an absolute majority, and it is necessary to divide the House.

#### Division taken with the following result:—

##### Ayes—13

Hon. G. Bennetts	Hon. R. H. C. Stubbs
Hon. D. P. Dellar	Hon. J. D. Teahan
Hon. J. Dolan	Hon. R. Thompson
Hon. J. J. Garrigan	Hon. W. F. Willasee
Hon. E. M. Heenan	Hon. F. J. S. Wise
Hon. E. F. Hutchison	Hon. H. C. Strickland
Hon. F. R. H. Lavery	(Teller.)

##### Noes—16.

Hon. C. R. Abbey	Hon. G. C. MacKinnon
Hon. N. E. Baxter	Hon. R. C. Mattiske
Hon. A. F. Griffith	Hon. H. R. Robinson
Hon. J. Heitman	Hon. S. T. J. Thompson
Hon. J. G. Hislop	Hon. J. M. Thomson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. L. A. Logan	Hon. F. D. Willmott
Hon. A. L. Loton	Hon. J. Murray
	(Teller.)

#### Majority against—3.

The PRESIDENT (The Hon. L. C. Diver): The Bill having failed to receive the concurrence of an absolute majority, the question is resolved in the negative.

Question thus negatived.

Bill defeated.

### MINING ACT AMENDMENT BILL

#### Second Reading

Debate resumed, from the 3rd September, on the following motion by The Hon. A. F. Griffith (Minister for Mines):—

That the Bill be now read a second time.

THE HON. J. DOLAN (West) (8.56 p.m.): Firstly, I feel that I should offer an apology to those members who represent mining centres for intruding upon the debate before they have spoken. But as I was reared in a mining town, and as some members of my family are still working in the industry, I feel that I have a certain right to speak to this measure.

I can see merit in the first four clauses of the Bill, but I am opposed to the fifth clause, which seeks to delete section 291 from the Mining Act. For the information of members I propose to read that section, so that they will know what the debate is about. The section reads as follows:

Any Asiatic or African alien found mining on any Crown land may, by order of the warden, be removed from any goldfield or mineral field, and whether such person has or has not been convicted of an offence against the last preceding section; and no

Asiatic or African alien shall be employed as a miner or in any capacity whatever in or about any mine, claim, or authorised holding.

Of course, Sir, we know that before that section can operate, the persons who are named in it must come into this country. Let us, first of all, look at the position regarding the entry of aliens and Africans into Australia. The Commonwealth Government exercises an overall restriction. It may insist on a dictation test being imposed on and passed by those people who desire entry into Australia. Permission has been granted regularly to *bona fide* merchants, students, sporting groups, artists, and so on, to enter Australia; and these people have always had to give an undertaking that they will leave the country when their business is finished. The Act is interpreted quite liberally, and the arrangements, as I have indicated, are generally reciprocal between Australia and other nations.

So, any suggestion that section 291 might operate harshly against Asiatics or against African aliens cannot be entertained, unless these people come into categories other than those I have mentioned. Let us examine this question. Is there any possibility that the Commonwealth Government will some day allow Asiatics in fairly large numbers into Australia in general and Northern Australia in particular?

I should like, first of all, to draw the attention of members to two recent statements which were made during the last few weeks. One was made by a very influential man, and the other by a very influential group in this country. Firstly, the following article appeared in the Press:—

The Northern Territory Administrator, Mr. R. B. Nott, last week advocated the admission of Asian migrants to help increase the population of Northern Australia.

But he would make it a condition of their entry that they must remain north of the 19th parallel for 10 years.

Mr. Nott said if the northern part of Australia was to be populated there would have to be some modifications of the White Australia policy.

Ten million Australians lived south of the 19th parallel, and only about 350,000 in the two-fifths of the continent north of that line.

Asians already living in North Australia were law abiding and industrious and tolerated the climate better than most Europeans.

The 19th parallel of latitude crosses the east coast at about the position of Townsville (Q).

The part of Australia to which he was referring was that north of the 19th parallel.

I would remind members that Mr. Nott is a man who carries great influence, because of his wide experience of the north, and that is the opinion he has expressed. Of course, there are many contrary opinions, but I am simply concerned with the views which I am presenting to members. The second article appeared in *The West Australian* on Monday last under the heading of "Youth Call To Abolish Colour Bar" and it reads—

The national youth council of Australia yesterday called for an immigration policy which did not discriminate on the basis of race or colour.

The council, which represents youth bodies with a total membership of about 750,000, decided this at its council meeting in Melbourne.

Mr. Don Moffatt, of South Australia, who moved the motion, said: "We must start admitting Asians before overseas pressures are brought on us to force us to admit them."

The present sources of immigration were drying up and it was time the Federal Government considered the question of taking immigrants from Asian countries.

The council decided that to exclude Asians was economically unwarranted and morally wrong.

It said that Asians should be admitted on the same basis as non-British Europeans.

I have read those Press extracts so that members can realise there is a big shade of opinion which favours the introduction of the people who are mentioned in that section of the Act which the Bill seeks to delete. Let us assume, therefore, that the day will come when substantial numbers of Asiatics will be allowed into Australia. Then I feel members, and the people of Australia generally, will realise the wisdom of those legislators who went before us and introduced section 291 into the Mining Act.

Our Australian experiences of Asiatics, particularly as they relate to mining fields, have been most unhappy—and that adjective is a very mild one. Let me give a few examples to show members the influence—the bad influence I might say—which Asian migrants, or Asian aliens, have been on our mining fields. In 1867, in Gympie, in Queensland, 600 of them were chased off the field by angry miners. Their methods of living and their general attitude did not conform to the standards of the people on the mining fields in that State.

The Hon. A. F. Griffith: Where was this?

The Hon. J. DOLAN: At Gympie in Queensland. I have been there and, as a matter of interest, it is a place where miners found millions of pounds worth of

gold. The second incident to which I wish to refer occurred in 1873 on the Palmer River goldfield on the Cape York Peninsula. There were 20,000 Asiatics on the field. I ask members to notice the change in just a few years from 600 to 20,000. As soon as they realised they could get into this country, and into an industry where perhaps they could find great profits for themselves, notice the change! That contrasts with only 15,000 whites who were on the same field at that time. There again there was trouble and bloodshed.

The Hon. A. F. Griffith: How many are there today?

The Hon. J. DOLAN: Not many, because there is nothing to keep them there. However, if they are allowed into this country they will soon spread into the mining areas, particularly the bauxite industry. That is one place where we would find them trying to work.

The Hon. A. F. Griffith: Without the Commonwealth Government's permission?

The Hon. J. DOLAN: The history of the Victorian goldfields tells the same story—a story of people who have caused trouble on every mining field that they have ever been on. When section 291 was put into the Mining Act in 1903 it had this effect: Asiatics never went on to our goldfields and we had no trouble of that nature.

Of course, we must bear one point in mind. Suppose the clause in the Bill is agreed to and the section is deleted from the Act. Let me instance to members the trouble that would ensue from a labour standpoint—I do not mean a Labor Party standpoint, but I mean from a labour standpoint. There would be trouble immediately—industrial trouble—because of the constitution of the A.W.U. This is the union which controls labour, or unionists, in the northern part of the country, and more particularly in the mining industry. Asiatics and African aliens are precluded from membership of that union.

So if the Bill is agreed to as it stands, and these people are allowed into the north, we will have the position where A.W.U. members will refuse to work with them because they are non-unionists. That would be the start of troubles that we do not want on our mining fields.

I think the A.W.U. has an honourable record in regard to its peaceful negotiations and for the excellent industrial standards it sets. Therefore I believe it would be a retrograde step if its members were forced, perhaps, to put up with Asiatic and African aliens on our mining fields. There would also be trouble with the skilled men who have come into this country to look over our mining fields—for example, the iron ore fields. There could even be trouble with the geologists, the metallurgists, the en-

gineers and so on, if Asiatics and African aliens are permitted to go on to our mining fields.

I wonder how many of our people would fancy the spectacle of these aliens bossing our men around—men who have had mining experience. There would no doubt be further trouble in that regard because nobody would want that experience.

I was most interested in the debate the other evening on the Companies Act Amendment Bill, and I was pleased to note there were two members in the House who could not see eye to eye with the Minister's contention about Western Australia being the only State in which the provision concerned would operate. They felt if there were some merit in these things, what did it matter if the provision operated only in the one State. We do not want to be subservient to other States.

I was pleased with that expression of opinion, because one member during this debate offered the opinion that the section in question was not a desirable one to have in our Mining Act as this was the only State where such a provision existed. Let me give one little example to show that it is not always necessary to insert such sections into Acts. It was suggested by the same honourable member that there were no such restrictions in the wool industry, or in similar industries in Australia. The Police Traffic Department, for example, puts up "Stop" signs around the metropolitan area, and in other parts of the State, but it does not erect them on every corner. Those signs are placed at corners where experience has shown there is a danger.

I suggest to members that the section of the Act in question was placed there in the first instance because of the danger that experience had shown is associated always with Asiatics on mining fields. I feel we owe a deep debt of gratitude to the legislators in those far-off days who realised the danger and who put that section into the Act. I believe it in no way hinders the interests those people have in the mining sections of our north. I would not like to be a party to anything which could in any way hinder the advancement or the development of our State. However, I believe that a section of this nature must remain in the Act as a safeguard.

As members know, Australians have never claimed a right of entry into other territories; and I think it is logical to say that our own territory should be inviolable. I would say also that, generally speaking, our people, particularly those associated with mining fields, especially when they have past experience to guide them, would be most disturbed, and I would suggest even alarmed, at the possibility that section 291 of the Mining Act might be deleted.

I said at the beginning that I can see merit in clauses 1, 2, 3, and 4, but I repeat, I think it would be a bad move on the



part of this House if we agreed to clause 5 which proposes to delete section 291 from the Mining Act. I will oppose that clause in Committee.

**THE HON. G. C. MacKINNON** (South-West) [9.12 p.m.]: It would appear that the basic discussion on this measure will centre around one clause. I listened to Mr. Dolan with a great deal of interest. He is an excellent speaker as I suppose one would expect a person of his background to be, and I found his argument very interesting indeed.

I do not think anyone denies, because they are historical facts, the problems which were encountered on the goldfields in the early history of Australia. However, I think it is as well to remember that the history of the Asiatic miner has always been tied up with alluvial mining, and it was on fields of that type that trouble was encountered. I think it is also interesting to note that the States in which the main trouble occurred no longer have in their State Acts a provision such as has been mentioned.

Surely one would expect Queensland, Victoria, and other States which did encounter this trouble, to have retained such a provision if it were necessary. Mr. Dolan gave an interesting, clear, and concise exposition of the appropriate sections of the Immigration Act, which are quite sufficient for the purpose of safeguarding the problem which he highlighted.

I think members are fully aware that I have no particular reason to take the side of the group which is in question in this measure, but the fact remains that in these days, when trade means so much, we must be fair. The Minister is fully cognisant of the problems which an amendment such as this might bring. We know he is not anxious to bring the wrath of anybody upon his or the Government's head, and he is certainly not anxious to bring any sort of trouble to this State.

We depend a tremendous amount on international relations and on international trade. Tied up with all those things is goodwill. Men of all parties, and all political creeds in Australia have been most forthright in their statements that our markets lie with our near neighbours, the Asiatics. For that reason it behoves us to be on good terms with them.

Let us make no mistake about it. If we in this House in Western Australia are the only ones to insist on a provision such as this, the facts will be made known throughout the length and breadth of South-East Asia; because they do make known these happenings both good and bad in their various countries. There are men of goodwill there also.

I had a personal experience a little while ago in relation to some Chinese scouts on Christmas Island with whom I happened to be photographed, and the photograph appeared in the morning newspaper in Karachi. Their papers get hold of these things and print them. Similarly legislation like that with which we are dealing now will also be printed, together with the steps proposed to be taken. To what avail?

If our immigration law is sufficiently wide open to allow these people in, they could come in and work in any industry which suited them. We must appreciate the fact that in these days we are dealing with people who are educated, skilled, and trained. We are not dealing with people in 1867; with coolies who could do nothing but dig around in the gravel and wash around in the creek for gold. As I have said, we are dealing with people who are skilled in most trades.

We have laws to prevent unskilled people from entering the country, particularly if we have no need of unskilled labour. We also have laws to encourage skilled people of the type we want, if we need them. That is why there is an Immigration Act which covers the whole of Australia.

I was also interested in Mr. Dolan's line of argument, when he quoted from a newspaper cutting a suggestion by Mr. Knott. He followed this up with several arguments which tended to create the impression in my mind—which I am quite sure was not meant—that this was going to be automatic. I do not think anyone in his right mind would agree with the suggestion put forward by Mr. Knott. This sort of thing has been mooted by odd people from time to time, but I do not think it will ever be agreed to. It would be political suicide for anyone who took it up.

I can only repeat that the proper way to protect any and all industries from the sort of dangers that were encountered in 1867 is by means of the Immigration Act, which we have at the moment. There is no reason why we should select the apple-picking industry, the bauxite industry, the mining industry, or the motorcar industry; or, for that matter, any individual industry. Conditions have changed over the better part of the century through which we have passed. The conditions which applied in those days no longer apply. The possibilities that existed in those days no longer exist.

Accordingly, the particular section with which we are dealing is now purely one of those pin-pricking nuisances which will be noted by the people with whom we are desirous of trading, and with whom of necessity we must trade.

**The Hon. F. R. H. Lavery:** Can I get a job if I go to Japan?

**The Hon. G. C. MACKINNON:** Yes.

**The Hon. F. R. H. Lavery:** Could I get one if I went to Singapore?

**The Hon. G. C. MACKINNON:** Different countries have their own immigration laws in which these matters are covered. Only today I noted in a little article I was reading, where the Dairy Produce Marketing Board has made very excellent progress in marketing arrangements in South East Asia. This has been done on a partnership basis, sometimes with machinery sometimes with cash, but always with know-how. That board has entered into contracts in Hong Kong, Singapore, Thailand, and other countries with dairy factories which supply butteroil and dried milk products which are reconstituted in the various countries. This is an excellent step in marketing with South-East Asia.

I have no doubt that because of technical problems it will be necessary for arrangements to be made with the various countries to have technical men acting in a supervisory capacity, or even working in the respective establishments. I have no doubt that is all done through the normal immigration laws of the country involved. These men would get their visas stamped in a certain way, allowing them to operate in a particular field. This is an important trade set-up which has been brought to fruition by the excellent work done by the Dairy Products Marketing Board of Australia.

Surely we can visualise some sort of a reciprocal arrangement, particularly when we have the facts of the case in question before us. This is the sort of thing we must learn to live with in our modern and developing society. To quote one known case: the Japanese are a friendly nation, trading with us in no small measure. They are highly skilled in many industrial fields.

**The Hon. R. F. Hutchison:** They are not more highly skilled than—

**The Hon. G. C. MACKINNON:** I said they were highly skilled in some fields. I will go so far as to say they have more experience in certain fields. For instance, they have built bigger tankers than those built in other parts of the world.

There is no reason why one industry should be singled out, when we have the protection of the immigration laws to protect us in the field. Nobody could possibly envisage our immigration authorities allowing any mass of unskilled workers to butt into this country to override Australian workers in any mining field. The removal of section 291 without the removal of our immigration laws at the same time would not serve the purpose, despite what Mr. Dellar had to say.

**The Hon. D. P. Dellar:** Section 291 would do it.

**The Hon. G. C. MACKINNON:** Whether section 291 is there or not, the laws of the country still apply. The proof of the pudding is in the eating of it. Section 291 is not included in any form in the Mining Acts of any of the other States of Australia.

**THE HON. J. D. TEAHAN** (North-East) [9.25 p.m.]: In speaking to the Bill, firstly, I would be very loth to say or do anything that would interfere with international goodwill. I would also be loth to say or do anything that would hinder the future development of our mining industry. When I speak of the mining industry I do so in terms as it affects goldmining, and at present gold production is worth £1,000,000 a month to this State. Therefore, the industry is well worth fostering. However, goldmining would never have reached the level it has today without the industrial peace we enjoy in Western Australia. There is no doubt that a good relationship exists between management and men in the goldmining industry.

There are many mines which could be called marginal, but they are continuing to produce because of good management and goodwill between employer and employee. If we did anything that might upset that industrial goodwill even for only a short period we may deliver a blow to the goldmining industry from which it may never recover. If through some industrial dispute a goldmine or goldmines were to cease production for a month or two, it could be that they may never start up again. So I appeal to members not to do anything rash which may create an industrial stoppage in the goldmining industry.

Those who have studied the subject are a little concerned that such unrest may develop should we admit Asiatics or African aliens to work as unskilled men in the mining industry.

**The Hon. A. F. Griffith:** Do you think the unrest in the industry would occur with the passing of the Bill, or subsequently?

**The Hon. J. D. TEAHAN:** I should think it would occur subsequently to taking such action. The Minister may say that only skilled labour would be introduced to the State, but I think we can reply to that argument by pointing out that our technical schools and the School of Mines are producing a sufficient number of skilled men such as geologists, metallurgists, foremen and underground supervisors of such a standard that there should not be any shortage of skilled men in this State. In fact, it is a pity that those men who do graduate from the School of Mines and our technical schools cannot all be found suitable positions in Western Australia.

At present many of them have to seek positions in other parts of Australia and in other parts of the world where they are readily accepted. So up to date, I do not think it can be said that Western Australia is suffering from any shortage of skilled or unskilled labour in the mining industry. I fear that if we agree to clause 5 in this Bill, which seeks to repeal section 291, of the Mining Act we may open a door which subsequently could be difficult to close.

**THE HON. E. M. HEENAN** (North-East) [9.29 p.m.]: The pros and cons of this small Bill have been outlined to us extremely well by the last three speakers. I have studied the Bill closely and I will agree with the Minister that the first four clauses, if passed, will make for better working in the administration of the Mining Act, and I am prepared to support him on them. However, the last clause is a contentious one. I have listened with great interest to the speeches that have been made by members who have spoken ahead of me. Mr. Dolan referred to the Palmer rush in Queensland many years ago, and I can remember hearing of that rush in my boyhood. I can also remember an old man who was there at the time and who eventually finished up at Esperance, telling the story of a party of Chinese who were travelling to this Palmer rush through country where the natives were very ferocious. In fact, they were cannibals.

One member of this Chinese party developed leprosy so the others built a mia mia, left him a quantity of food, and continued on their way. A few days later, some members of the party who were making the return trip found the mia mia still there but the food and the poor old Chinaman they had left behind had fallen into the hands of the cannibals who infested the area.

Returning to the discussion on clause 5, which seeks to repeal section 291 of the Act, I can appreciate the Minister's dilemma and I can also appreciate the points which have been made by Mr. MacKinnon. I am aware that our nearest potential markets for the enormous mineral deposits in the north lie in the Asiatic countries. Of course, these days it is essential we should create as much goodwill as is possible throughout the whole of the world. On the other hand, as Mr. Dolan has pointed out, when Asiatics have worked in the mining industry in the past they have always spelt trouble.

In this State we have strong and important unions such as the A.W.U. which have given this matter careful consideration; and the A.W.U., through its secretary, has announced quite forthrightly that it is definitely opposed to aliens entering this State to work in the mining industry. The section in the Act which prevents Asiatics from working in mines has been in exist-

ence for so long that it should not now be repealed without the gravest consideration. I have been on the goldfields in the past few days and those I have met have expressed a great deal of concern over this proposal.

It is all very well to tell the miners that there are not many Asiatics residing in the State now, and that their influx into the country is controlled by the Commonwealth Immigration Act. There is a latent fear in the minds of the men on the goldfields which has been nurtured by the unfortunate experiences of the past, and I was hoping the Minister might be able to modify clause 5 of the Bill to overcome this difficult situation. The mining industry in this State is a peaceful industry.

**The Hon. J. Murray:** There is preference to unionists in the mining division of the A.W.U.

**The Hon. E. M. HEENAN:** I think so. Year after year the Chamber of Mines comments on the good relationship between the management and the employees. We have to be very guarded against disturbing that relationship. It is all very well to say that the danger of a great influx of Asiatics into our mining industry is remote, as I frankly believe it is, but if that is permitted it could cause an unfortunate situation to develop. The Minister should, in his wisdom, try to put up a lesser proposal to overcome the concern of both parties.

I, like Mr. Dolan, fear the reaction which could occur when Japanese engineers and similar people are placed in the position of having to give orders to Australian workmen, and of having to ensure that those orders are carried out. We have to trade with the Japanese people, and I am all in favour of wiping out the bitterness of the past, and of trying to get along with them. I think the hope of the world lies in this present trend, which is a good one; but we have to be realistic and face facts. We should not needlessly create a situation which might become a troublesome one.

I appreciate what the Minister seeks to achieve in this Bill. For my part I hope he can bring this about in such a way that I can support him; but in the light of the people I represent I cannot vote for the provision in clause 5 in its entirety. Mr. Wise has suggested that if the last three lines were deleted the situation could be overcome. I have expressed my views on the matter, and I intend to vote for the second reading, but will oppose the provision in clause 5.

**THE HON. G. BENNETTS** (South-East) [9.39 p.m.]: I can see the problem which the Minister faces. Western Australia has a large quantity of iron ore, and there is a buyer available. If the provision in clause 5 of the Bill is deleted I do not

know if other buyers will be available to take our iron ore. The Asiatic countries are altering their living standards and education systems so rapidly that they are being brought more into line with us.

As other members have said, the Australian Workers' Union, which controls all the mining unions in the country, and which has been a great help to Western Australia and the Commonwealth, has a responsibility for keeping peace in the mining industry. I would not like anything to be thrust in its way to cause an upheaval between that union and the mine owners. As goldfields members are aware—and this was confirmed by a conversation I had with the manager of a mine last Saturday—we do not want any upheaval in the mining industry, because at present the goldmines are working on a very small margin. Peace within the industry has to be retained, in order to ensure the smooth working of the mines and continuity of operations.

We are aware that many people in this country are at present unemployed, and if this Bill is agreed to in its entirety we will be adding further fuel to the fire by allowing Asiatics to enter the State and occupy positions on the mines. I suppose the Minister will inform us that clause 5 in the Bill is designed to cover Asiatics who are appointed to positions as managers or leading officers in our mines; however, under the wording in the Bill it is open for anyone to come into the State.

The Japanese mining companies should be able to obtain suitable officers and men for their mines from the School of Mines at Kalgoorlie. Those people are quite competent to control the activities of the Japanese mining companies, and direction could be given by the parent companies from Japan. In that event local people would be engaged to run the mines. The School of Mines has been instrumental in turning out all classes of mining engineers and technicians, and in many parts of the world we can find past students of that school engaged in important positions on mines.

We should not forget that Australians were badly treated by the Japanese during the last World War. Perhaps by having Japanese engineers and such like placed in positions of authority over Australian workers trouble will arise, and I am sure none of us would like to see that happen. We have to live with the Japanese people and to trade with them. The time is coming shortly when we will have to fall in with their views, so as to keep peace with the Asiatic countries.

As Mr. Heenan suggested, the provision in clause 5 could perhaps be altered to overcome opposition. From what I heard on the goldfields the people were hostile to the Bill, and I think there might be hostility from the R.S.L. I heard a rumour

to that effect. I do not know whether the Minister has received any communication from that organisation.

I remember the days of the first World War when there were Japanese employed on the goldfields, but they were employed in a different type of industry. About 1900, or shortly before, there was a rumour circulating around the goldfields that a move was being made to bring Asiatics into the State to work the mines. There was an uproar, as though a bomb had been dropped. I hope the Minister will be able to see his way clear to alter the provision in clause 5 so that we can support him. I support the second reading.

*Sitting suspended from 9.45 to 10.5 p.m.*

**THE HON. D. P. DELLAR** (North-East) [10.5 p.m.]: Mr. Dolan, Mr. Heenan, and other speakers have covered this Bill fairly well. Being a mining man, having worked in the mines for many years, knowing the requirements of mining and the type of people we require to work in the mines, I am going to touch on a couple of matters regarding clause 5. I see nothing but good in the first four clauses of the Bill. I think the provisions contained in those four clauses might mean a face-lift for the mining industry. But I am afraid that clause 5 will lead to quite a lot of trouble and worries.

First of all, we have to consider the fact that A.W.U. regulations do not cater for Asians. Therefore, Asians will be unable to purchase union tickets. That would be a major factor with our men working side by side with aliens. If we have to import Japanese or Asian technicians, why do our own technicians, skilled men, have to leave Australia to seek employment? On the goldfields we have a School of Mines which is recognised all over the world. There is no other school of mines in the world which is recognised. Therefore, if one of the major reasons for bringing Asians into this country is for them to work in the mining industry, why is it that our own technicians, skilled men, have got to leave Australia?

I venture to say that our own people, who have been born and bred in this country and who have been educated here, would, from a geological point of view, know more about Australia than any other people. The same might be said about our skilled labour who leave Australia and go to other countries. How much would they know about those countries? They are taught about their country, geologically, at our own School of Mines; that is why the Kalgoorlie School of Mines is the only one in the world which is recognised. Therefore, I do not see why we should have these people coming into this country and taking jobs from our lads.

The Hon. A. F. Griffith: You know that is a gross exaggeration.

The Hon. D. P. DELLAR: Our main concern is for the goldmining industry, which is known throughout the world to be trouble-free. There is a very good relationship between the unions, the men, and the management.

The Hon. A. F. Griffith: In one breath you say they cannot work here, and in your next breath you say they will take away jobs.

The Hon. D. P. DELLAR: They would if we brought them in.

The Hon. A. F. Griffith: You said that Asians could not get A.W.U. tickets; so how could they work?

The Hon. D. P. DELLAR: Then why bring them in?

The Hon. A. F. Griffith: I am asking you to qualify your remarks. You say they cannot work here, and then you say they are going to take away jobs from our men.

The Hon. D. P. DELLAR: You are going to delete section 291 to allow them to come in. Once you get them in they will work here.

The Hon. A. F. Griffith: How will they be able to do that?

The Hon. D. P. DELLAR: Then why the clause?

The Hon. A. F. Griffith: I have told you, but you do not seem to understand.

The Hon. D. P. DELLAR: All right, then I do not seem to understand. I see no good in it, and that is my opinion.

The Hon. A. F. Griffith: That is a fine thing to say: You do not understand, yet you see no good in it.

The Hon. F. J. S. Wise: That is a better reason than the Minister gave.

The Hon. D. P. DELLAR: We have enough unemployed in Australia as it is. We have other migrants to look after. I think we should look to our own fields a little closer. As other members have stated, the first four clauses of this Bill could mean a face-lift to the goldmining industry; but I am afraid I cannot say the same thing about clause 5.

THE HON. R. H. C. STUBBS (South-East) [10.13 p.m.]: I too am a little concerned about this subject, representing as I do a mining area. I can understand the Minister wanting the Japanese or the Asians to protect their own interests. These people are investing money, and they have to protect their interests. I can quite understand that. But I hope we can get over this difficulty in some way or other without letting them into the mining industry.

There is not much left for me to say about this measure, because Mr. Dolan, Mr. Heenan, and other members have covered it. It looks as though it has been introduced primarily in connection with the iron ore and copper mines of the north. I also say that students from our School of Mines are highly skilled men. We have a very peaceful industry. Only the other night we praised the co-operation which existed between mining unions and management. However, we do not want to forget that the A.W.U. is a very powerful union. Because it is easy to get along with, that may not apply on this occasion. I would like the Minister to take a look at section 291 and perhaps amend it in order that there will not be any industrial unrest.

The A.W.U. constitution lays down that no Asians shall hold A.W.U. tickets. This means that Asians coming into the country will not be allowed to obtain union tickets to work in the mines, and if they do work in the mines they will be working as non-unionists; and that is where the trouble will start. The A.W.U. will not stand for it, and there will be industrial chaos. I hope we can overcome this problem in some other way.

As I said, the A.W.U. has a white Australia policy, and I believe there is a similar provision in the constitution of the R.S.L., and its members are dedicated to uphold that policy. I know on the goldfields they have done something about it already. Over the years there have been strong moves in various organisations to water down the white Australia policy. Almost every time we pick up a paper we see it, and frequently over the wireless we hear suggestions from people that Asiatics be allowed into this country on a quota basis, and so on.

Gallup polls have been held on the subject, and if we start letting them in it will be a weakening of our present policy. Despite the Minister's honest intention to allow the mining people from Asia to look after their financial interests, I think, if the Bill is agreed to in its present form, it will allow many others into this country and there will be chaos.

I believe that in the pearling industry employers use indentured labour. Asiatics are allowed here for 12 years and then they have to go back to their own country. However, during the time they are here, I understand they are not covered by the provisions of the Workers' Compensation Act. I am wondering whether the people it is proposed to allow into this country if section 291 is repealed, will be in the same position. It means they will be non-unionists, and possibly they will not be covered by the Workers' Compensation Act, which will be repugnant to members of the A.W.U. If the Bill is agreed to in its entirety I can see a lot of trouble on the horizon.

In the past we have had experience of Asians working for low wages. Admittedly it was many years ago, but it was the cause of the provision being written into the Mining Act, and if that section is repealed the same sort of thing could occur again.

The A.W.U. has said that it will fight the provision in the Bill politically and in every other way. The union is definitely opposed to it and if I were to continue in this strain I would only reiterate what other members have said. I hope the Minister will find some other way to get what he wants, and overcome his problems.

**THE HON. J. J. GARRIGAN** (South-East) [10.18 p.m.]: I shall speak very briefly to the Bill because I think Mr. Dolan and other members have given the Minister for Mines a good resume of our objections to it.

I am violently opposed to it for various reasons. The Minister maintains that these overseas countries should be permitted to bring their technicians to Australia, but I would say, firstly, that there are no better technicians than our own boys who have been trained at the School of Mines in Kalgoorlie. If it is good enough for the Japanese to come here and take away our iron ore, they should at least employ our local technicians. It is a very poor excuse to say that these companies should be able to employ their own technicians.

Secondly, as Mr. Stubbs has said, there could be a good deal of controversy about the repeal of section 291. The A.W.U. is definitely opposed to it because the white Australia policy is part of its constitution. The R.S.L. is opposed to it, and, personally, I cannot see that we will gain very much by agreeing to clause 5. I have been associated with the mining industry for many years and I know, as Mr. Stubbs has said, that there is likely to be industrial strife immediately if section 291 is repealed. As I said before, Mr. Dolan and other speakers from the party to which I belong have expressed the views I wish to put forward. I oppose the Bill.

**THE HON. R. C. MATTISKE** (Metropolitan) [10.20 p.m.]: Shortly after I entered this Chamber in 1956 I became aware of the great importance to Australia, and to Western Australia in particular, of the iron and steel industry. In 1957 I conducted personal research into that industry and spoke at considerable length on the Address-in-Reply debate in 1958 regarding the matter. Since then I have taken a very keen interest in it and I have been most gratified to see the progress that has been made.

At the time I conducted my initial research I was astounded to learn that the then Labor Government intended to export 1,000,000 tons of iron ore from this

State. I was astounded for the reason that at the time it was apparent the reserves of iron ore throughout Australia would be sufficient for a very short term only. Nothing was done at that time to encourage people to look for and find new deposits and, in general, the position looked very black.

However, I think it is to the great credit of the present Minister for Mines that he did take steps to encourage prospectors, with the result that many huge and valuable deposits have been found; in fact, so much ore has been found that it has now been ascertained that the Australian requirements for many decades will be more than satisfied, and it will be possible for us to export considerable quantities of ore without in any way affecting the Australian economy.

In a desire to get rid of—if I can use that phrase—some of the iron ore to the benefit of Australia, the Minister has conducted strenuous negotiations with different nations, including Japan. Last year I made a tour of the orient and in the course of it I visited Yawata, on the southern island of Japan. I was amazed to see the extent to which the people there are embarking on their iron and steel industries. They have, from memory, 11 steel mills in Yawata alone, and they are working on a very low grade of ore. The ore they use comes from India, Malaya, the Philippines and some from the United States.

At the time I had the opportunity of meeting and discussing the position at great length with an American engineer who was attached to the Yawata iron and steel industry, and I was astounded to learn how they were continuing to operate more or less on a hand-to-mouth basis, so far as iron ore was concerned.

However, collaterally with our discovering large supplies of ore, other nations have done similarly with the result that the Japanese are now in a position where they can negotiate with many nations at the same time and can, to a certain extent, play one nation off against another in these negotiations.

Therefore, it is imperative that we should take every opportunity offering to get rid of the article we have to sell, and it necessarily follows that if we are going to put restrictions on these people to preclude them from coming here and looking after their investments, then naturally they will not be interested in dealing with us and will turn their eyes in other directions to the detriment of Australia.

Much has been said regarding Asiatic labour on the mining fields, but I think it is purely red herrings, nothing more or less. All that is intended with this piece of legislation is for those who are prepared to invest their money in purchasing iron ore from this State to have the opportunity

to come here to supervise the winning of the ore from the ground and its transport to Japan, and to ensure that the companies get value for the very great amount of money that they are going to pay us for it.

It is only natural that these companies should want to have that opportunity, and for members of the Opposition to stand up here and say that the Bill will mean a great influx of Asians into this country is so much poppycock. Those members need only to think for a few minutes. Mr. Dellar said only a few moments ago that it is essential for a person to be a member of the A.W.U. before he can work on the mines. He knows full well that the union's rules preclude the admission of Asiatics. Therefore, it is impossible for the position about which those members have spoken so much to arise.

There cannot be any great influx of Asiatics into the mining fields in this State for that very reason. Another important reason, which those members have seen fit to overlook, is our Australian immigration laws. Before Asiatics can be admitted to our country good reasons must be advanced to the Federal Government. If, as has been stated, the A.W.U. has the power to preclude Asiatics from working, why are members of the Labor Party so concerned over this measure?

The Hon. R. H. C. Stubbs: We have to maintain industrial peace.

The Hon. R. C. MATTISKE: Industrial peace! Mr. Stubbs persists with this business of drawing a red herring across the trail. He knows full well, as does every Labor member in this House, that it is not possible for Asiatics to work on the mining fields of this State because of the union rule. All that is possible is for those people who have invested their money in mining ventures to come here and enter upon the mining leases. If this legislation is not passed it would not be possible—if the A.W.U. so decreed—for even the principals who have invested their money in the industry to walk upon the leases in which they are interested. If they so much as picked up a shovel or a pick they would immediately be classified as workers and an appeal could be made to the mining warden to have them ordered off the lease; and all men engaged in the mining industry know that full well.

The Hon. A. F. Griffith: They would not even have to pick up a pick or a shovel.

The Hon. R. C. MATTISKE: No. Therefore, it is imperative that this Bill be passed as printed if negotiations with Japan are to proceed and be successful. During the course of my peregrinations last year one important feature impressed me greatly; namely, that we are looking to the people in the Asiatic countries to trade with us, but that trade cannot be only unilateral. If we expect those countries to buy from us we must also expect to buy from them.

We must offer them every facility to trade openly and to have full right of entry to the State to protect their assets in the same way as any other nation does.

No-one in the wool industry objects to Asiatics entering this country. Japan buys a colossal quantity of wool from Australia each year and its wool experts are permitted to enter Australia for the purpose of trade negotiation.

The Hon. D. P. Dellar: Only to buy.

The Hon. R. C. MATTISKE: Similarly, if iron ore deposits were to be developed in any other State of Australia it would be possible for Asiatic technicians to enter any one of those States to operate the leases in which they were interested. This restriction on the entry of Asiatics is only imposed in Western Australia, simply because of events which happened many years ago. In my opinion it is just too silly to contemplate any objection to the final clause of this Bill.

There is a further aspect of this matter which must be considered; namely, if we refuse Japanese mining representatives permission to enter this State to look after their assets, I am sure that such an act would be the subject of a great deal of adverse publicity in the newspapers of the Asiatic countries. The Press representatives of those countries are always very keen to report on anything that is done in Australia, and if Western Australia takes any action to impair Japanese capacity to trade in this State it will be ventilated in no uncertain manner in the Press of the various Asiatic countries.

I feel that if we were, at this juncture, to refuse permission to enter this State to Japanese or any other Asiatics in the manner as proposed in the Bill it would indeed be a severe blow to future goodwill between Asiatic countries and Australia. As we in Western Australia are developing our secondary industries, and looking to Asia for markets, it could very well sound the death knell to a great deal of the valuable work that has already been done to foster trade between Japan and Australia.

I sincerely hope that members will view this legislation in the light in which it has been drafted and introduced and will disregard all the red herrings that have been drawn across the trail. I certainly support the second reading of the Bill and I hope that ultimately it will be carried in its printed form.

**THE HON. H. C. STRICKLAND** (North) [10.33 p.m.]: I also sincerely hope that the last red herring drawn across the trail by Mr. Mattiske will be disregarded by members. I have listened closely to the debate on the Bill and I raise no objection to the first four clauses, but I certainly raise objection to clause 5 which seeks to remove restrictions on the entry of Asiatics into

this State, and I do so for sound reasons. Section 291 of the Act, which clause 5 seeks to repeal, has been the law in this State for the last 60 years and has not proved to be of any detriment to the mining industry. I suggest it is so much poppycock for Mr. Mattiske to attempt to intimidate the House by telling us that unless the section is repealed the results could be tragic to the development of iron ore deposits in this State.

In my opinion, if this section in the Act is repealed, the floodgates would be opened to allow the unlimited entry of Asiatics. I do not believe that they would rush into the State immediately, but if this clause is agreed to it will be a step towards breaking down mining conditions in Western Australia. It is all very well for big business representatives to say that unless this section is repealed we cannot successfully negotiate with Japan; that unless that country is permitted to send its own technicians to this State, the negotiations could be adversely affected.

I am of the firm opinion that a great deal of business could be transacted with Japan without its bringing supervisors and representatives on to the iron ore deposits in this State. In the last five or six years there has been a remarkable reversal of opinion in this Chamber on the development of our iron ore deposits; in Mr. Mattiske's case, in the last five years. About five years ago Mr. Mattiske then spoke at great length against the efforts of the Labor Government which was then in office to obtain a permit to sell iron ore to Japan at a remarkably good price; somewhere about £6 a ton f.o.b. Western Australian ports.

The Hon. A. F. Griffith: I have tried hard to find that figure.

The Hon. H. C. STRICKLAND: One cannot really find anything unless one looks hard enough. One can always find things if one wishes to. Members who were in this House at the time will recall the opposition that was raised from all angles to the sale of even one pound of iron ore to Japan. This opposition started with the Federal Government, and went right down the line. Sir Arthur Fadden did a most unusual thing by presenting the Opposition of the day with a copy of a letter written to the then Labor Premier of Western Australia. This letter was used by Mr. Griffith when he was in opposition in this House as his stand against the proposal to export iron ore.

The letter makes remarkable reading, and there has been a considerable change of thinking since then. Even Sir Arthur Fadden came to see our present Minister with a view to obtaining some of our iron ore for export to Japan; and this after writing the letter to which I referred. The letter in question was read to the House by the Minister (The Hon. A. F.

Griffith) on the 12th September, 1957. The relevant portion of that letter reads as follows:—

In fact your proposal, if adopted, could have even more serious consequences. It would be an open invitation to Japanese steel industry to sponsor or finance the setting up of plants in Australia to make pig iron for export to Japan, a process which would rapidly defeat the purpose for which the embargo on export of ore exists, and which with the utmost goodwill to Japan we could not contemplate.

That was part of the letter written by Sir Arthur Fadden to Mr. Hawke when he was Premier of the State. There is much more of that letter which I will not read at the moment. Before these deposits were leased, Mr. Wise and I told this House that everywhere we walked in the north-west we stubbed our toes on iron ore. But we were not believed when we said this, because we happened to be a Labor Government in office at the time. The opportunity is now lost.

I must admit that the Minister for Local Government was about the only one on the Opposition side at the time who supported us, because he knew of deposits in his own district. He knew of the deposits at Talling Peak, Morawa, and various other places. He was about the only one who supported the proposition. However, the opportunity was lost. A change of Government has come about, and Sir Arthur Fadden, of course, did not stand again for Parliament; but he did interest himself in big deposits for large interests. Apart from this, the Minister who opposed the motion to approach the Government for a permit to export iron ore, has himself been to Japan attempting to sell the iron ore to Japan in recent years.

This is a most remarkable change in thinking. It is extraordinary how some people's views change when they are on the Government benches; their thinking is quite different while they are in opposition. In the meantime, however, it does not seem to matter to them what happens to the economy of the country. All they seem to be interested in is getting hold of the Treasury benches. They occupy the Treasury benches now and we read about what is going to happen in the export of iron ore from the north of the State.

We are told there are going to be towns and railways built. We now find that the buyer has the power and is in the position—as Mr. Mattiske said—to dictate terms. The buyer is playing one country off against another. I do not blame him for that, but I do object when his terms embody the bringing of Japanese, or any other Asian workmen, to work the deposits.

The Hon. A. F. Griffith: The same red herring.



The Hon. H. C. STRICKLAND: Our workmen can do all the work necessary around the iron ore deposits to export iron ore. We have the know-how and every thing else, so there is no necessity to bring in Asiatics. The spadework in production has been done in a remarkable manner by Europeans, and let us hope it remains that way. We should not open one crack in the door which will allow even a trickle of Asiatic labour into Australia. If the price is right the ore can be sold.

Now that the middlemen have come in the price has apparently got a little high, and there is something wrong. With a recession in their own steel industry the Japanese are not so keen to rush in. They know that in two or three years' time they will need to buy iron ore somewhere, and if they are going to use the breaking down of our industrial laws to obtain that iron ore I certainly object to it. Will it stop at iron ore?

The Minister was most concerned about copper ore. Whim Creek is where this proposal started. I blame the Minister for not attempting to do what he said he would try to do—to clear up what appeared to him to be an anomalous position in regard to the owners of the Whim Creek deposits. Peculiarly enough, these are freehold deposits, and are quite different from Crown land or leasehold tenancies. Mr. Mattiske advocates that if a Japanese buys a business in Australia he should be permitted to work it with Asiatics.

The Hon. R. C. Mattiske: Don't you agree with that?

The Hon. H. C. STRICKLAND: No; particularly when we have so many people unemployed in Australia; when we have 2,000 teenagers unemployed in Western Australia. I think Mr. Mattiske's contention is un-Western Australian.

The Hon. R. C. Mattiske: Do you think we have enough people here to develop Western Australia?

The Hon. H. C. STRICKLAND: Mr. Mattiske's thinking is pro-Asiatic. I know that questions of labour do not worry men like Mr. Mattiske. It would not matter two hoots who took the iron ore out so far as big business is concerned. But it does matter to Australia, to the worker in Australia, and to the Australian conditions.

The Hon. R. C. Mattiske: Another red herring.

The Hon. H. C. STRICKLAND: Like the honourable member's own red herring when he spoke against our motion on iron ore.

The Hon. R. C. Mattiske: And succeeded.

The Hon. H. C. STRICKLAND: If anyone knows anything about red herrings it is Mr. Mattiske. We must ask ourselves if the trickle of Asiatics would stop at Whim

Creek. When they got a mine, would not these executives say to the Government of the day, "We will have to stop work here because our overhead costs are too high"? Would they not bring pressure to bear and point out that unless they could bring in another 100 technicians, or something like that, they would have to close down? They would put the pressure on the Government. What guarantee have we that this Bill will not be the means of opening the gates? What guarantee have we that the Government can stop the flood of Japanese labour? We might ask: What about the oil industry? I understand that industry is also covered by the Mining Act.

The Hon. A. F. Griffith: You understand incorrectly.

The Hon. H. C. STRICKLAND: I could be wrong, or I could be right.

The Hon. A. F. Griffith: You are wrong.

The Hon. H. C. STRICKLAND: Recently I heard over the A.B.C. news that the Standard Oil Company of America had invited Japanese to undertake oil drilling operations for the company somewhere in the north of Australia. Tonight over the news I heard that the Prime Minister of Japan on the eve of his departure was prepared to extend deferred payment to Australians buying goods from Japan. Personally I do not mind buying from, or selling to, the Japanese, and I do buy Japanese goods and I am quite satisfied with them. My objection is to Japanese coming into this State as labourers.

I repeat the statement made by the Prime Minister of Japan on the eve of his departure: Over the A.B.C. news he was reported to have said that Japan was prepared to extend long-term credit to Australians buying Japanese goods. Only about five years ago I think Mr. Murray, when speaking in opposition to the proposal of the Hawke Government to export iron ore, based his opposition on the inability of the Japanese to pay. Here is a reversal in the opinion expressed by members supporting the Government. He doubted very much the ability of the Japanese to pay for the ore, but I think he was wrong. Here we have a statement by the Prime Minister of Japan telling Australians that they can have all the credit they want.

I have no objection at all to trading with the Japanese. The honourable member mentioned the wool industry; I do not know if any Japanese interests have bought stations and intend to engage Japanese stockmen.

The Hon. R. C. Mattiske: What about Japanese wool technicians coming to Australia to buy our wool?

The Hon. H. C. STRICKLAND: I suppose it is possible for them to purchase our stations, but I object to the engagement of Japanese stockmen.

The Hon. A. F. Griffith: Your bow will break because you are drawing it that long!

The Hon. H. C. STRICKLAND: I had no intention to speak at this stage, but Mr. Mattiske provoked me, so I went on to give some of the history of these events. We heard one member supporting the Government, more or less apologising for the opposition which he raised very strenuously a few years ago to the export of iron ore to Japan; yet, now he wants the Japanese to come into this State to dig our ore, and to take it away. I could not agree to such a proposition, and for that reason I must oppose clause 5.

Of course according to some Government members, Labor Party members are not supposed to know anything, and oppose a measure for the sake of opposing. I could say those members support big business for the sake of supporting it. I represent the working class and the Australian Labor Party. That party represents the working class, and has been built on the foundations of the working class. The working class built that party, and it has fought for all the conditions its members enjoy. The working class did not get any assistance from St. George's Terrace, nor did the farmers or their forefathers, when they were battling, receive any such assistance.

I say: Do not open the door one crack to allow Asiatics to come in while we can do the work ourselves. We can, and we have the men available. Furthermore, we have the ability. If we have not, the Government knows where to get the required men, and it can get plenty of them from Great Britain.

#### Adjournment of Debate

**THE HON. F. R. H. LAVERY** (West) [10.51 p.m.]: I move—

That the debate be adjourned.

**Motion put and a division taken with the following result:—**

#### Ayes—13

Hon. G. Bennetts	Hon. H. C. Strickland
Hon. D. P. Dellar	Hon. R. H. C. Stubbs
Hon. J. Dolan	Hon. R. Thompson
Hon. J. J. Garrigan	Hon. W. F. Willesee
Hon. E. M. Heenan	Hon. F. J. S. Wlisa
Hon. R. F. Hutchison	Hon. J. D. Teahan
Hon. F. R. H. Lavery	(Teller.)

#### Noes—16

Hon. C. R. Abbey	Hon. G. C. MacKinnon
Hon. N. E. Baxter	Hon. R. C. Mattiske
Hon. A. F. Griffith	Hon. H. R. Robinson
Hon. J. Heitman	Hon. S. T. J. Thompson
Hon. J. G. Hislop	Hon. J. M. Thomson
Hon. A. R. Jones	Hon. H. K. Watson
Hon. L. A. Logan	Hon. F. D. Willmott
Hon. A. L. Loton	Hon. J. Murray
	(Teller.)

**Majority against—3.**

**Motion (adjournment of debate) thus negatived.**

#### Debate (on motion) Resumed

**THE HON. F. R. H. LAVERY** (West) [10.54 p.m.]: As a result of the division which has just been taken, I now find myself in the position of having to speak in the debate. I would have preferred to leave it until tomorrow, because I want to obtain more information.

I am not making any apology whatsoever when I say that on behalf of the many thousands of R.S.L. members in my electorate I shall certainly oppose the inclusion of clause 5 of the Bill, because I recall the words which were written on my pad when I was a schoolboy. They were *acta non verba*, which mean "action not words."

I am in the position of having been informed that certain things happened at Whim Creek; and as a representative of the people, what happened there will not allow me to accept the inclusion of clause 5 in the Bill without raising a protest. I know the vote of this Chamber could be in favour of its remaining in the Bill, but that does not stop me from drawing attention to some of the things that have already happened and could happen.

It is all very well for members who are supporting the Government and the Minister with regard to this Bill, and it is all very well for us on this side of the Chamber to believe we have a case and to get up and state it; but we should not be told by the Minister or one of the members for the Metropolitan Province (Mr. Mattiske) that we are drawing red herrings across the trail. They are not red herrings. Is it not a fact that the directors of Whim Creek, who thought they were doing something for themselves and Australia, allowed the directorship of the property to go from their hands to Japanese hands? That is the first question.

Secondly, did the manager (Mr. Demura) of that mine say that he did not care what rules or regulations the State Government imposed in respect of who should do the work there, because he would obey the orders of his own directorate in Japan? I ask the Minister: Is that a statement of fact or not?

The Hon. A. F. Griffith: I really could not tell you.

The Hon. F. R. H. LAVERY: That is why I wanted the adjournment until tomorrow so I could get the answer in black and white.

The Hon. H. K. Watson: We could soon fix him.

The Hon. F. R. H. LAVERY: I suggest the action that took place at that mine was such that we in this Chamber have a duty to the people of Western Australia, if not the whole of Australia, in opposing the inclusion of clause 5 in this measure. I visited Japan, just as Mr. Mattiske did. I spent 16 days there and was very impressed with what I saw. I was impressed with the fact that I was in company

with a man who could teach me to speak English, his mastery of the language being so good.

He was a man of 28 years of age and was a member of the textile committee in the Japanese Parliament, which is the liaison committee with the Australian Wool Committee. He showed me various works, and some of them would compare with anything in Australia. He also assured me, along with the other people to whom he was speaking, that in the future Japan would have to buy iron ore, no matter from what country, because Japan's industry and economy was tied up with manufacture for export and iron ore was the main product required. Secondly, he said that Australian wool was going to be manufactured for export and was high on Japan's productivity list.

In this morning's *The West Australian* there is a report of what Mr. Ashton, the President of the W.A. Chamber of Commerce, had to say to a United Nations Association luncheon yesterday in regard to Japanese living standards—and to my knowledge and belief, what he had to say was absolutely correct. I would like to quote from it, because I am raising opposition to Japanese workmen coming here. However, at the same time I want to point out that I, of all people, have no intention of doing anything to break down Japanese trade with Western Australia. But I will not accept that fact as being a red herring drawn across the trail, because if this clause is not taken out of the Bill, the door will be open for the people of Japan and other Asian countries to come into Western Australia.

I agree that the immigration laws of this Commonwealth are very sound; and I agree that the present Minister controlling those laws does use his discretion very guardedly. However, no law has ever been made that cannot be broken—just as pie-crust was made to be broken—as there are ways of getting around laws. My information is that when Mr. Inoue was spoken to about the men he dismissed from that mine he was told by the inspector for mines that the two Japanese men working there—the number grew to seven—would have to leave the mines.

We know that that went to the warden for a decision, and we know an appeal is being made against that decision. If that appeal is successful, then the retention of section 291 in the principal Act is the only protection this State will have from stopping the flood, perhaps not this year or next year, but within the next ten years, of many people coming in from those countries—people who have no right to be here. They will be taking the jobs of Australian workmen—and when I say Australian workmen, I am referring to everybody in Australia whether they are naturalised or not, as they have come here by virtue of our immigration laws.

In the article I have referred to previously, it stated—

Japan's living standards and income had doubled since 1958 and were improving at the rate of 10 per cent. a year, Mr. W. Ashton told a United Nations Association luncheon yesterday.

These improvements were possible because Japan spent only 2 per cent. of its national income on armaments. The 2 per cent. ceiling was the maximum permitted under the United States-Japanese Peace Treaty.

He said Japan had the most highly educated work force in the world.

I would not go so far as to support him in that, but Mr. Ashton is a man of high repute and I would accept most of what he says. Continuing—

The average Japanese family income was about £10 a week.

Eighty-five per cent. of all urban people and 50 per cent. of country dwellers had television sets.

Staple foodstuffs were cheap by world standards, and clothing was a little over half the price it was in Australia.

Mr. President, it is not so very long ago that I travelled through this country and visited seven ports. As I said before, I spent 16 days there. I saw various types of industry, and the Japanese people were proud of the fact that during the last ten years their standard of living had risen so high that they were able to say to me that the height of the people, particularly the womenfolk, had increased 1½ inches, because of a better standard of living and better food. I want that state of affairs to obtain. I want every country to have good food and a good standard of living. I want the starving people of India to have it, but I also want the workers in this State to be given jobs ahead of the people of any other country who might come in here.

The information about what happened at Whim Creek is so damning that I believe the Minister in all sincerity promised to have rectified what seemed to be an anomaly so far as the warden's court decision was concerned, by introducing this Bill.

The Hon. R. F. Hutchison: Mr. President, I wish to draw attention to the state of the House.

The PRESIDENT (The Hon. L. C. Diver): There is a quorum.

The Hon. A. F. Griffith: Cheap politics!

The Hon. F. R. H. LAVERY: There is no need for you—

The PRESIDENT (The Hon. L. C. Diver): Order! The honourable member must address the Chair.

The Hon. F. R. H. LAVERY: I do not think there is any need for the Minister to pass a rude remark every time a member of the Labor Party speaks, because when he was on this side of the House, he many times delighted in doing the same thing.

I just commended the Minister by saying that I believed he brought this Bill before the House because he felt it would resolve an anomaly which has occurred as a result of the decision of the warden's court in the area concerned. However, I felt the other night when Mr. Wise was speaking on this Bill that the Minister himself was not very happy about having to introduce it. He did not want to because it would bring wrath down on his own shoulders. I am not trying to bring wrath on his shoulders, but I am against a situation that will allow this Parliament to take away the protection from the people of this country, and take away their right to decide who will come, when they will come, and from which country they will come.

While on my tour I spent some time in the company of no less a person than the Tungku of Malaya and he told me that his country adopted a similar immigration law as ours against the Chinese people. He told me to look at the group of people sitting with him on that occasion. He stated that he might be brown, and that some of them might be copper, whilst some of them might have a yellow skin. He was referring in this instance to a Chinese member of his Cabinet. He said that they did not like the inclusion of the word "white" in our policy. He said that they did not resent being kept out of Australia, because each Government has the right to say who shall come into the country; but he said that what was resented was the use of the word "white."

The PRESIDENT (The Hon. L. C. Diver): Order! Will the honourable member please connect his remarks with the Bill?

The Hon. F. R. H. LAVERY: As the white Australia policy does concern the Japanese, I am tying my remarks very tightly together. He said that they were not black people and they resented the use of the word white, but that so far as our laws were concerned they were respected. I am making these comments in answer to Mr. Mattiske who said it was poppycock and was introducing red herrings to suggest that the trade in iron ore between the Japanese people and this country would be lost to us if this clause was taken out of the legislation.

My answer to Mr. Mattiske is that while I am in this Chamber and have the right to vote, I will vote against anything that will permit an influx of Asian people into this State other than under our Federal immigration laws.

In the West Province there are several large branches of the R.S.L., two of which I was in contact with today. They informed me that they were meeting in the next couple of days, but I told them that the Bill would have been dealt with in this Chamber by then. However, I can assure the Minister that if this Bill is passed in this House, when it reaches another place, pressure will be brought to bear by the R.S.L. on members. It will not be a red herring then. It will be very real.

Despite the Minister's attitude on this particular subject, he would be well advised indeed to give it further consideration before he attempts to have it passed in another place.

On behalf of those people I represent—irrespective of the mining community—I oppose this provision in the Bill.

**THE HON. R. THOMPSON (West)** [11.11 p.m.]: Like the previous speakers on this side of the House, I oppose the abolition of section 291 of the Mining Act. I cannot understand the need for the haste to repeal this section. It has been in operation now for 60 years, and was included for a very good purpose. It has not acted to our detriment during that 60 years. If anything, it has added to the good relationship which we have been able to enjoy in Western Australia between company and management.

The Minister says it is necessary to clear up an anomaly. I do not know what that anomaly is, or why this section would have to be entirely repealed to clear it up, unless—and this is the view of one member on the Government side, Mr. Mattiske, who said so tonight—it is that because the Japanese own the mine it is felt they should be entitled to bring their own labour in to work it. I do not think that is the policy of Mr. Mattiske's Government or of the Federal Government either, and I am staggered to know that any member would want that to happen in Western Australia. I believe in the white Australia policy, personally, and I hope I always will believe in it.

It has been said in this Chamber tonight that red herrings have been introduced. The first red herring was raised by Mr. Watson when he tried to draw an analogy between the mining industry and the wool industry. Actually he should have made it the wool broking industry. I worked for many years in the wool industry and I suppose I know as much about it as anyone in this Chamber—perhaps, a little more. However, I have yet to see one Japanese, Asiatic, or African working in the wool industry. I have never seen one.

The Hon. H. K. Watson: That is my point—and you won't see one working in the mining industry, either.

The Hon. R. THOMPSON: We have never yet said to anyone, no matter what their colour—although the Minister's Government did at one time because it would not have a bar of the Russians buying wool or wheat; but it is changing its mind now—that they could not come in and buy our wool; nor would we stop them from buying our iron ore. But if we repeal a section of the Act, and if, perchance, the Commonwealth immigration laws were relaxed, and indentured labour, as mentioned by Mr. Wise, were brought into Australia, it would enable those people to work the mines entirely.

The Hon. A. F. Griffith: Don't you think that if such an occurrence were to happen this Parliament would immediately legislate to rectify it; or do you think it would just be allowed to go on?

The Hon. R. THOMPSON: The Minister might just as well keep on going with his third speech and tell us why he is repealing the section.

The PRESIDENT (The Hon. L. C. Diver): Order! I would ask the honourable member to continue his speech and to address the Chair.

The Hon. R. THOMPSON: It has been said here tonight by people who know more about the subject than I do that we have trained geologists and trained engineers. Our engineers have been trained at the best universities in Australia—not only in Western Australia—and in most cases they have to seek employment outside Australia. The same applies to geologists.

We are capable—entirely capable—of any supervisory work in connection with mining in Western Australia. Had Mr. MacKinnon watched the TV series which was screened some months ago, he would have found that he was very wide of the mark in his remarks when he said that the Chinese on the Ballarat, Gympie and Palmer River goldmines were alluvial miners. That is far from the truth. There was a television series of three programmes which were screened on three Saturday evenings. The series showed still pictures—actual scenes. They showed anything but people grovelling in the gravel of a river bed. Those people were down the mines; and that was the main cause of the eruption which took place on those mining fields. It was because those people stayed down the mines for days at a time.

The Hon. G. C. MacKinnon: I must try to find time to watch television.

The Hon. R. THOMPSON: The honourable member should read up his history. He should read it in the train going home. What he said was very wide of the mark. He may have been genuine in what he said, but he was certainly wide of the mark.

We have experienced these things in Australia. That is why the provision was put into the law in 1903—to stop things of that nature happening in Western Australia. Undoubtedly we have had progress in Western Australia. That is an argument which can be used. We have developed; and the reason we have developed is because of this very action which took place at the turn of the century. That situation built up trade unionism. That is how the Labor movement started—because of Asiatics working on the Goldfields. It was the birth of the Labor movement.

The Hon. G. C. MacKinnon: Seeing they do not work there now, would you close down the Labor Party?

The Hon. R. THOMPSON: The honourable member would like that. But we are fortunate in having had very humble beginnings, and we are now the strongest and the greatest political party in Australia. We have been so for many years, and we will continue to be so for many hundreds of years.

The PRESIDENT (The Hon. L. C. Diver): The honourable member must connect his remarks to the Bill.

The Hon. R. THOMPSON: I will do so if the honourable member will stop interjecting and leading me on. I think Mr. Wise made a most excellent suggestion to the Minister. It is one he could follow up—that is, the deletion of several lines in section 291. I think it would clear up completely what the Minister wants cleared up at this stage; and it would still leave the safeguard which we desire. It would make everyone in the House quite happy if the Minister adopted the suggestion. I will support the second reading, but I will not, under any circumstances, consider the repealing of section 291 of the principal Act.

THE HON. R. F. HUTCHISON (Suburban) [11.20 p.m.]: I feel I must rise and say a few words in connection with this Bill. My dad was born in Ballarat and I am pretty well versed in goldmining history.

I oppose clause 5 strenuously. I know this: That if an opening is made for people to come in, where big business is concerned they will not worry about widening the door. No matter how small the slit is which they start with, they will break down the conditions for which Australians have worked for so long and suffered so much.

I read my history well and I was told a good deal by my dad. Mr. Ron Thompson is quite right about deep mining. When the Chinese could not come straight to Victoria on account of the riots, they were smuggled in through South Australia and sent to the mines. They were sent to

the deep mines. They caused bloody warfare in Victoria at that time. There is plenty of history to tell us about that.

To say it will not happen again is nonsense. I know that the forces against us as the Labor Party are always there. They are always there and active. The hard conditions which pertain to the north need to be ameliorated. We have fought over the years for good conditions and for amenities which would make it possible for our people to live and work anywhere in Australia. I am thinking of the Hawke Government's raw deal over iron ore. I can tell the Minister this: That my brother is an outback man. He was a trapper and he told me about these deposits up there years ago. But there was not any use for them then. We had not progressed sufficiently to want them and it is only now that the industry is going ahead. Japan is very short of iron ore and is going to get it from somewhere.

I think we would be opening the door wide in letting these people come in. I had a few questions posed to me the other day. We wondered whom the Minister saw when he was in Japan. We wondered whom he interviewed there.

The Hon. A. F. Griffith: Who posed these questions?

The Hon. R. F. HUTCHISON: I believe that to save the face of the Government they agreed to take 500,000 tons from Mt. Goldsworthy and 500,000 tons from Talling Peak.

The Hon. A. F. Griffith: Who posed those questions?

The Hon. R. F. HUTCHISON: The questions were posed to me by friends of mine. They told me to ask those questions. I do not know what they pertain to, but perhaps the Minister will tell us.

Section 291 of the Mining Act provides that no Asiatic can be employed in the mining industry. History tells us about the early struggles of miners; about cheap labour and starvation rates paid to Chinese and Kanakas. We know, as Labor people, the fight that goes on from year to year to keep up our standards of living. These standards have been achieved by hard struggle and hardships on the part of union men in this State. The unions are the safeguards of the people of this State, and there will be very great objection by the unions of this State if any Asiatic is allowed to come into the north-west of Western Australia. It would lower conditions at once.

I also heard this: That there were certain amenities spoken of up there; and one of them was that it was proposed to allow one lavatory for ten families and one wash-house for ten families. I would like to know if that is true.

The Hon. A. F. Griffith: What on earth are you talking about?

The Hon. R. F. HUTCHISON: The Minister can tell us what conditions are laid down for workers coming to this State; because our own workers certainly would not accept conditions such as I have mentioned.

The Hon. A. F. Griffith: I have not the remotest idea what you are talking about.

The Hon. R. F. HUTCHISON: We must be vigilant. We have been told about big business, and we have heard what it has done. But this Government has not made such a fine success of anything. It has thousands of workers still walking the streets.

The Hon. A. F. Griffith: Where is this in the Bill?

The Hon. R. F. HUTCHISON: I know that many of our unemployed would be only too glad to work in these areas if they were given the necessary amenities. There has been some trouble in connection with North West Cape.

The Hon. A. R. Jones: What Bill are you talking about?

The Hon. R. F. HUTCHISON: So we have to be very vigilant.

The PRESIDENT (The Hon. L. C. Diver): Order! The honourable member must confine her remarks to the Bill.

The Hon. R. F. HUTCHISON: I am Mr. President because clause 5 of the Bill is likely to have a serious effect on the workers of this State, and on the men who go to the north to work. Having seen the results of some of the things that this Government has done I believe we cannot have too many safeguards. I have spoken to the general public and to returned soldiers about this legislation, and the returned soldiers in particular are not very happy about it. It is creating a feeling that need not be created, and our returned soldiers are opposed to bringing Japanese here to work. Once the door is opened it will be hard to stop these people from coming here and we will have a great influx of them into Western Australia. There is no need for it. I would probably support the other clauses in the Bill but I am definitely opposed to clause 5.

**THE HON. A. F. GRIFFITH** (Suburban—Minister for Mines) [11.27 p.m.]: At the outset I want to say I am sorry that I had to call "No" so loudly when Mr. Lavery wanted to adjourn the debate. However, Mr. President, I think you will consider it to be fair—when you realise that I have sat here, as I have this evening, for some 2½ hours, and have had a great deal of criticism levelled at me, and at the Government's purpose with the introduction of this Bill, most of it basically

untrue—that I should be given an opportunity to make a reply on the same evening that the falsehoods are uttered. That is why I refused to adjourn the debate, and I am glad that there were sufficient members voting with me on this occasion. It is something I do not like doing and it is not usual.

The Hon. H. C. Strickland: But it is not the first time.

The Hon. A. F. GRIFFITH: It is not usual, when adjournments are requested in this House, for them to be refused. Perhaps towards the close of the session things get a little politically warm, and that sort of thing takes place; but things have got very politically warm tonight.

The Hon. F. R. H. Lavery: I'll say.

The Hon. A. F. GRIFFITH: I regret to say that anybody reading tonight's debate at some subsequent date will, I feel, tend to gather a wrong impression of what was meant when the Bill was introduced. The tenor of the debate shows that this is purely a political approach by the Labor Party, obviously dictated by the attitude of the A.W.U.; but I am sure that that organisation, if it knew the correct position, would not have been stirred up at all.

The Hon. H. C. Strickland: I would rather them than Jap interests, anyway.

The Hon. A. F. GRIFFITH: Look, Mr. Strickland, you have made your speech and I think it would be fair if you gave me the opportunity to make mine, because later on I have a few things to say to you about some of the statements you made!

The Hon. H. C. Strickland: Don't you interject?

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

The Hon. A. F. GRIFFITH: The tendency, whether it has been done purposely or not, in this debate is to try to create an atmosphere which would indicate that the purpose behind the Bill is to introduce Asiatic labour into Western Australia to provide for the exclusion of Western Australian workers. Nothing could be further from my mind, or from the mind of the Government, as many members have been good enough to say. Many of them have said that they appreciate the difficulties in which we find ourselves on this matter, but they do not believe that this Bill is the right way to overcome those difficulties.

Be that as it may, I do not think members in this House should adopt a political outlook on a matter of this nature. Ever since the nations of the world started talking about the Common Market I have heard it said by leaders in industry, by leaders in commerce, and by the political leaders of this State, and of all other

States of Australia, and in the Federal sphere, that Australia cannot afford to sit down and wait to see the effects of the Common Market, whatever they might be. They said her job was to get into the Asian zone, the zone in which we live, and look for markets for our products.

The Hon. F. R. H. Lavery: Nobody would deny that. I would not deny it.

The Hon. A. F. GRIFFITH: That is good. At least we have made one point. We know that in addition to the tendency to try to make this a political issue by saying that we are going to bring Asian labour to Western Australia and cast our men into unemployment, there has also been the tendency to say that this labour will be Japanese. May I remind members that not one mining tenement in respect of iron ore—and why the emphasis has been placed on iron ore again is beyond me—is held in the name of any Japanese company.

The Hon. H. C. Strickland: Have they any reservations?

The Hon. A. F. GRIFFITH: No.

The Hon. H. C. Strickland: None?

The Hon. A. F. GRIFFITH: No, no reservations. I was privileged to be shown a letter by a certain gentleman in this town who is flogging his own cause, and nobody else's cause, in which he is trying to say that some 1,300 square miles of temporary reserves for iron ore have been given to the Japanese.

I am not aware of any Japanese company that has a temporary reserve over iron ore leases in this State. None whatsoever! This argument started because shareholders of a particular mining company quarrelled among themselves. We found the extraordinary position of two shareholders in one company suing the employees of another company in which it was alleged that these people were being employed. It is remarkable to know that the appeal which was lodged against the conviction of these people was dismissed. So I do not know where they go from there. However, I am greatly interested in that aspect of the matter.

I do know that there has been a great deal of Press controversy over the issue. I was called upon to resign by citizens of Perth because I was alleged to have broken the law. I did not purposely break the law, if I did break it. I merely said that these people who had invested their money in leases at Whim Creek should be present to see how their investment was progressing. When this incident occurred, *The West Australian* stated that section 291 of the Mining Act was archaic and should be repealed.

The Hon. R. F. Hutchison: We can expect that from *The West Australian*.

The Hon. A. F. GRIFFITH: And we can expect much from the honourable member. In addition, the *Kalgoorlie Miner* published a report that this archaic section should be removed from the Act. That was as far back as the 23rd March, because I have here a cutting taken from that paper. We do not find any wholesale objection to the suggestion made by the *Kalgoorlie Miner* that this section should be repealed. The wholesale objection to the repeal of this section has been whipped up by certain people because of the wrong information that has been supplied to them. I am sorry about that because of the danger that the good intentions of our country may be misunderstood, and I should certainly think that my intentions are likely to be misunderstood.

I regret very much that this opposition to the repeal of section 291 has been created in the political atmosphere we have experienced tonight, with Mr. Strickland making extraordinary statements about Asians being on cattle stations in the north.

The Hon. H. C. Strickland: I did not claim that at all.

The Hon. A. F. GRIFFITH: Well, I may have misunderstood what the honourable member said. Perhaps it is as easy for me to dismiss it on that basis as to attempt to pursue what the honourable member said. To further the argument, we have heard Mr. Dolan going back 100 years.

The Hon. H. C. Strickland: What is wrong with that?

The Hon. A. F. GRIFFITH: Mr. Dolan stated that in Gympie, Queensland, in 1877 a certain set of circumstances arose. In his opinion that is justification for keeping alive something that is 66 years old; that is, an occurrence that happened about 100 years ago. The honourable member then went on to quote some comment which was made by the Administrator of the Northern Territory. He said that if Asiatics were permitted to enter this State it would have an adverse effect on those people beyond the 19th parallel, or some other parallel in the north. Perhaps Mr. Dolan does not realise that in the area of which he speaks there is no section in its Ordinance similar to our section 291, or any other provision like it.

I instructed the Under-Secretary for Mines to write to the Mines Department of every other State in the Commonwealth of Australia to seek information on this subject before I took any action. In his letter, the Under-Secretary pointed out that we had section 291 in our Mining Act and inquired whether the State to which he had sent his letter had a similar section in its mining legislation. The reply received from the Commonwealth Government is extremely interesting. It stated there was nothing in its mining laws

similar to section 291 of the Western Australian Mining Act, and it also pointed out that although the original mining Ordinance in the Northern Territory was drafted along similar lines to the Western Australian Mining Act, section 291 was not included. So I hope Mr. Dolan realises the significance of that. I wonder why the Northern Territory omitted a section similar to our section 291 from its Ordinance?

The Hon. H. C. Strickland: They offered to let the Japanese in once, but they did not take the opportunity.

The Hon. A. F. GRIFFITH: I am wondering why I have received letters in reply from Victoria, Tasmania, New South Wales, and Queensland, all of which inform me that in their mining laws there is no section similar to section 291 of our mining Act. I was also informed that those States have not experienced any difficulty with Asiatics, yet I understand Japanese capital has been introduced into New South Wales and Queensland for the development of mining interests. Has there been a great flow of Asian people seeking work in those mines and displacing Australian workers in New South Wales, Queensland, Victoria, or any other State? Of course not!

The Commonwealth Immigration Act sets out the position very clearly in regard to limiting and controlling the migration of Asians to this country. They come here on a businessman's visa and with the permission of the Commonwealth Government, no matter which party is in office at the time. When these Asiatics arrive in Australia they can remain only for a certain time in the same way as I was permitted to enter Japan for only a limited time. Mr. Lavery entered Japan on a visa that was for a limited period.

The Hon. F. R. H. Lavery: I had a visa for six months, but I was there for only 16 days.

The Hon. A. F. GRIFFITH: My visa was limited and it also stated the purpose of my visit to Japan. That is the situation. I studied this problem very closely to see if I could find an answer without repealing this section in the Act. I did not arrive at a conclusion and then decide to ask Parliament to repeal section 291. I made every effort to achieve my object before I took that course, but I found it was extremely difficult. People living in Asiatic countries find it a little difficult to understand some of our restrictive laws, especially in this case when in five other States the mining laws do not exclude Asiatics and yet, in this State, they are excluded by the provisions of section 291.

I regret very much that the members who have taken part in this debate have found it necessary to create a situation of fear, because that is the position. Those members used words to the effect that we would be overrun by Asiatics. Mr. Dellar



did not say that, because, in one breath, he said that no man can work in the mines unless he holds an A.W.U. ticket. I accepted that statement, but then, when he came up for a second breath he said that these Asiatics, if allowed to enter this State, will fill jobs which should be filled by our own men.

The Hon. D. P. Dellar: They tried to do it before.

The Hon. A. F. GRIFFITH: They did not try to do it before at all! As I said when I introduced the Bill, the object of section 291 was to overcome a situation which was created by the Chinese in the past. Mr. Ron Thompson told us a story about them this evening. The provision in section 291 was designed to prevent Chinese from working in the mines—especially in the Eastern States during the gold rush days. The Chinese were prepared to work under conditions which Australians refused to work under, and they also worked for a cheaper rate. There was trouble and bloodshed in those days, but are we going to continue to keep those events in mind in considering what is happening at the present time, especially when those events happened nearly 100 years ago? When I asked Mr. Dellar if there is any trouble now on the mines because of the entry of Asiatics to this State he replied that there is no trouble now because there is no work available for them. However, Queensland and New South Wales have Asiatics interested in mining ventures in those States and the authorities there do not place any bar on the entry of Asiatics.

I regret that this situation has been created in this House tonight because I fear that what has been said may be misunderstood. The very life blood and existence of Australia depends on our ability to trade with other nations all over the world. Would those members who represent farming communities in this House be happy with the situation that would be created if Japan—our second biggest customer in the world—were to cease buying the £109,000,000 worth of wool it buys each year from Australia?

The Hon. F. R. H. Lavery: Would we be happy if they came here and took over our farms?

The Hon. A. F. GRIFFITH: I do not think there is any need for the honourable member to make a statement such as that.

The Hon. F. R. H. Lavery: It is analogous to the position we are at present discussing.

The Hon. A. F. GRIFFITH: The analogy is about as far removed from the point as I am from the moon. Furthermore we sell to Red China about £45,000,000 worth of flour each year. We also sell minerals and other commodities to Japan. We will search for markets for iron ore, and for our minerals; and they will not all be in

Japan, I hope. I trust we will be able to find markets other than Japan. So far as my opposing a previous proposition is concerned, I would like to say it has little to do with the present deal. The situation in regard to the export of iron ore during the period mentioned has altered remarkably.

The Hon. H. C. Strickland: Yes.

The Hon. A. F. GRIFFITH: The honourable member now agrees with me.

The Hon. H. C. Strickland: You have since changed sides.

The Hon. A. F. GRIFFITH: That is not the reason at all. The point is that there was a known reserve of iron ore of 275,000,000 tons two years ago; whereas now we find ourselves in possession of huge quantities of iron ore. Some of these discoveries have been made in more recent months—at least the persons who claim them say they have been discovered in recent months.

It is perfectly true that the situation has taken on an entirely different aspect from that which applied two years ago. It is no longer a seller's market. It is now a buyer's market. As long as we are prepared to misjudge a situation of this nature, I think we will ultimately do so to our regret. I would point out to members that the fear they have about a concentrated influx of Japanese is without foundation, because there is any amount of protection in the Commonwealth immigration laws, which provides for this aspect.

If we find ourselves in that situation I feel sure the Government of the day will hasten to correct it. I am sure that the members of this Chamber, and members of Parliament generally, would join in helping the correction to be made. So rather than adopt the attitude that has been adopted by some members, let us realise that this is a difficult situation which the people in the area of the world in which we live might find hard to understand.

At this point I would like to say that our company law, and the laws of our land, do not stop investment of capital in Western Australia. They do not stop companies from holding freehold land in Western Australia, and it is rather natural that these people would want to be on the site at least to look to the investment they have.

As far as Depuch Copper is concerned, I believe it is employing about 30 Australians. I am not quite sure of the number, but perhaps the members for the North Province could advise me more accurately on that. Down at Ravensthorpe it has been Japanese capital that has kept the town going; it is Japanese capital that has kept the men employed in that copper mine.

There has been no attempt by the Japanese to come down in great streams to do our men out of jobs at Ravensthorpe. For goodness sake! When members are drawing these political bows I suggest they do not draw them to the extent which makes me, as an individual, responsible for a set of circumstances that do not exist. If Parliament agrees to this Bill, the situation which members fear will not occur. If it does, we will rectify it.

The Hon. H. C. Strickland: How will you rectify it?

The Hon. A. F. GRIFFITH: By Act of Parliament; just as this provision was put into the Mining Act when it was needed.

The Hon. H. C. Strickland: Why don't you bring down a special Bill for this special case?

The Hon. A. F. GRIFFITH: It is not intended to deal with a special case. We have had emphasis laid on what the Japanese are going to do with iron ore. I repeat, there are no Japanese companies mining iron ore. The arrangements the Government has made are with European companies, Australian Companies, British companies, and American companies. There is no arrangement with the Japanese. I do not want to prolong this debate any further. I thank members for their support of the first four clauses, I believe those clauses will rectify certain anomalies, and improve the Mining Act considerably. I hope on reflection that the political atmosphere might be removed from the intention of clause 5 of the Bill, and it will get some support.

The Hon. D. P. Dellar: Not from me.

The Hon. GRIFFITH: Oh, I know that.

Question put and passed.

Bill read a second time.

## ADJOURNMENT OF THE HOUSE: SPECIAL

**THE HON. A. F. GRIFFITH** (Suburban—Minister for Mines) [11.51 p.m.]: I move—

That the House at its rising adjourn until 4 p.m. tomorrow (Thursday).

Question put and passed.

*House adjourned at 11.52 p.m.*

# Legislative Assembly

Wednesday, the 11th September, 1963

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